

CHAPTER 71: VEHICLE CONSTRUCTION AND EQUIPMENT

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§ 71.01 EQUIPMENT OF VEHICLE NOT TO BE NUISANCE OR MENACE.

Every vehicle when on a highway shall be so equipped as to make a minimum of noise, smoke or other nuisance, to protect the right of other traffic, and to promote the public safety.
(KRS 189.020) Penalty, see §70.99 (A)

§ 71.02 TIME WHEN LIGHTS MUST BE ON.

(A) Headlamps, when required on a vehicle shall be illuminated:

(1) During the period from one-half hour after sunset to one-half hour before sunrise; and

(2) At such other times as atmospheric conditions render visibility as low as or lower than is ordinarily the case during that period.

(B) Provisions as to distances that lights must be visible refer to visibility under ordinary atmospheric conditions.
(KRS 189.030) Penalty, see §70.99(A)

§ 71.03 FRONT LIGHTS; FLASHING LIGHTS.

(A) Every motor vehicle other than a motorcycle or motor-driven cycle shall be equipped with at least two head lamps with at least one on each side of the front of the motor vehicle, which head lamps shall comply with the requirements and limitations set forth in this section.

(B) Every motorcycle, moped, and every motor-driven cycle shall be equipped with at least one and not more than two head lamps which shall comply with the requirements and limitations of this section.

(C) Except as hereinafter provided, the head lamps or the auxiliary driving lamps or the auxiliary passing lamp or combinations thereof on motor vehicles other than a motorcycle or motor-driven cycle shall be so arranged that the driver may control the selection between distribution of light projected to different elevations, subject to the following requirements and limitations:

(1) There shall be an uppermost distribution of light, or composite beam, so aimed and of such intensity as to reveal persons and vehicles at a distance of at least 350 feet ahead for all conditions of loading;

(2) There shall be a lowermost distribution of light, or composite beam, so aimed and of sufficient intensity to reveal persons and vehicles at a distance of at least 100 feet ahead; and on a straight level road under any condition of loading none of the high-intensity portion of the beam shall be directed to strike the eyes of an approaching driver;

(3) Every new motor vehicle, other than a motorcycle or motor-driven cycle, registered in this state after January 1, 1956, which has multiple-beam road-lighting equipment shall be equipped with a beam indicator, which shall be lighted whenever the uppermost distribution of light from the head lamps is in use, and shall not otherwise be lighted. Said indicator shall be so designed and located that when lighted it will be readily visible without glare to the driver of the vehicle so equipped.

(D) Whenever a motor vehicle is being operated on a roadway or shoulder adjacent thereto during the times specified in §71.02 the driver shall use a distribution of light, or composite beam, directed high enough and of sufficient intensity to reveal persons and vehicles at a safe distance in advance of the vehicle, subject to the requirements and limitations hereinafter set forth.

(E) Whenever a driver of a vehicle approaches an oncoming vehicle within 500 feet, such driver shall use a distribution of light, or composite beam, so aimed that the glaring rays are not projected into the eyes of the oncoming driver. The lowermost distribution of light, or composite beam, specified in paragraph two of subsection (C) of this section shall be deemed to avoid glare at all times, regardless of road contour and loading.

(F) Whenever the driver of a vehicle follows another vehicle within 300 feet to the rear, except when engaged in the act of overtaking and passing, such driver shall use a distribution of light other than the uppermost distribution of light specified in division (C)(1) of this section.

(G) Headlamps arranged to provide a single distribution of light not supplemented by auxiliary driving lights shall be permitted on

motor vehicles manufactured and sold prior to May 30, 1939, in lieu of multiple-beam road-lighting equipment, if the single distribution of light complies with the following requirements and limitations:

(1) The headlamps shall be so aimed that when the vehicle is not loaded none of the high intensity portion of the light shall, at a distance of 25 feet ahead, project higher than a level of five inches below the level of the center of the light from which it comes, and in no case higher than 42 inches above the level on which the vehicle stands, at a distance of 75 feet ahead;

(2) The intensity shall be sufficient to reveal persons and vehicles at a distance of at least 200 feet;

(3) Whenever the operator of a motor vehicle approaches an oncoming vehicle within 500 feet, he shall use a distribution of light or composite beam so aimed that the glaring rays are not projected into the eyes of the oncoming driver. In no case shall the high intensity portion which is projected to the left of the prolongation of the extreme left side of the vehicle be aimed higher than the center of the lamp from which it comes at a distance of 25 feet ahead, and in no case higher than a level of 42 inches above the level upon which the vehicle stands at a distance of 75 feet ahead.

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

(I) The height of the headlamps, from the center of the lamp to level ground when the vehicle is unloaded, shall be between 24 and 54 inches. (KRS 189.040) Penalty, see §70.99 (A)

§ 71.04 REAR, SIDE, AND CLEARANCE LIGHTS.

(A) All motor vehicles shall display at the rear two red lights visible when lighted for at least 500 feet, unless the motor vehicle was originally equipped with only one such light.

(B) A person shall operate any motor truck or semi-trailer truck on any highway unless it is equipped with a red light that automatically indicates the application of brakes and is visible from the rear a distance of not less than 500 feet.

(C) No person shall operate on any highway a motor truck or semi-trailer truck having a width of any part in excess of 84 inches, unless it carries at least two clearance lights to indicate the outside left limit of the motor truck or semi-trailer truck, one light colored white, to be attached to and be visible from the front of the motor truck or semi-trailer truck, and two lights colored red, to be attached to and be visible from the rear, in each case a distance of not less than 500 feet.

(D) When in operation on any highway slow-moving or motorless vehicles, except bicycles, shall have at least one light on the left side of the vehicle whether from the front or rear, showing white and of sufficient

power to reveal clearly the outline of the left side of the vehicle and in such a manner that the outline may be observed clearly by approaching vehicles from a distance of at least 500 feet.

(E) When in operation between sunset and sunrise on any highway, motorless vehicles, except bicycles, shall have in operation:

(1) A four way flasher system, with two flashing yellow or amber lights visible from the front of the vehicle for a distance of at least 500 feet and two flashing red lights visible from the rear of the vehicle for a distance of at least 500 feet; or

(2) Two reflective lanterns, one on either side of the rear of the vehicle, showing white to the front of the vehicle and red to the rear of the vehicle, with the lantern on the left side of the vehicle situated at least 12 inches higher than the lantern on the right.

(KRS 189.050) Penalty, see §70.99 (D)

§ 71.05 LIGHTS ON VEHICLES IN TOW AND PROJECTIONS.

(A) Each vehicle towed by a tow line shall display the lights required on vehicles of the class to which it belongs.

(B) Each vehicle being hauled by another and connected to it in a manner that will keep them uniformly spaced shall carry at least one light on the left side in such a manner as to show a amber light to the front and a red light to the rear visible at least 1,000 feet away.

(C) When any part of a load projects more than four feet beyond a vehicle two red flags by day and two red lights during the period provided in §71.02 must be placed upon the extremity of the projection marking the width of the overhang.

(KRS 189.060) Penalty, see §70.99 (A)

§ 71.06 BRAKE LIGHTS.

A person shall not operate any vehicle required by law to be licensed upon a highway unless it is equipped with a mechanical signal device which would indicate an intention to stop or suddenly decrease speed by illuminating at least two red lights, on the rear of the vehicle, which are visible from the rear a distance of not less than 500 feet, unless the vehicle was originally manufactured with only one such red light on the rear of the vehicle.

(KRS 189.055) Penalty, see §70.99 (A)

§ 71.07 HORNS AND OTHER SOUND DEVICES.

Every motor vehicle, when in use on a highway shall be equipped with a horn or other device capable of making an abrupt sound

sufficiently loud to be heard from a distance of at least 200 feet under all ordinary traffic conditions. Every person operating an automobile or bicycle shall sound the horn or sound device whenever necessary as a warning of the approach of such vehicle to pedestrians, or other vehicles, but shall not sound the horn or sound device unnecessarily. A bell may be used on a bicycle.

(KRS 189.080) Penalty, see §70.99 (A)

§ 71.08 BRAKES.

(A) No owner shall knowingly operate or permit to be operated on a highway a motor vehicle upon which the brakes are defective.

(B) Every motor vehicle, other than a motorcycle, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold the vehicle. There shall be two separate means of applying the brakes, each of which means shall be effective to apply the brakes on at least two wheels. If the two separate means are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brake on at least two wheels.

(C) (1) Except for commercial motor vehicles with a declared gross vehicle weight of more than 10,000 pounds, the service brakes upon any motor vehicle or combination of vehicles shall be adequate to stop the vehicle when traveling 20 miles per hour within a distance of 40 feet when upon dry asphalt or concrete pavement surface free from loose material where the grade does not exceed 1%.

(2) Under the conditions described in subsection (C) (1) the hand brake shall be adequate to stop the vehicle within a distance of 55 feet and the hand brake shall be adequate to hold the vehicle stationary on any grade upon which it is operated.

(3) Under the conditions described in subsection (C) (1) the service brakes upon a motor vehicle equipped with two-wheel brakes only shall be adequate to stop the vehicle within a distance of 40 feet and the hand brake adequate to stop the vehicle within a distance of 55 feet.

(4) All braking distances specified in this section shall apply whether or not the vehicles are loaded to the maximum capacity permitted by law.

(5) All brakes shall be maintained in good working order and shall be so adjusted as to operate equally practicable with respect to the wheels on opposite sides of the vehicle.

(D) A person shall not operate any commercial motor vehicle with a declared gross weight of over 10,000 pounds on a highway unless it is equipped with efficient brakes that meet the federal motor carrier safety standards in 49 C.F.R. Part 393 and may be operated by the operator of the truck or tractor to which the semi-trailer or semitrailer-trailer is attached.

(KRS 189.090) Penalty, see §70.99 (D)

§ 71.09 UNOBSTRUCTED WINDSHIELDS; DISPLAY OF AMERICAN FLAG; WINDSHIELD WIPERS.

(A) A windshield in a fixed and upright position, that is equipped with safety glazing as required by federal safety-glazing material

standards, is required on every motor vehicle which is operated on the public highways, roads, and streets, except on a motor cycle or implement of husbandry.

(B) A person shall not operate a motor vehicle on a public highway, road, or street with any sign, sunscreening material, product, or covering attached to, or located in or upon the windshield, except the following:

(1) A certificate or other paper required to be displayed by law;

(2) Sunscreening material along a strip at the top of the windshield, if the material is transparent and does not encroach upon the driver's direct forward viewing area as defined in Federal Motor Vehicle Safety Standards Nos. 205 and 128 as the AS/1 portion of the windshield.

(C) A person shall not operate a motor vehicle required to be registered in the Commonwealth, on any public highway, road, or street on which vehicle the side wings and side windows on either side forward of or adjacent to the operator's seat are composed of, covered by, or treated with any sunscreening material or other product or covering which has the effect of making the window nontransparent or which would alter the window's color, increase its reflectivity, or reduce its light transmittance, except as expressly permitted by this section. A sunscreening material may be applied to the windows if, when tested on 1/8-inch clear glass, the material has a total solar reflectance of visible light of not more than 25% as measured on the nonfilm side and a light transmittance of at least 35% in the visible light range.

(D) A person shall not operate a motor vehicle required to be registered in the Commonwealth, on a public highway, road, or street on which vehicle any windows behind the driver are composed of, covered by, or treated with any sunscreening material, or other product or material which has the effect of making the window nontransparent or which would alter the window's color, increase its reflectivity, or reduce its light transmittance, except as specified below.

(1) Sunscreen material consisting of film which, when tested on 1/8-inch clear glass, has a total solar reflectance of visible light of not more than 35% as measured on the nonfilm side and a light transmittance of at least 18% in the visible light range; however, sunscreen material which, when tested on 1/8-inch clear glass, has a total solar reflectance of visible light of not more than 35% as measured on the nonfilm side and a light transmittance of at least 8% in the visible light range may be used on multipurpose passenger vehicles;

(2) Perforated sunscreening material which, when tested in conjunction with existing glazing or film material, has a total

reflectance of visible light of not more than 35% and a light transmittance of no less than 30%. For those products or materials having different levels of reflectance, the highest reflectance from the product or material will be measured by dividing the area into 16 equal sections and averaging the overall reflectance. The measured reflectance of any of those sections may not exceed 50%.

(E) A person shall not operate a motor vehicle required to be registered in the Commonwealth, upon a public highway, road, or street, on which vehicle the rear window is composed of, covered by, or treated with any material which has the effect of making the window nontransparent, unless the vehicle is equipped with side mirrors on both sides.

(F) Each installer or seller of sunscreening material shall provide a pressure-sensitive, self-destructive, nonremovable, vinyl-type film label to the purchaser stating that the material complies with the provisions of KRS 189.010(20) to (23) and divisions (A) to (E) above. Each such installer shall affix the required label to the inside left door jamb of the motor vehicle. In addition, the label shall state the trade name of the material and the installer's or seller's business name. Labeling is not required for factory glazing which complies with Federal Motor Vehicle Safety Standard No. 205.

(G) Every percentage measurement required by divisions (C) and (D) above is subject to a tolerance of plus or minus 3%.

(H) A person shall not install window tinting materials on a vehicle that fails to meet the minimum standards for light transmission pursuant to divisions (C) and (D) above. Tinted material that fails to meet the minimum standards for light transmission pursuant to divisions (C) and (D) above shall be removed immediately.

(I) Nothing in this section shall prevent the display of a representation of the American flag on the rear window of any motor vehicle, including any vehicle owned by a local or state government, provided that the representation does not exceed a size of five inches by eight inches and is placed in a lower corner of the rear window.

(J) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow or other moisture from the windshield. The device shall be so constructed as to be controlled by the operator of the vehicle.

(K) Nothing in this section shall be construed to prevent the use of any window which is composed of, covered by, or treated with any material or component in a manner approved by federal statute or regulation if the window was as a component part of a vehicle at the time of the vehicle manufacture, or the replacement of any window by a covering which meets these requirements.

(L) A person who applies suncreening materials in violation of this section shall be guilty upon conviction of a class B misdemeanor.
(KRS 189.110) Penalty, see §70.99 (A)

§ 71.10 MIRRORS.

(A) Except as provided in division (D), every motor vehicle the following mirrors so located and adjusted as to reflect to the driver a view of the highway for a distance of at least 200 feet to the rear of the vehicle:

(1) One mirror mounted on the left side of the vehicle; and

(2) One mirror, mounted either inside the vehicle approximately in the center or on the right side of the vehicle.

(B) No person shall, by himself or through his agent or servant, operate a motor vehicle upon the highways without the equipment required by subsection (A). Each day of operation without the equipment shall constitute a separate offense.

(C) No person shall sell, barter or otherwise dispose of any motor vehicle described in subsection (A) unless it is equipped with a mirror as provided in that subsection.

(D) A motorcycle shall be required only to have the mirror identified in division (A)(1).
(KRS 189.130) Penalty, see §70.99 (A)

§ 71.11 MUFFLERS; NOISE REGULATION.

(A) Every motor vehicle with an internal-combustion, steam or air motor shall be equipped with a suitable and efficient muffler. No person while on a highway shall operate a motor vehicle with the muffler cut out or removed. No cutout shall be so arranged or connected as to permit its operation or control by the driver of any motor vehicle while in position for driving.

(B) No person shall modify the exhaust system of a motor vehicle or an off highway vehicle in a manner which will amplify or increase the noise emitted by the motor of such vehicle above that emitted by the muffler originally installed on the vehicle. The original muffler shall comply with all of the noise requirements of KRS Chapter 224 and regulations promulgated pursuant thereto. No person shall operate a motor vehicle with an exhaust system so modified. (KRS 189.140) Penalty, see §70.99 (A)

§ 71.12 ESCAPING CONTENTS.

(A) No vehicle shall be operated upon any highway unless it is so constructed as to prevent its contents from escaping.

(B) No vehicle shall be operated on any highway for a distance of over one mile whose load is susceptible to shifting or spillage unless the load is covered with a device suitable for prevention of spillage.
(KRS 189.150) Penalty, see §70.99 (A)

§ 71.13 LOAD LIMITS.

(A) No motor-driven or motor-propelled truck or other vehicle whose gross weight including tractor, trailer, and load exceeds 10 tons or 20,000 pounds shall be run or driven on, along or over any street, alley or highway of the city.

(B) Any person violating the provisions of this section shall upon conviction thereof, be fined in any sum not less than \$10 or more than \$50 or imprisoned not less than five or more than 30 days, or both so fined and imprisoned in the discretion of the court or jury trying the case. Any police officer of the city shall have the power and authority to stop any motor truck or motor-propelled vehicle being driven on, along or over any street, alley or highway in the city, which in his judgment exceeds the aforementioned weight and weigh same to determine its exact weight and thereby ascertain whether this section is being violated or not.

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