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State of Minnesota
HOUSE OF REPRESENTATIVES
NINETIETH SESSION

H. F. No. 3266

03/01/2018 Authored by Carlson, A., and Kunesch-Podein
The bill was read for the first time and referred to the Committee on Transportation and Regional Governance Policy

1.1 A bill for an act
1.2 relating to traffic regulations; expanding requirements governing use of vehicle
1.3 lighting; amending Minnesota Statutes 2016, section 169.48, subdivision 1, by
1.4 adding a subdivision; repealing Minnesota Statutes 2016, section 169.48,
1.5 subdivision 2.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2016, section 169.48, subdivision 1, is amended to read:

1.8 Subdivision 1. **Lights to be displayed.** (a) Every vehicle upon a highway within this
1.9 state:

1.10 ~~(1) at any time from sunset to sunrise;~~

1.11 ~~(2) at any time when it is raining, snowing, sleet, or hailing; and~~

1.12 ~~(3) at any other time when visibility is impaired by weather, smoke, fog or other~~
1.13 ~~conditions or there is not sufficient light to render clearly discernible persons and vehicles~~
1.14 ~~on the highway at a distance of 500 feet ahead;~~

1.15 ~~shall~~ must display lighted headlamps, lighted tail lamps, and illuminating devices, as
1.16 ~~hereinafter, respectively,~~ required for ~~different classes~~ the class of vehicles to which the
1.17 vehicle belongs, subject to exceptions ~~with respect to~~ provided for parked vehicles under
1.18 section 169.53 and law enforcement vehicles, ~~as hereinafter stated~~ under section 169.541.
1.19 ~~In addition to the other requirements of this paragraph, every school bus transporting children~~
1.20 ~~upon a highway within this state, at any time from a half hour before sunrise to a half hour~~
1.21 ~~after sunset, shall display lighted headlamps, lighted tail lamps, and illuminating devices~~
1.22 ~~as required by this paragraph, except that~~ The operator ~~shall~~ must use the lowermost
1.23 distribution of light specified in section 169.60 unless conditions warrant otherwise.

2.1 ~~(b) When requirement is hereinafter declared as to the distance from which certain lamps~~
2.2 ~~and devices shall render objects visible or within which such lamps or devices shall be~~
2.3 ~~visible, these provisions shall apply during the time stated in this section upon a straight~~
2.4 ~~level unlighted highway under normal atmospheric conditions unless a different time or~~
2.5 ~~condition is expressly stated and Unless otherwise specified the location of lamps and~~
2.6 ~~devices shall refer to the center of such lamps or devices.~~

2.7 Parking lamps shall must not be used in lieu of headlamps to satisfy the requirements
2.8 of this section.

2.9 Sec. 2. Minnesota Statutes 2016, section 169.48, is amended by adding a subdivision to
2.10 read:

2.11 Subd. 2a. **Measurement of lighting.** Requirements in this chapter governing the distance
2.12 from which certain lamps and devices must render objects visible, or within which lamps
2.13 or devices must be visible, apply during the time from sunset to sunrise on a straight level
2.14 unlighted highway under normal atmospheric conditions unless a different time or condition
2.15 is expressly stated. Unless otherwise specified, the location of lamps and devices refer to
2.16 the center of the lamps or devices.

2.17 Sec. 3. **REPEALER.**

2.18 Minnesota Statutes 2016, section 169.48, subdivision 2, is repealed.

APPENDIX
Repealed Minnesota Statutes: HF3266-0

169.48 VEHICLE LIGHTING.

Subd. 2. **Certain violations; negligence.** Notwithstanding section 169.96, a violation of subdivision 1, paragraph (a), clause (2), is not negligence per se or prima facie evidence of negligence.