

39:3-46

LEGISLATIVE HISTORY CHECKLIST
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(Wipers--headlights)

NJSA: 39:3-46

LAWS OF: 1995 CHAPTER: 305

BILL NO: S329

SPONSOR(S): McNamara

DATE INTRODUCED: Pre-filed

COMMITTEE: ASSEMBLY ---

SENATE: Law & Public Safety

AMENDED DURING PASSAGE: Yes Amendments during passage
Senate Committee Substitute denoted by superscript
(1R) enacted numbers

DATE OF PASSAGE: ASSEMBLY: December 18, 1995

SENATE: March 2, 1995

DATE OF APPROVAL: January 5, 1995

FOLLOWING STATEMENTS ARE ATTACHED IF AVAILABLE:

SPONSOR STATEMENT: Yes

COMMITTEE STATEMENT: ASSEMBLY: No

SENATE: Yes

FISCAL NOTE: No

VETO MESSAGE: No [redacted]

MESSAGE ON SIGNING: No [redacted]

FOLLOWING WERE PRINTED:

REPORTS: No

HEARINGS: No

See newspaper clipping--attached:

"Bill: turn lights on along with wipers," 12-19-95, Home News.

KBP:pp

[FIRST REPRINT]

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 329 and 150
STATE OF NEW JERSEY

ADOPTED JUNE 6, 1994

Sponsored by Senators McNAMARA and MARTIN

1 **AN ACT** concerning the use of headlights on motor vehicles and
2 amending R.S.39:3-46 ¹and R.S. 39:3-47¹.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the*
5 *State of New Jersey:*

6 1. R.S.39:3-46 is amended to read as follows:

7 39:3-46. As used in this article, unless the context requires
8 another or different construction:

9 "Approved" means approved by the commissioner of motor
10 vehicles and when applied to lamps and other illuminating devices
11 means that such lamps and devices must be in good working order
12 and capable of operating at least 50% of their designed efficiency.

13 "Vehicle" means every device in, upon or by which a person or
14 property is or may be transported upon a highway, excepting
15 devices moved by human power or used exclusively upon
16 stationary rails or tracks.

17 "When lighted lamps are required" means at any time from a
18 half-hour after sunset to a half-hour before sunrise; whenever
19 rain, mist, snow or other precipitation or atmospheric moisture
20 requires the use of windshield wipers by motorists; and during any
21 time when, due to [rain,] smoke, fog, unfavorable atmospheric
22 conditions or for any other cause there is not sufficient light to
23 render clearly discernible persons and vehicles on the highway at
24 a distance of 500 feet ahead. ¹[For purposes of this definition,
25 "lamp" shall mean "headlamp."]¹

26 "Headlamp" means a major lighting device capable of providing
27 general illumination ahead of a vehicle.

28 "Auxiliary driving lamp" means an additional lighting device on
29 a motor vehicle used primarily to supplement the headlamps in
30 providing general illumination ahead of a vehicle.

31 "Single beam headlamps" [mean] means headlamps or similar
32 devices arranged so as to permit the driver of the vehicle to use
33 but one distribution of light on the road.

34 "Multiple-beam headlamps" [mean] means headlamps or similar
35 devices arranged so as to permit the driver of the vehicle to use
36 one of two or more distributions of light on the road.

37 "Asymmetric headlamps" [mean] means headlamps or similar
38 devices arranged so as to permit the driver of the vehicle to use
39 one of several distributions of light on the road, at least one of
40 which is asymmetric about the median vertical axis.

41 "Clear road beam" means the beam from multiple-beam
42 headlamps designed to be used when not approaching other

EXPLANATION--Matter enclosed in bold-faced brackets [thus] in the
above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Assembly floor amendments adopted March 13, 1995.

1 vehicles and designed to provide sufficient candlepower ahead to
2 reveal obstacles at a safe distance ahead under ordinary
3 conditions of road contour and of vehicle loading.

4 "Meeting beam" means the beam from multiple beam or
5 asymmetric headlamps designed to be used when other vehicles
6 are approaching within 500 feet or when signalled and designed so
7 that the illumination on the left side of the road is reduced
8 sufficiently to avoid dangerous glare for the approaching driver.

9 "Lower beam" means the beam from multiple beam or
10 asymmetric headlamps designed to be directed low enough to
11 avoid dangerous glare on both sides of the roadway.

12 "Reflector" means an approved device designed and used to
13 give an indication by reflected light.

14 (cf: P.L. 1983, c.285 s.1)

15 12. R.S.39:3-47 is amended to read as follows:

16 39:3-47. No person shall drive, move, park or be in custody of
17 any vehicle or combination of vehicles on any street or highway
18 unless such vehicle or combination of vehicles is equipped with
19 lamps and illuminating devices as hereinafter in this article
20 respectively required for different classes of vehicles.

21 a. No person shall drive, move, park or be in custody of any
22 vehicle or combination of vehicles on any street or highway
23 during the times when lighted lamps are required unless such
24 vehicle or combination of vehicles displays lighted lamps and
25 illuminating devices as hereinafter in this article required.
26 Failure to use lighted lamps when lighted lamps are required may
27 result in a fine not to exceed \$50.00. In no case shall motor
28 vehicle points or automobile insurance eligibility points pursuant
29 to section 26 of P.L.1990, c.8 (C:17:33B-14) be assessed against
30 any person for a violation of this subsection. A person who is
31 fined under this subsection for a violation of this subsection shall
32 not be subject to a surcharge under the New Jersey Merit Rating
33 Plan as provided in section 6 of P.L.1983, c.65 (C:17:29A-35).

34 b. No person shall use on any vehicle any approved electric
35 lamp or similar device unless the light source of such lamp or
36 device complies with the conditions of approval as to focus and
37 rated candlepower.

38 c. No person shall alter the equipment or performance of
39 equipment of any vehicle which has been approved at an official
40 inspection station designated by the commissioner with intent to
41 defeat the purpose of such inspection, and no person shall drive or
42 use any vehicle with equipment so altered.¹

43 (cf: R.S. 39:3-47)

44 ¹[2.]^{3.1} This act shall take effect immediately.

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49 Requires the use of headlights on motor vehicles whenever
50 windshield wipers are used.

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2 conditions of road contour and of vehicle loading.

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14 2. This act shall take effect immediately.

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16

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STATEMENT

18

19 The purpose of this bill is to require the use of headlights when
20 weather conditions require the use of windshield wipers to clean
21 rain, snow or other moisture from the windshield. Unfavorable
22 weather conditions which blur or block visibility through a motor
23 vehicle windshield make for hazardous driving situations. The use
24 of headlights illuminate a roadway and make the other vehicles
25 on the road more visible, thereby reducing the risk of accidents
26 and increasing the safety on our roadways.

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SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR

SENATE, Nos. 329 and 150

STATE OF NEW JERSEY

DATED: JUNE 6, 1994

The Senate Law and Public Safety Committee favorably reports the Senate Committee Substitute for Senate Bill Nos. 329 and 150.

This committee substitute requires the use of headlights when weather conditions require the use of windshield wipers to clean rain, snow or other moisture from the windshield of a motor vehicle.

Unfavorable weather conditions which blur or block visibility through a motor vehicle windshield create hazardous driving situations. The use of headlights illuminates a roadway and makes other vehicles more visible, thereby reducing the risk of accidents and increasing safety.

SENATE, No. 329
STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Senator McNAMARA

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