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BILL ANALYSIS

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Senate Bill 42 (as reported with amendments)

Sponsor: Senator Gilbert J. DiNello

Committee: State Affairs, Tourism, and Transportation

Date Completed: 5-1-87

RATIONALE

Michigan motorists are required by law to use the lighted lamps and illuminating devices on their vehicles during nondaylight hours of driving and other low-light conditions that may exist on the roads. Sometimes during daylight hours, however, rain, snow, or other inclement weather conditions can create a serious visibility problem for drivers. Some people maintain that this potentially hazardous situation could be alleviated to a degree if motorists used their headlights when these conditions existed, to help make their presence known to other drivers. Therefore, in the interest of auto safety, it has been proposed that a person operating a vehicle in rain or inclement weather conditions that would obscure a driver's vision be required by law to use the vehicle's lights and lamps.

CONTENT

The bill would amend the Michigan Vehicle Code to require a vehicle on a highway, other than a parked vehicle, to display "lighted lamps and illuminating devices" when it is "raining or the weather is otherwise so inclement as to obscure the driver's vision". Current law requires lighted lamps and illuminated devices to be used in low-light driving conditions when there is not sufficient light to "render clearly discernible persons and vehicles and vehicles on the highway at a distance of 500 feet ahead". Current law also requires the use of lights from a half-hour after sunset to a half-hour before sunrise. These provisions would not be changed by the bill.

MCL 257.684

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

ARGUMENTS**Supporting Argument**

Severe weather conditions that occasionally exist in Michigan can cause problems for motorists, reducing their visibility and putting themselves and others at risk. Currently, there is no law to mandate the use of lights, no matter how hard it may be raining or snowing. The bill would increase awareness and use of vehicle lights and lamps in these dangerous situations.

Opposing Argument

The bill could be difficult to enforce, since the judgment of what constitutes weather "so inclement as to obscure

the driver's vision" is a matter of opinion and would be up to a law enforcement officer to decide.

Response: Officers would have to use common sense of course, but it is hoped that the bill would encourage voluntary compliance.

Opposing Argument

While driving with headlights on during inclement weather may increase the ability of others to see a driver's vehicle, it sometimes actually impairs the driver's own vision, especially in snowy or foggy conditions. The bill, however, would make it illegal for a driver not to use his or her lights at times when, in the interest of safety and visibility, leaving the vehicles lights off would be more prudent.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.

S.B. 42 (5-1-87)