

[Second Reprint]

ASSEMBLY, No. 354

STATE OF NEW JERSEY
215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

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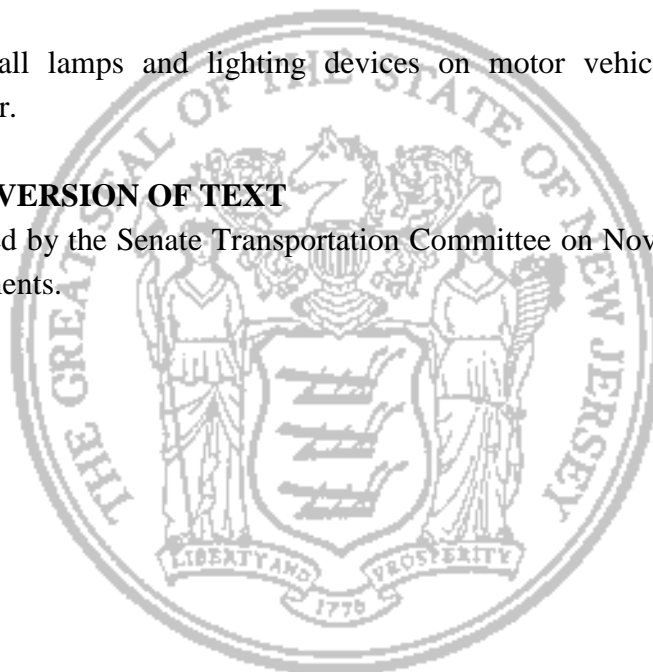
**Assemblywoman McHose, Assemblymen Wisniewski, Caputo, Space and
Senator Sacco**

SYNOPSIS

Requires all lamps and lighting devices on motor vehicles be kept in working order.

CURRENT VERSION OF TEXT

As reported by the Senate Transportation Committee on November 7, 2013, with amendments.



(Sponsorship Updated As Of: 11/19/2013)

1 AN ACT concerning motor vehicle lighting ¹**[and]**,¹ amending
 2 R.S.39:3-61 ¹**[and R.S.39:3-66]** ^{2, 2} and supplementing chapter 3
 3 of Title 39 of the Revised Statutes¹.

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

7
 8 1. R.S.39:3-61 is amended to read as follows:

9 39:3-61. (a) Every motor vehicle other than a motor cycle and
 10 other than a motor-drawn vehicle shall be equipped on the front
 11 with at least ²**[2]** two² headlamps, an equal number at each side,
 12 and with ²**[2]** two² turn signals, one on each side; and on the rear
 13 with ²**[2]** two² tail lamps, ²**[2]** two^{2,1} or more¹ stop lamps, ¹as
 14 prescribed by section 2 of P.L. _____, c. _____ (C. _____) (pending before the
 15 Legislature as this bill),¹ ²**[2]** two² turn signals ^{2, 2} and ²**[2]** two²
 16 reflectors, one of each at each side; except that a passenger vehicle
 17 manufactured before July 2, 1954, and registered in this State may
 18 be equipped with one stop lamp, one reflector ^{2, 2} and one tail lamp
 19 and is not required to be equipped with turn signals. In addition,
 20 every ²**[such]** motor² vehicle shall be equipped with adequate
 21 license plate illumination, and with one or more lamps capable of
 22 providing parking light as required in ²**[section 39:3-62]** R.S.39:3-
 23 62². Turn signals are not required on the rear of a truck tractor
 24 equipped with double-faced turn signals on or near the front and so
 25 constructed and located as to be visible to passing drivers.

26 (b) Every truck tractor manufactured after January 1, 1965, shall
 27 be equipped on the front with ²**[2]** two² clearance lamps, one at
 28 each side, and ²**[3]** three² identification lamps, which shall be in
 29 addition to the lamps provided for in paragraph (a) of this section.
 30 Where the cab is not more than 42 inches wide at the front roof line,
 31 a single lamp at the center of the cab shall be deemed to comply
 32 with the requirement for front identification lamps. Reflectors
 33 required on the rear of a truck tractor may be located on the rear of
 34 the cab, one at each side.

35 (c) Every truck 80 inches or more in over-all width except a
 36 dump truck and except a truck 80 inches or more in over-all width
 37 which is not in excess of 25 feet in over-all length and
 38 manufactured prior to January 1, 1965, shall be equipped with the
 39 following lamps and reflectors in addition to those provided for in
 40 paragraph (a) of this section;

41 On the front, ²**[2]** two² clearance lamps, one at each side, and
 42 ²**[3]** three² identification lamps except that where the cab is not

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:

¹Assembly floor amendments adopted December 17, 2012.

²Senate STR committee amendments adopted November 7, 2013.

1 more than 42 inches wide at the front roof line, a single lamp at the
2 center of the cab shall be deemed to comply with the requirement
3 for front identification lamps;

4 On the rear, ²~~[2]~~ two² clearance lamps, one at each side, and
5 ²~~[3]~~ three² identification lamps;

6 On each side, one side-marker lamp and one reflector at or near
7 the front, and one side-marker lamp and one reflector at or near the
8 rear.

9 (d) Every trailer or semitrailer shall be equipped on the rear with
10 ²~~[2]~~ two² tail lamps, ²~~[2]~~ two² stop lamps, ²~~[2]~~ two² turn signals
11 ², ² and ²~~[2]~~ two² reflectors, one of each at each side, and with
12 adequate license plate illumination.

13 (e) Every trailer or semitrailer 80 inches or more in over-all
14 width, except a dump truck trailer, a dump truck semitrailer ², ² or a
15 converter dolly, shall be equipped with the following lamps and
16 reflectors in addition to those provided for in paragraph (d) of this
17 section:

18 On the front, ²~~[2]~~ two² clearance lamps, one at each side;

19 On the rear, ²~~[2]~~ two² clearance lamps, one at each side, and
20 except with respect to cable reel trailers, ²~~[3]~~ three² identification
21 lamps;

22 On each side, one side-marker lamp and one reflector at or near
23 the front, and one side-marker lamp and one reflector at or near the
24 rear; and on any ²~~[such]~~ trailer or semi-trailer² vehicle 30 feet or
25 more in length, at least one additional side-marker lamp at optional
26 height and at least one additional reflector, the additional lamp
27 ²~~[(or lamps)]~~ or lamps² and reflector ²~~[(or reflectors)]~~ or
28 reflectors² to be at or near the center or at approximately uniform
29 spacing in the length of the vehicle.

30 (f) Every pole trailer shall be equipped as follows:

31 On the rear, ²~~[2]~~ two² tail lamps, one at each side; ²~~[2]~~ two²
32 stop lamps, one at each side; ²~~[2]~~ two² turn signals, one at each
33 side; ²~~[2]~~ two² reflectors, one at each side, placed to indicate
34 extreme width of the pole trailer; ²~~[3]~~ three² identification lamps
35 mounted on the vertical center line of the pole trailer or in lieu
36 thereof mounted on the vertical center line of the rear of the cab of
37 the truck tractor drawing the pole trailer and higher than the load
38 being transported.

39 On each side, one amber side-marker lamp at or near the front of
40 the load; one amber reflector at or near the front of the load; on the
41 rearmost support for the load, one combination marker lamp
42 showing amber to the front and red to the rear and side, mounted to
43 indicate maximum width of the pole trailer; on the rearmost support
44 for the load, one red reflector.

45 Nothing in this subsection ²~~[(f)]~~² shall apply to a single axle,
46 skeleton frame trailer, not exceeding 2,500 pounds net weight and

1 not exceeding 80 inches in over-all width which is designed to
2 transport poles and is owned by a public utility as defined in
3 ²~~section 48:2-13 of the Revised Statutes~~ R.S.48:2-13² except that
4 such vehicles shall be required to have on the rear, ²~~two~~² tail
5 lamps, one at each side; stop lamps, one at each side; ²~~two~~² turn
6 signals, one at each side; ²~~two~~² reflectors, one at each side on
7 each side; and one amber side-marker lamp at or near the front of
8 the load.

9 (g) Every converter dolly not permanently attached to a
10 semitrailer shall be equipped on the rear with one stop lamp, one
11 tail lamp, ²~~two~~² reflectors, one at each side, and adequate
12 license plate illumination. These lamps need be lighted only when
13 the converter dolly is being towed singly by another vehicle. A
14 "converter dolly" is a vehicle with a fifth wheel lower half or
15 equivalent mechanism, the attachment of which converts a
16 semitrailer to a trailer.

17 (h) Every motor cycle shall be equipped with at least one and not
18 more than ²~~two~~² headlamps, one tail lamp, one stop lamp, at
19 least one reflector on the rear, adequate license plate illumination
20 and, if a side car or any other extension is attached to the side
21 thereof, one lamp located on the outside limit of the attachment
22 capable of displaying white light to the front.

23 (i) Required lamps and reflectors shall be of a type approved by
24 the ²~~director~~ chief administrator². Turn signals shall be Class A
25 Type 1 lamps except that on passenger cars, and on commercial
26 vehicles less than 80 inches in over-all width they may be Class B
27 lamps. Reflectors shall be Class A reflex reflectors except that on
28 passenger cars they may be Class B reflex reflectors.

29 (j) ~~Required~~ ¹~~All~~ Required¹ headlamps, tail lamps,
30 clearance lamps, identification lamps ²₂ and side-marker lamps
31 shall be lighted and adequate license plate illumination displayed
32 whenever the vehicle other than a converter dolly is upon a highway
33 when lighted lamps are required except when parked and exhibiting
34 lights as provided for in ²~~section 39:3-62~~ R.S.39:3-62² or when
35 stopped and displaying emergency warning lights or devices as
36 provided for in ²~~section 39:3-64~~ R.S.39:3-64² or ²~~section 39:3-~~
37 54 R.S.39:3-54². Lamps on a converter dolly shall be lighted as
38 provided for in paragraph (g) of this section. Turn signals on the
39 side toward which a vehicle turn is made shall be flashed to indicate
40 the turning movement. Stop lamps shall be lighted as provided in
41 section 9 of ²~~this act~~ P.L.1964, c.136 (C.39:3-61.3)².

42 (k) License plate illumination will be deemed to be adequate
43 when either a tail lamp or a separate lamp is so constructed and
44 placed as to illuminate with a white light the rear ²~~registration~~
45 license² plate on a vehicle and render it clearly legible from a
46 distance of 50 feet to the rear. Any lamp or lamps providing

1 ²~~such~~² illumination shall be lighted whenever the headlamps or
2 other driving lamps are lighted.

3 (l) Whenever a law enforcement officer detects a motor vehicle
4 with a lamp not in working order, the driver may be permitted to
5 park the vehicle temporarily at some safe place nearby and make
6 the necessary repairs or replacement to restore the lamp to working
7 order before moving the vehicle, in which event, there is no
8 violation of this Title.

9 (m) Every motorbus manufactured before January 1, 1960, that
10 has been inspected and approved as to construction and safety
11 devices by the Board of Public Utility Commissioners shall be
12 deemed in compliance with the requirements of this section.
13 (cf: P.L.1964, c.281, s.1)

14
15 ¹~~2.~~ R.S.39:3-66 is amended to read as follows:

16 39:3-66. All lamps, reflectors and other illuminating devices
17 ~~required by this article~~ equipped on a motor vehicle shall be kept
18 clean and in good working order and, as far as practicable, shall be
19 mounted in such a manner as to reduce the likelihood of their being
20 obscured by mud or dust thrown up by the wheels.

21 (cf: R.S.39:3-66)¹

22
23 ¹~~2.~~ (New section) Every motor vehicle, other than a motorcycle,
24 shall be equipped on the rear with at least two stoplights, one at
25 each side of the vertical centerline at the same height and as far
26 apart as practical, except that a passenger vehicle manufactured
27 before July 2, 1954, may be equipped with one stoplight.

28 All passenger automobiles manufactured on or after September
29 1, 1985, shall, in addition, be equipped with a high-mounted rear
30 stoplight on the vertical centerline.

31 All multipurpose passenger vehicles, trucks, and modified buses
32 whose overall width is less than 80 inches and whose GVWR is
33 10,000 pounds or less, manufactured on or after September 1, 1993,
34 shall, in addition, be equipped with a high-mounted rear stoplight
35 on the vertical centerline.

36 All multipurpose passenger vehicles, trucks, and modified buses
37 whose overall width is less than 80 inches and whose GVWR is
38 10,000 pounds or less and whose vertical centerline, when the
39 vehicle is viewed from the rear, is not located on a fixed body panel
40 but separate one or two moveable body section, such as doors, and
41 which lacks sufficient space to install a single high-mounted
42 stoplight on the centerline above such body sections, and which is
43 manufactured on or after September 1, 1993, shall, in addition, be
44 equipped with two high-mounted rear stoplights.

45 All stoplights shall be of a type meeting the standards of the
46 United States Department of Transportation or, for motor vehicles
47 manufactured prior to the adoption of such standards, the standards

1 of the Society of Automotive Engineers, and approved by the chief
2 administrator.¹

3

4 3. This act shall take effect on the first day of the second month
5 following enactment.