

1 AN ACT relating to motor vehicle headlamps.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 189.010 is amended to read as follows:

4 As used in this chapter:

5 (1) "Department" means the Department of Highways;

6 (2) "Crosswalk" means:

7 (a) That part of a roadway at an intersection within the connections of the lateral
8 lines of the sidewalks on opposite sides of the highway measured from the
9 curbs or in the absence of curbs, from the edges of the traversable roadway; or

10 (b) Any portion of a roadway at an intersection or elsewhere distinctly indicated
11 for pedestrian crossing by lines or other markings on the surface;

12 (3) "Highway" means any public road, street, avenue, alley or boulevard, bridge,
13 viaduct, or trestle and the approaches to them and includes private residential roads
14 and parking lots covered by an agreement under KRS 61.362, off-street parking
15 facilities offered for public use, whether publicly or privately owned, except for-hire
16 parking facilities listed in KRS 189.700;

17 (4) "Intersection" means:

18 (a) The area embraced within the prolongation or connection of the lateral curb
19 lines, or, if none, then the lateral boundary lines of the roadways of two (2)
20 highways which join one another, but do not necessarily continue, at
21 approximately right angles, or the area within which vehicles traveling upon
22 different highways joining at any other angle may come into conflict; or

23 (b) Where a highway includes two (2) roadways thirty (30) feet or more apart,
24 then every crossing of each roadway of such divided highway by an
25 intersecting highway shall be regarded as a separate intersection. If the
26 intersecting highway also includes two (2) roadways thirty (30) feet or more
27 apart, every crossing of two (2) roadways of the highways shall be regarded as

- 1 a separate intersection. The junction of a private alley with a public street or
2 highway shall not constitute an intersection;
- 3 (5) "Manufactured home" has the same meaning as defined in KRS 186.650;
- 4 (6) "Motor truck" means any motor-propelled vehicle designed for carrying freight or
5 merchandise. It shall not include self-propelled vehicles designed primarily for
6 passenger transportation but equipped with frames, racks, or bodies having a load
7 capacity of not exceeding one thousand (1,000) pounds;
- 8 (7) "Operator" means the person in actual physical control of a vehicle;
- 9 (8) "Pedestrian" means any person afoot or in a wheelchair;
- 10 (9) "Right-of-way" means the right of one (1) vehicle or pedestrian to proceed in a
11 lawful manner in preference to another vehicle or pedestrian approaching under
12 such circumstances of direction, speed, and proximity as to give rise to danger of
13 collision unless one grants precedence to the other;
- 14 (10) "Roadway" means that portion of a highway improved, designed, or ordinarily used
15 for vehicular travel, exclusive of the berm or shoulder. If a highway includes two
16 (2) or more separate roadways, the term "roadway" as used herein shall refer to any
17 roadway separately but not to all such roadways collectively;
- 18 (11) "Safety zone" means the area or space officially set apart within a roadway for the
19 exclusive use of pedestrians and which is protected or is so marked or indicated by
20 adequate signs as to be plainly visible at all times while set apart as a safety zone;
- 21 (12) "Semitrailer" means a vehicle designed to be attached to, and having its front end
22 supported by, a motor truck or truck tractor, intended for the carrying of freight or
23 merchandise and having a load capacity of over one thousand (1,000) pounds;
- 24 (13) "Truck tractor" means any motor-propelled vehicle designed to draw and to support
25 the front end of a semitrailer. The semitrailer and the truck tractor shall be
26 considered to be one (1) unit;
- 27 (14) "Sharp curve" means a curve of not less than thirty (30) degrees;

- 1 (15) "State Police" includes any agency for the enforcement of the highway laws
2 established pursuant to law;
- 3 (16) "Steep grade" means a grade exceeding seven percent (7%);
- 4 (17) "Trailer" means any vehicle designed to be drawn by a motor truck or truck-tractor,
5 but supported wholly upon its own wheels, intended for the carriage of freight or
6 merchandise and having a load capacity of over one thousand (1,000) pounds;
- 7 (18) "Unobstructed highway" means a straight, level, first-class road upon which no
8 other vehicle is passing or attempting to pass and upon which no other vehicle or
9 pedestrian is approaching in the opposite direction, closer than three hundred (300)
10 yards;
- 11 (19) (a) "Vehicle" includes:
- 12 1. All agencies for the transportation of persons or property over or upon
13 the public highways of the Commonwealth; and
- 14 2. All vehicles passing over or upon the highways.
- 15 (b) "Motor vehicle" includes all vehicles, as defined in paragraph (a) of this
16 subsection, except:
- 17 1. Road rollers;
- 18 2. Road graders;
- 19 3. Farm tractors;
- 20 4. Vehicles on which power shovels are mounted;
- 21 5. Construction equipment customarily used only on the site of
22 construction and which is not practical for the transportation of persons
23 or property upon the highways;
- 24 6. Vehicles that travel exclusively upon rails;
- 25 7. Vehicles propelled by electric power obtained from overhead wires
26 while being operated within any municipality or where the vehicles do
27 not travel more than five (5) miles beyond the city limits of any

1 municipality;

2 8. Vehicles propelled by muscular power; and

3 9. Electric low-speed scooters;

4 (20) "Reflectance" means the ratio of the amount of total light, expressed in a
5 percentage, which is reflected outward by the product or material to the amount of
6 total light falling on the product or material;

7 (21) "Sunscreening material" means a product or material, including film, glazing, and
8 perforated sunscreening, which, when applied to the windshield or windows of a
9 motor vehicle, reduces the effects of the sun with respect to light reflectance or
10 transmittance;

11 (22) "Transmittance" means the ratio of the amount of total light, expressed in a
12 percentage, which is allowed to pass through the product or material, including
13 glazing, to the amount of total light falling on the product or material and the
14 glazing;

15 (23) "Window" means any device designed for exterior viewing from a motor vehicle,
16 except the windshield, any roof-mounted viewing device, and any viewing device
17 having less than one hundred fifty (150) square inches in area;

18 (24) "All-terrain vehicle" means any motor vehicle used for recreational off-road use;

19 (25) "Nondivisible load," as pertains to state highways that are not part of the national
20 truck network established pursuant to 23 C.F.R. pt. 658, means a load or vehicle,
21 that if separated into smaller loads or vehicles:

22 (a) Compromises the intended use of the vehicle, making it unable to perform the
23 function for which it was intended;

24 (b) Destroys the value of the load or vehicle, making it unusable for its intended
25 purpose; or

26 (c) Requires more than four (4) work hours to dismantle and reassemble using
27 appropriate equipment;

- 1 (26) "Electric low-speed scooter" means a device that:
- 2 (a) Weighs less than one hundred (100) pounds;
- 3 (b) Is equipped with wheels;
- 4 (c) Is equipped with handlebars;
- 5 (d) Is equipped with a brake adequate enough to stop and park the device;
- 6 (e) Is designed to be stood or sat upon;
- 7 (f) Is propelled by an electric motor, human power, or both; and
- 8 (g) Is designed to operate at a maximum speed of twenty (20) miles per hour, on a
- 9 paved level surface, with or without human propulsion;~~and~~
- 10 (27) "Highway work zone" means that lane or portion of a state-maintained highway
- 11 open to vehicular traffic and the affected area adjacent to a lane, berm, or shoulder
- 12 of a state-maintained highway upon which construction, reconstruction, resurfacing,
- 13 maintenance, inspection, or other work of that nature is being conducted;
- 14 **(28) "Cabinet" means the Transportation Cabinet; and**
- 15 **(29) "Headlamp assembly" means a sealed beam headlamp housing assembly which**
- 16 **is a major lighting assembly used to provide mounting and aiming adjustment for**
- 17 **one (1) or more sealed-beam units or replaceable bulb headlamps that provide**
- 18 **general illumination ahead of the vehicle.**
- 19 ➔Section 2. KRS 189.040 is amended to read as follows:
- 20 (1) Every motor vehicle, other than a motorcycle or moped, shall be equipped with at
- 21 least two (2) headlamps with at least one (1) on each side of the front of the motor
- 22 vehicle, which headlamps shall comply with the requirements and limitations set
- 23 forth in this section.
- 24 (2) Every motorcycle and moped shall be equipped with at least one (1) and not more
- 25 than two (2) headlamps which shall comply with the requirements and limitations of
- 26 this section.
- 27 (3) Except as hereinafter provided, the headlamps or the auxiliary driving lamps or the

1 auxiliary passing lamp or combinations thereof on motor vehicles, other than a
2 motorcycle or moped, shall be so arranged that the driver may control the selection
3 between distribution of light projected to different elevations, subject to the
4 following requirements and limitations:

- 5 (a) There shall be an uppermost distribution of light, or composite beam, so
6 aimed and of such intensity as to reveal persons and vehicles at a distance of
7 at least three hundred fifty (350) feet ahead for all conditions of loading;
- 8 (b) There shall be a lowermost distribution of light, or composite beam, so aimed
9 and of sufficient intensity to reveal persons and vehicles at a distance of at
10 least one hundred (100) feet ahead; and on a straight level road under any
11 condition of loading none of the high-intensity portion of the beam shall be
12 directed to strike the eyes of an approaching driver; and
- 13 (c) Every new motor vehicle, other than a motorcycle or moped, registered in this
14 state after January 1, 1956, which has multiple-beam road-lighting equipment
15 shall be equipped with a beam indicator, which shall be lighted whenever the
16 uppermost distribution of light from the headlamps is in use, and shall not
17 otherwise be lighted. Said indicator shall be so designed and located that when
18 lighted it will be readily visible without glare to the driver of the vehicle so
19 equipped.
- 20 (4) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent
21 thereto during the times specified in KRS 189.030, the driver shall use a distribution
22 of light or composite beam directed high enough and of sufficient intensity to reveal
23 persons and vehicles at a safe distance in advance of the vehicle, subject to the
24 requirements and limitations hereinafter set forth.
- 25 (5) Whenever a driver of a vehicle approaches an oncoming vehicle within five
26 hundred (500) feet, the driver shall use a distribution of light or composite beam, so
27 aimed that the glaring rays are not projected into the eyes of the oncoming driver.

1 The lowermost distribution of light or composite beam specified in paragraph (b) of
2 subsection (3) of this section shall be deemed to avoid glare at all times, regardless
3 of road contour and loading.

4 (6) Whenever the driver of a vehicle follows another vehicle within three hundred (300)
5 feet to the rear, except when engaged in the act of overtaking and passing, the driver
6 shall use a distribution of light other than the uppermost distribution of light
7 specified in paragraph (a) of subsection (3) of this section.

8 (7) Headlamps arranged to provide a single distribution of light not supplemented by
9 auxiliary driving lights shall be permitted on motor vehicles manufactured and sold
10 prior to May 30, 1939, in lieu of multiple-beam road-lighting equipment, if the
11 single distribution of light complies with the following requirements and
12 limitations:

13 (a) The headlamps shall be so aimed that when the vehicle is not loaded none of
14 the high intensity portion of the light shall, at a distance of twenty-five (25)
15 feet ahead, project higher than a level of five (5) inches below the level of the
16 center of the light from which it comes, and in no case higher than forty-two
17 (42) inches above the level on which the vehicle stands, at a distance of
18 seventy-five (75) feet ahead;

19 (b) The intensity shall be sufficient to reveal persons and vehicles at a distance of
20 at least two hundred (200) feet; and

21 (c) Whenever the operator of a motor vehicle approaches an oncoming vehicle
22 within five hundred (500) feet, he shall use a distribution of light or composite
23 beam so aimed that the glaring rays are not projected into the eyes of the
24 oncoming driver. In no case shall the high intensity portion which is projected
25 to the left of the prolongation of the extreme left side of the vehicle be aimed
26 higher than the center of the lamp from which it comes at a distance of
27 twenty-five (25) feet ahead, and in no case higher than a level of forty-two

1 (42) inches above the level upon which the vehicle stands at a distance of
2 seventy-five (75) feet ahead.

3 (8) Flashing lights are prohibited on all motor vehicles except as a means for indicating
4 a right or left turn or for the purpose of warning the operators of other vehicles of
5 the presence of a vehicular traffic hazard requiring the exercise of unusual care in
6 approaching, overtaking or passing.

7 (9) The height of the headlamps, from the center of the lamp to level ground when the
8 vehicle is unloaded, shall be between twenty-four (24) and fifty-four (54) inches.

9 (10) Headlamps required under this section shall only emit white light. Halogen
10 headlamps may have a slight yellow or amber tint. Nonhalogen headlamps may emit
11 a slight blue tint, if the headlamps were installed by the vehicle manufacturer as
12 original equipment in the motor vehicle, motorcycle, or moped or the headlamps
13 meet the requirements of subsection (11) of this section.

14 (11) A motor vehicle, motorcycle, or moped shall only be equipped with headlamps,
15 headlamp bulbs, or headlamp assemblies that meet United States Department of
16 Transportation regulations.

17 (12) A motor vehicle, motorcycle, or moped shall not be retrofitted with a headlamp that
18 appears to emit a solid color of light other than white.

19 (13) A motor vehicle, motorcycle, or moped shall not be retrofitted with a headlamp
20 cover or film that changes the light emitted from the headlamp to a color other than
21 white.

22 (14) Except as provided in subsection (10) of this section, except as provided in KRS
23 189.950(3)(b), and except for vehicles exempted under the provisions of KRS
24 189.910 to 189.950, when operating on a highway or upon the right-of-way of a
25 highway, any:

26 (a) Visible front lights on a motor vehicle or any light that is affixed to the front
27 of a motorcycle or moped, shall only be white or amber, unless installed as

1 original equipment by the manufacturer; and

2 (b) Visible rear lights on a motor vehicle shall only be white, amber, or red,
3 unless installed as original equipment by the manufacturer.

4 (15) Any violation of this section for the illumination of a solid blue light or solid blue
5 lights shall be deemed to be a violation of KRS 189.950(3).

6 (16) (a) A motor vehicle that contains a headlamp assembly originally
7 manufactured for halogen bulb use shall not be retrofitted with any:

8 1. Light emitting diode (LED) headlamp bulb;

9 2. High-intensity discharge (HID) headlamp bulb; or

10 3. Any non-halogen replacement headlamp bulb.

11 (b) A person shall not install a replacement headlamp bulb into a motor vehicle
12 headlamp assembly, unless the:

13 1. The headlamp assembly and bulb both meet United States Department
14 of Transportation regulations and standards established by the cabinet
15 under subsection (17) of this section; and

16 2. The replacement bulb is installed in a headlamp assembly
17 manufactured to house the specific type of replacement bulb.

18 (c) The replacement of any major part of a motor vehicle headlamp assembly,
19 shall be with parts that comply with United States Department of
20 Transportation regulations, and shall comply with the equipment and aim
21 standards established by the cabinet under subsection (17) of this section.

22 (17) The Transportation Cabinet shall promulgate administrative regulations
23 pursuant to KRS Chapter 13A to establish standards and specifications for
24 headlamps. The administrative regulations shall conform, in so far as
25 practicable, to safety standards and aiming specifications for vehicle lighting
26 issued by the federal government and recommendations established by the Society
27 of Automotive Engineers.