

Committee Report

REGULAR CALENDAR

February 20, 2018

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Committee on Transportation to which was referred
HB 1350,**

**AN ACT requiring headlight use when windshield
wipers are in use. Having considered the same, report
the same with the following resolution: RESOLVED, that
it is INEXPEDIENT TO LEGISLATE.**

Rep. Steven Smith

FOR THE COMMITTEE

COMMITTEE REPORT

Committee:	Transportation
Bill Number:	HB 1350
Title:	requiring headlight use when windshield wipers are in use.
Date:	February 20, 2018
Consent Calendar:	REGULAR
Recommendation:	INEXPEDIENT TO LEGISLATE

STATEMENT OF INTENT

This bill would require headlights or daytime running lamps to be on when wipers are in use. The bill made no distinction between intermittent use and steady use. It also did not strike the existing visibility and weather conditions under which lights are required. This makes the statute too confusing to enforce.

Vote 10-3.

Rep. Steven Smith
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Transportation

HB 1350, requiring headlight use when windshield wipers are in use. **INEXPEDIENT TO LEGISLATE.**

Rep. Steven Smith for Transportation. This bill would require headlights or daytime running lamps to be on when wipers are in use. The bill made no distinction between intermittent use and steady use. It also did not strike the existing visibility and weather conditions under which lights are required. This makes the statute too confusing to enforce. **Vote 10-3.**

COMMITTEE REPORT

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Rep. Steven Smith
FOR THE COMMITTEE

Original: House Clerk
Cc: Committee Bill File

COMMITTEE REPORT

COMMITTEE: Transportation

BILL NUMBER: HB 1350

TITLE: requiring headlight use when windshield wipers are in use.

DATE: 2/20/2018 CONSENT CALENDAR: YES NO

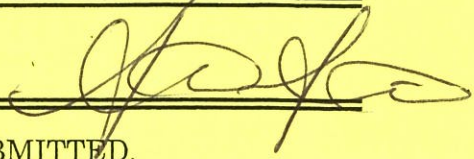
- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.

STATEMENT OF INTENT:

This bill would require headlights or daytime running lamps to be on when wipers are in use. The bill made no ~~clear~~ distinction between intermittent use and steady use. It also did not strike the existing ~~visibility~~ ^{visibility} and weather conditions under which lights are required. This makes the statute to confusing to enforce.

COMMITTEE VOTE: 10-3



RESPECTFULLY SUBMITTED,

- Copy to Committee Bill File
- Use Another Report for Minority Report

Rep. Steven Smith
For the Committee

Executive Session

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on HB 1350

BILL TITLE: requiring headlight use when windshield wipers are in use.

DATE: February 20, 2018

LOB ROOM: 203

MOTIONS: INEXPEDIENT TO LEGISLATE

Moved by Rep. Horn

Seconded by Rep. Chirichiello


Vote: 10-3

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,

Rep Thomas Laware, Clerk


Rep. Steven Smith, Chairman

HOUSE COMMITTEE ON TRANSPORTATION

EXECUTIVE SESSION on HB 1350

BILL TITLE: requiring headlight use when windshield wipers are in use.

DATE: Feb 20, 2014

LOB ROOM: 203

MOTION: (Please check one box)

- OTP
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. Horn Seconded by Rep. Chivichello Vote: 10-3

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

- OTP
- OTP/A
- ITL
- Retain (1st year)
- Adoption of Amendment # _____ (if offered)
- Interim Study (2nd year)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: _____ YES NO

Minority Report? _____ Yes _____ No If yes, author, Rep: _____ Motion _____

Respectfully submitted: Thomas Laware
Rep Thomas Laware, Clerk

Voting Sheets



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/5/2018 10:32:55 AM
Roll Call Committee Registers
Report

2018 SESSION

TRANSPORT

Bill #: HB 1350 Title: requiring head light use when windshield wipers
PH Date: Feb 1, 2018 and in use. Exec Session Date: Feb 1, 2018
Motion: 1 TL Amendment #: _____

MEMBER	YEAS	NAYS
Smith, Steven D. Chariman	✓	
Walsh, Thomas C. Vice Chairman	✓	
Chirichiello, Brian K.	✓	
Crawford, Karel A.	✓	
Laware, Thomas W. Clerk	✓	
Horn, Werner D.	✓	
True, Chris		
Dickey, Glen		
Moore, Craig C.	✓	
Torosian, Peter E.		
Valera, John J.		
Sykes, George E.	✓	✓
O'Brien, Michael B.		
Soucy, Timothy A.	✓	
Johnsen, Gladys		
Vann, Ivy C.		
Cleaver, Skip		✓
St. Clair, Charlie	✓	
Lerner, Kari		✓
Conley, Casey M.	✓	
TOTAL VOTE:		

10 - 3



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1/5/2018 10:32:55 AM
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Report

2018 SESSION

TRANSPORT

Bill #: HB 1350 Title: requiring head light use when windshield wipers
PH Date: Feb, 1, 2018 and in use. Exec Session Date: Feb, 1, 2018
Motion: ITL Amendment #: _____

MEMBER	YEAS	NAYS
Smith, Steven D. Chariman	✓	
Walsh, Thomas C. Vice Chairman	✓	
Chirichiello, Brian K.	✓	
Crawford, Karel A.	✓	
Laware, Thomas W. Clerk	✓	
Horn, Werner D.	✓	
True, Chris		
Dickey, Glen		
Moore, Craig C.	✓	
Torosian, Peter E.		
Valera, John J.		
Sykes, George E.	✗	✓
O'Brien, Michael B.		
Soucy, Timothy A.	✓	
Johnsen, Gladys		
Vann, Ivy C.		
Cleaver, Skip		✓
St. Clair, Charlie	✓	
Lerner, Kari		✓
Conley, Casey M.	✓	
TOTAL VOTE:		

10 - 3



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/5/2018 10:32:55 AM
Roll Call Committee Registers
Report

2018 SESSION

TRANSPORT

Bill #: HB 1350 Title: requiring head light use when windshield wipers
PH Date: Feb, 20, 2018 and in case. Exec Session Date: Feb, 20, 2018
Motion: ITL Amendment #: _____

MEMBER	YEAS	NAYS
Smith, Steven D. Chariman	✓	
Walsh, Thomas C. Vice Chairman	✓	
Chirichiello, Brian K.	✓	
Crawford, Karel A.	✓	
Laware, Thomas W. Clerk	✓	
Horn, Werner D.	✓	
True, Chris		
Dickey, Glen		
Moore, Craig C.	✓	
Torosian, Peter E.		
Valera, John J.		
Sykes, George E.	✗	✓
O'Brien, Michael B.		
Soucy, Timothy A.	✓	
Johnsen, Gladys		
Vann, Ivy C.		
Cleaver, Skip		✓
St. Clair, Charlie	✓	
Lerner, Kari		✓
Conley, Casey M.	✓	
TOTAL VOTE:		

10 ~ 3

Hearing Minutes

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON HB 1350

BILL TITLE: requiring headlight use when windshield wipers are in use.

DATE: February 20, 2018

LOB ROOM: 203

Time Public Hearing Called to Order: 10:02

Time Adjourned: 10:13

Committee Members: Reps. Steven Smith, T. Walsh, Laware, Chirichiello, Crawford, Horn, C. Moore, Sykes, G. Johnsen, Vann, Cleaver, Lerner and Conley

Bill Sponsors:

Rep. Richardson

Rep. Chandley

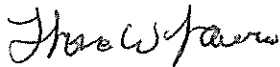
TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

Rep Chandley, supports, introduces bill and takes questions for Rep Richardson who was absent.

Andrew Player, DOS, supports bill

Respectfully submitted,



Rep. Thomas Laware, Clerk

HOUSE COMMITTEE ON TRANSPORTATION

PUBLIC HEARING ON HB 1350

BILL TITLE: requiring headlight use when windshield wipers are in use.

DATE: ~~December 20, 2017~~ Feb 20, 2018

LOB ROOM: 203

Time Public Hearing Called to Order: 10:02

Time Adjourned: 10:13

Committee Members: Reps. Steven Smith, T. Walsh, Chirichiello, Crawford, Horn, True, Dickey, & Moore, Torosian, Valera, Sykes, O'Brien, Soucy, G. Johnsen, Vann, Cleaver, St. Clair, Lerner, Conley and Laware

Bill Sponsors:

Rep. Richardson

Rep. Chandley

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

- ① Rep Chandley - introduces bill - supports bill and took question for Rep Richardson who was absent.
- ② Andrew Plaine Player DOS. - supports bill.

**Bill as
Introduced**

HB 1350 - AS INTRODUCED

2018 SESSION

18-2342

03/01

HOUSE BILL **1350**

AN ACT requiring headlight use when windshield wipers are in use.

SPONSORS: Rep. Richardson, Coos 4; Rep. Chandley, Hills. 22

COMMITTEE: Transportation

ANALYSIS

This bill requires headlight use when windshield wipers are on in continuous use because of inclement weather.

Explanation: Matter added to current law appears in *bold italics*.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eighteen

AN ACT requiring headlight use when windshield wipers are in use.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Motor Vehicles; Period of Lighting. Amend RSA 265:109 to read as follows:

2 265:109 Period of Lighting. Every vehicle or combination of vehicles, whether stationary or in
3 motion, on any way or bridge, shall have attached to it a light or lights, which shall be so displayed
4 as to be visible from the front and rear, during the period from 1/2 hour after sunset to 1/2 hour
5 before sunrise *or when windshield wipers are on in continuous use because of inclement*
6 *weather.*

7 2 Equipment of Vehicles; Front Lights. Amend RSA 266:31 to read as follows:

8 266:31 Front Lights. Every motor vehicle driven during the period from 1/2 hour after sunset
9 to 1/2 hour before sunrise, and whenever rain, snow, or fog shall interfere with the proper view of
10 the road so that persons and vehicles on the way are not clearly discernible at a distance of 1000
11 feet ahead *or when windshield wipers are on in continuous use because of inclement*
12 *weather*, shall display at least 2 lighted lamps on the front; provided, however, that one suitable
13 lighted lamp on the front of a motorcycle shall be sufficient. The headlamp shall throw sufficient
14 light ahead within the traveled portion of the way to make clearly visible all vehicles, persons, or
15 substantial objects within a distance of 200 feet, except that the headlamps of motorcycles shall be
16 sufficient if they make clearly visible objects within a distance of 150 feet. No headlamp shall be
17 used unless it is approved by the director and is equipped with a proper lens or other device
18 designed to prevent glaring rays. All headlamps on every motor vehicle shall be located at a height
19 of not more than 54 inches nor less than 24 inches from the ground on an unladen vehicle. The
20 measurement shall be made from the ground to the center of the lens. No device which obstructs,
21 reflects, or alters the beam of such headlamp shall be used in connection therewith unless approved
22 by the director. Every lens or other device to prevent glaring rays, the use of which on motor
23 vehicles has been approved by the director, shall be arranged, adjusted, and operated in accordance
24 with the requirements of the certificate approving the use thereof. Every lamp, bulb, or light used
25 in any headlamp shall be of such candle power as may be specified for the approved device in the
26 certificate approving the use thereof. Every reflector which is used as a part of such headlamp shall
27 have a reflecting surface approved by the director after satisfactory tests have been made, and
28 every reflecting surface shall be free from dents, rust and other imperfections. The driver of every
29 motor vehicle shall permit any properly authorized person to inspect the headlighting equipment of
30 such motor vehicle and to make such tests as he or she may deem necessary to determine whether
31 the provisions of this section are being complied with. Any headlamp color approved by the director

HB 1350 - AS INTRODUCED

- Page 2 -

1 for motor vehicles shall be considered approved for motorcycles.

2 3 Effective Date. This act shall take effect January 1, 2019.