

**Senate Bill No. 372**

(By Senator Beach)

\_\_\_\_\_

[Introduced January 16, 2014; referred to the Committee on  
Transportation and Infrastructure; and then to the Committee on  
the Judiciary.]

\_\_\_\_\_

A BILL to amend and reenact §17C-15-23 of the Code of West  
Virginia, 1931, as amended, relating to permitting certain  
auxiliary lighting on motorcycles.

*Be it enacted by the Legislature of West Virginia:*

That §17C-15-23 of the Code of West Virginia, 1931, as  
amended, be amended and reenacted to read as follows:

**ARTICLE 15. EQUIPMENT.**

**§17C-15-23. Lighting equipment on motorcycles, motor-driven  
cycles and mopeds.**

The head lamp or head lamps upon every motorcycle, motor-  
driven cycle and moped may be of the single-beam or multiple-beam  
type but in either event ~~shall~~ must comply with the requirements  
and limitations as follows:

(1) Every ~~said~~ head lamp or head lamps ~~shall~~ must be of

1 sufficient intensity to reveal a person or a vehicle at a distance  
2 of not less than one hundred feet when the motorcycle, motor-driven  
3 cycle or moped is operated at any speed less than twenty-five miles  
4 per hour and at a distance of not less than two hundred feet when  
5 it is operated at a speed of twenty-five or more miles per hour.

6       (2) ~~In the event~~ If the motorcycle, motor-driven cycle or  
7 moped is equipped with a multiple-beam type head lamp or head lamps  
8 the upper beam ~~shall~~ must meet the minimum requirements set forth  
9 above and ~~shall~~ not exceed the limitations set forth in subdivision  
10 (a), section twenty ~~(a)~~ of this article and the lowermost beam  
11 ~~shall~~ must meet the requirements applicable to a lowermost  
12 distribution of light as set forth in subdivision (b), section  
13 twenty ~~(b)~~ of this article.

14       (3) ~~In the event~~ If the motorcycle, motor-driven cycle or  
15 moped is equipped with a single-beam lamp or lamps, ~~said~~ the lamp  
16 or lamps ~~shall be so~~ must be aimed so that when the vehicle is  
17 loaded none of the high-intensity portion of light, at a distance  
18 of twenty-five feet ahead, ~~shall project~~ projects higher than the  
19 level of the center of the lamp from which it comes.

20       (4) (A) Subject to paragraph (B) of this subdivision, a  
21 motorcycle may be equipped with, and an operator of a motorcycle  
22 may use, the following auxiliary lighting:

23       (I) Amber and white illumination;

24       (ii) Standard bulb running lights; or

1        (iii) Light-emitting diode pods and strips added to protect  
2 the driver.

3        (B) Lighting under this subdivision must be:

4        (I) Nonblinking;

5        (ii) Nonflashing;

6        (iii) Nonoscillating; and

7        (iv) Directed toward the engine and the drive train of the  
8 motorcycle.

NOTE: The purpose of this bill is to permit certain auxiliary lighting on motorcycles.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.