

State of Arkansas
76th General Assembly
Regular Session, 1987
By: Representative Todd

HOUSE BILL 1688

"AN ACT TO AMEND SECTION 104 OF ACT 300 OF 1937, AS AMENDED [ARK. STAT. 75-702], TO REQUIRE THE USE OF HEADLIGHTS ON MOTOR VEHICLES DURING PERIODS OF FOG, SMOKE OR RAIN; TO PRESCRIBE THE PENALTY FOR A VIOLATION DURING PERIODS OF RAIN; AND FOR OTHER PURPOSES."

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Section 104 of Act 300 of 1937, as amended, the same being Arkansas Statute 75-702, is hereby amended to read as follows:

"Section 104. (a) Every vehicle, except motorcycles and motor-driven cycles, upon a highway within this State at any time from a half hour after sunset to a half hour before sunrise, during fog, smoke, or rain and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet ahead shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles as hereinafter stated.

(b) (1) Operation of headlights during periods of rain, as required in this section, shall be made during any time when rain, mist, or other precipitation, including snow, necessitates the constant use of windshield wipers by motorists.

(2) A conviction for a violation of this subsection (b) shall not be reported to the Revenue Division of the Department of Finance and Administration.

(3) Any person who is convicted of a violation of the provisions of this subsection (b) shall be punished by a fine of five dollars (\$5.00).

(4) No cost shall be imposed or assessed against the person.

(c) Every motorcycle and every motor-driven cycle upon a street or high-

way within this State at any time shall display lighted lamps and illuminating devices as hereinafter respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles as hereinafter stated.

(d) Whenever requirement is hereinafter declared as to distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, said provisions shall apply during the times stated in subsection (a) in respect to a vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

(e) Whenever requirement is hereinafter declared as to the mounted height of lamps or devices it shall mean from the center of such lamp or device to the level ground upon which the vehicle stands when vehicle is without a load."

SECTION 2. All laws and parts of laws in conflict with this Act are hereby repealed.

