SPONSOR: Rep. D. Short & Sen. Ennis ;
Reps. Hensley, Hudson, Collins, Dukes, Gray, Kenton, Outten, Wilson, Mitchell, Osienski, Paradee, B. Short, K. Williams; Sens. Bushweller, Lopez, Richardson, Simpson

HOUSE OF REPRESENTATIVES
148th GENERAL ASSEMBLY

HOUSE BILL NO. 114

AN ACT TO AMEND TITLE 21 OF THE DELAWARE CODE RELATING TO VEHICLE EQUIPMENT.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 43, Title 21 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 4353 Special restrictions on lamps.

(a) Any lighted lamp or illuminating device upon a motor vehicle other than head lamps, spot lamps, auxiliary lamps, flashing turn signals, emergency vehicle warning lamps and school bus warning lamps, which projects a beam of light of an intensity greater than 300 candlepower, shall be so directed that no part of the high intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than 75 feet from the vehicle.

(b) No person shall drive or move any vehicle or equipment upon any highway with any lamp or device thereon displaying a red light visible from directly in front of the center thereof. This section shall not apply to any vehicle upon which a red light visible from the front is expressly authorized or required by this subchapter.

(c) Flashing lights are prohibited except on an authorized emergency vehicle, school bus, snow removal equipment, vehicles authorized by the Secretary of Safety and Homeland Security if determined to be in the interest of public safety, or on any vehicle as a means of indicating a right or left turn or the presence of a vehicular hazard requiring unusual care in approaching, overtaking or ~~passing.~~ passing, or when included in a motorcycle, Moped, or Motorized Scooter brake light system in which the brake lamp pulses rapidly for no more than five (5) seconds when the brake is applied, and then converts to a continuous light as a normal brake lamp until the time that the brake is released.

SYNOPSIS

As promoted in the Delaware Division of Motor Vehicles Motorcycle Operator Manual, it is recommended to motorcycle, Mopeds, and Motorized Scooter operators that they temporarily flash brake lights when stopping in order to increase visibility to other motorists. There are aftermarket products available that will automatically flash the brake lights up to five times, however these products are currently prohibited in the Delaware Code under the prohibition on flashing lights. This amendment will allow motorcycles, Mopeds, and Motorized Scooters to be equipped with this safety equipment.

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