Chapter 816

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AUTHORITY TO SET STANDARDS

816.010 Authority to set standards for lighting equipment. (1) The Department of Transportation shall:

(a) Approve or disapprove and issue and enforce rules establishing standards and specifications for the approval of any vehicle lighting equipment of a type on which department approval is required under ORS 816.040 to 816.290 including their installation, adjustment and aiming and their adjustment when in use on motor vehicles.

(b) Set up the procedure which shall be followed when any application covering such equipment is submitted for approval.

(c) Approve or disapprove any lighting equipment of a type on which department approval is specifically required under ORS 816.040 to 816.290 within a reasonable time after such device has been submitted.

(d) Correlate and, in so far as practicable, conform to the then current standards and specifications of the Society of Automotive Engineers applicable to such equipment.

(e) Upon approving any lighting equipment, issue to the applicant a certificate of approval, together with any instructions regarding its use that the department deems necessary to insure compliance with the requirements of the vehicle code.

(f) Compile lists of all lighting equipment by name and type which have been approved by the department and maintain these lists readily available for interested persons.

(2) When the department has reason to believe that any lighting equipment, as it is being sold commercially, does not comply with the requirements under which it was approved under this section, the department shall suspend the approval issued therefor until such device is retested by a recognized testing laboratory and is found to meet the requirements of this section.

(3) The department may require that all such lighting equipment sold prior to such suspension be replaced with lighting equipment which complies with this section.

(4) The department may at any time purchase in the open market and submit to the testing laboratory one or more sets of any such approved lighting equipment, and if the lighting equipment, upon retest, fails to meet the requirements of this section, the department may refuse to renew a certificate of approval of such device.

(5) Prohibitions and penalties relating to the rules adopted under this section are set forth in ORS 816.030 to 816.300. [1983 c.338 §447]

816.020 Vehicles under jurisdiction of Public Utility Commission. With respect to vehicles operated under the jurisdiction of the Public Utility Commission of Oregon, such commission may adopt standard specifications at variance with the requirements and standards for vehicle lighting equipment under ORS 811.515 to 811.525 or 816.040 to 816.370 whenever standard specifications adopted by the Interstate Commerce Commission of the United States are different from those established by those sections. The standard specifications so adopted by the Public Utility Commission shall conform to standard specifications adopted by the Interstate Commerce Commission for vehicles operating in interstate commerce. [1983 c.338 §448; 1985 c.16 §235]

UNAPPROVED EQUIPMENT

816.030 Selling unapproved lighting equipment; penalty. (1) A person commits the offense of selling unapproved lighting equipment if the person sells or offers for sale for use upon or as part of the equipment of any vehicle any vehicle lighting equipment that:

(a) Requires Department of Transportation approval under ORS 816.010 and has not been approved by the department as provided under that section; or

(b) Has been approved by the department under ORS 816.010 unless the vehicle lighting equipment bears thereon the trademark or name and serial number under which it is approved so as to be legible when installed.

(2) The offense described in this section, selling unapproved lighting equipment, is a Class B traffic infraction. [1983 c.338 §453]

GENERAL REQUIREMENTS

816.040 Lighting equipment standards. ORS 816.040 to 816.290 establish requirements for ORS 816.300. Except where an exemption under ORS 816.310 specifically provides otherwise, any vehicle lighting that does not comply with ORS 816.040 to 816.290 violates ORS 816.300 and is subject to the penalty provided for in ORS 816.040 to 816.290. Each of the following is a requirement for lighting equipment described in ORS 816.040 to 816.290:

(1) Whenever ORS 816.040 to 816.290 specify either the distance from which lighting equipment shall render objects visible or the distance within which lighting equipment shall be visible, that distance of visibility, unless a different time or condition is expressly stated, shall be as determined:

(a) Under normal atmospheric conditions;

(b) At any time from sunset to sunrise or any other time when, due to insufficient

light, persons and vehicles are not clearly discernible at a distance of 1,000 feet; and

(c) On a straight, level unlighted highway.

(2) Whenever ORS 816.040 to 816.290 specify the mounted height of lighting equipment, the height shall be determined from the center of the lighting equipment to the level ground upon which the vehicle stands.

(3) Any standard provided for a piece of lighting equipment under ORS 816.040 to 816.290 is subject to being superseded by a rule adopted by the Department of Transportation as provided under ORS 815.030 or by rule adopted by the Public Utility Commission as provided under ORS 816.020. [1983 c.338 §458 (1); 1985 c.16 §240 (1); 1985 c.69 §1 (1); 1985 c.71 §4 (1); 1985 c.393 §13 (1); 1985 c.420 §6 (1)]

REQUIREMENTS AND STANDARDS FOR SPECIFIC LIGHTS

816.050 Headlights. Each of the following is a requirement for headlights as described:

(1) On vehicles required to be equipped with two or more headlights under ORS 816.320 and 816.330 the headlights shall be equally distributed on each side of the front of the vehicle. This subsection does not apply to motorcycles and mopeds.

(2) Headlights shall show a continuously burning light except that:

(a) When permitted under ORS 814.320, headlights for motorcycles or mopeds may have an upper beam that can be modulated between a high and lower brightness at a rate of 200 to 280 pulses per minute.

(b) An approved headlight flashing system may be used as emergency vehicle lights on police, fire or ambulance vehicles.

(3) Headlights shall show a white light.

(4) Headlights shall show the light forward.

(5) The Department of Transportation shall adopt and enforce rules establishing minimum standards and specifications for headlights. The rules shall conform, insofar as practicable, to safety standards and specifications for vehicle lighting issued by the Federal Government and, to the extent there are no such federal standards, to standards and recommendations promulgated by the Society of Automotive Engineers.

(6) When multiple beam headlights are used or when headlights are used in combination with auxiliary driving lights or passing lights, the lights shall be arranged on the vehicle so that the selection between distributions of light projected to different elevations may be selected by the driver at will or so that the selection can be made automatically.

(7) Headlights shall be aimed in accordance with rules adopted by the department. If headlights provide only a single distribution of light and are not supplemented by auxiliary lights, the single beam headlights 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 of the vehicle, project higher than five inches below the level of the center of the lamp from which it comes, or higher than 42 inches above the level on which the vehicle stands at a distance of 75 feet ahead of the vehicle.

(8) The intensity of the light of single beam headlights shall be sufficient to reveal persons and vehicles upon a street or highway at a distance of at least 200 feet ahead of the vehicle to which they are attached.

(9) Headlights that are required under ORS 816.320 and 816.330 must be mounted, adjusted and aimed in accordance with the instructions of the department under ORS 816.010.

(10) Headlights that are required under ORS 816.320 and 816.330 and any part for such headlight that tends to change the original design or performance must be of a type that has been approved by the department under ORS 816.010.

(11) Single beam headlights that are not supplemented by auxiliary driving lights shall be permitted on a motor vehicle in lieu of multiple beam headlights only if the single distribution of lights complies with any requirements for single beam headlights under this section. [1983 c.338 §458 (2); 1985 c.16 §240 (2); 1985 c.69 §1 (2); 1985 c.71 §4 (2); 1985 c.393 §13 (2); 1985 c.420 §6 (2); 1989 c.402 §8; 1991 c.769 §1]

816.060 Auxiliary lights. Each of the following is a requirement for auxiliary lights as described:

(1) When auxiliary lights are used in combination with headlights, the combination of lights shall be arranged on the vehicle so that the selection between distributions of light projected to different elevations may be selected by the driver at will or so that the selection can be made automatically.

(2) Auxiliary lights shall be wired in accordance with rules adopted by the Department of Transportation.

(3) Auxiliary lights shall be mounted, adjusted and aimed in accordance with rules adopted by the department.

(4) Auxiliary driving lights mounted on a vehicle for highway use shall be mounted at a height of 54 inches or less above the level

surface upon which the vehicle stands. Auxiliary lights mounted higher than 54 inches are subject to any limitation on use under ORS 811.515 and 811.520.

(5) Auxiliary lights and any part for such light that tends to change the original design or performance must be of a type that has been approved by the department under ORS 816.010. [1983 c.338 §458 (3); 1985 c.16 §240 (3); 1985 c.69 §1 (3); 1985 c.71 §4 (3); 1985 c.393 §13 (3); 1985 c.420 §6 (3)]

816.070 Passing lights. Each of the following is a requirement for passing lights as described:

(1) When passing lights are used in combination with headlights, the combination of lights shall be arranged on the vehicle so that the selection between distributions of light projected to different elevations may be selected by the driver at will or so that the selection can be made automatically.

(2) Passing lights shall be wired in accordance with rules adopted by the Department of Transportation.

(3) Passing lights shall be aimed in accordance with rules adopted by the department. [1983 c.338 §458 (4); 1985 c.16 §240 (4); 1985 c.69 §1 (4); 1985 c.71 §4 (4); 1985 c.393 §13 (4); 1985 c.420 §6 (4)]

816.080 Taillights. Each of the following is a requirement for taillights as described:

(1) Taillights shall be mounted on the rear of a vehicle.

(2) When lighted, taillights shall emit a red light.

(3) When lighted, taillights shall emit a light plainly visible from a distance of 500 feet to the rear.

(4) Taillights may be constructed so as to include registration plate lights.

(5) Taillights shall be wired so as to be lighted whenever the headlights or auxiliary lights are lighted.

(6) Taillights that are required under ORS 816.320 and 816.330 must be mounted, adjusted and aimed in accordance with the instructions of the Department of Transportation.

(7) Taillights that are required under ORS 816.320 and 816.330 and any part for such light that tends to change the original design or performance must be of a type that has been approved by the department under ORS 816.010. [1983 c.338 §458 (5); 1985 c.16 §240 (5); 1985 c.69 §1 (5); 1985 c.71 §4 (5); 1985 c.393 §13 (5); 1985 c.420 §6 (5)]

816.090 Registration plate lights. Each of the following is a requirement for registration plate lights as described:

(1) A registration plate light shall be so constructed and placed as to illuminate the rear registration plate of the vehicle.

(2) A registration plate light may either be constructed as a separate light or as part of a taillight.

(3) A registration plate light shall show a white light.

(4) A registration plate light shall render the rear registration plate clearly legible from a distance of 50 feet to the rear.

(5) A registration plate light shall be wired so as to be lighted whenever the headlights or auxiliary lights are lighted. [1983 c.338 §458 (6); 1985 c.16 §240 (6); 1985 c.69 §1 (6); 1985 c.71 §4 (6); 1985 c.393 §13 (6); 1985 c.420 §6 (6)]

816.100 Brake lights. Each of the following is a requirement for brake lights as described:

(1) Brake lights shall be placed on the rear of the vehicle. Where more than one brake light is required under ORS 816.320 and 816.330 at least one brake light shall be placed on each side of the rear.

(2) Brake lights shall be constructed and located on a vehicle so as to give a signal of intention to stop.

(3) Brake lights shall emit a red light.

(4) Brake lights shall emit a steady burning light.

(5) Brake lights shall emit a light that is plainly visible and capable of being seen and distinguished from a distance of 500 feet to the rear of the vehicle in normal daylight.

(6) Brake lights required under ORS 816.320 and 816.330 shall be mounted, so far as practicable, in such a manner as to reduce the hazard of being obscured by mud or dust thrown by the wheels.

(7) Brake lights shall not project a glaring or dazzling light.

(8) Brake lights may be incorporated with a taillight.

(9) Brake lights shall be activated upon application of the service brake. [1983 c.338 §458 (7); 1985 c.16 §240 (7); 1985 c.69 §1 (7); 1985 c.71 §4 (7); 1985 c.393 §13 (7); 1985 c.420 §6 (7)]

816.110 Back-up lights. Back-up lights may be constructed either separately or in combination with another light. [1983 c.338 §458 (8); 1985 c.16 §240 (8); 1985 c.69 §1 (8); 1985 c.71 §4 (8); 1985 c.393 §13 (8); 1985 c.420 §6 (8)]

816.120 Turn signals. Each of the following is a requirement for turn signals as described:

(1) Turn signals shall be so constructed and located on a vehicle as to give a signal of intention to turn right or left.

(2) The following types of turn signals shall show light in the direction indicated:

(a) Front turn signal lights shall show light to the front of the vehicle.

(b) Rear turn signal lights shall show light to the rear of the vehicle.

(3) The following types of turn signals shall have the color of light indicated:

(a) Front turn signal lights may be white or amber.

(b) Rear turn signal lights may be red, amber or yellow.

(4) Turn signals shall be understandable in normal sunlight and at a distance of 500 feet at night.

(5) Turn signals that are required under ORS 816.320 and 816.330 must be mounted, adjusted and aimed in accordance with the instructions of the Department of Transportation.

(6) Turn signals that are required under ORS 816.320 and 816.330 and any part for such turn signals that tends to change the original design or performance must be of a type that has been approved by the department under ORS 816.010. [1983 c.338 §458 (9); 1985 c.16 §240 (9); 1985 c.69 §1 (9); 1985 c.71 §4 (9); 1985 c.393 §13 (9); 1985 c.420 §6 (9)]

816.130 Parking lights. Each of the following is a requirement for parking lights as indicated:

(1) Parking lights shall be on the roadway side of the vehicle when a vehicle is parked or stopped upon a roadway or shoulder adjacent thereto.

(2) Parking lights shall exhibit a white or amber light visible to the front of the vehicle and a red light visible to the rear of the vehicle.

(3) Parking lights shall be visible from a distance of 500 feet to the front of the vehicle and from a distance of 500 feet to the rear of the vehicle. [1983 c.338 §458 (10); 1985 c.16 §240 (10); 1985 c.69 §1 (10); 1985 c.71 §4 (10); 1985 c.393 §13 (10); 1985 c.420 §6 (10)]

816.140 Cowl or fender lights. Cowl or fender lights shall emit an amber or white light without glare. [1983 c.338 §458 (11); 1985 c.16 §240 (11); 1985 c.69 §1 (11); 1985 c.71 §4 (11); 1985 c.393 §13 (11); 1985 c.420 §6 (11)]

816.150 High beam indicator. Each of the following is a requirement for a high beam indicator:

(1) A high beam indicator shall be constructed so as to be lighted when, and only when, the uppermost distribution of light from the headlights is in use.

(2) A high beam indicator shall be so designed and located that when lighted it will be readily visible to the driver of the vehicle so equipped.

(3) A high beam indicator shall be without glare to the driver of the vehicle so equipped. [1983 c.338 §458 (12); 1985 c.16 §240 (12); 1985 c.69 §1 (12); 1985 c.71 §4 (12); 1985 c.393 §13 (12); 1985 c.420 §6 (12)]

816.160 Rear mounted lighting system. Each of the following is a requirement for a rear mounted lighting system:

(1) A rear mounted lighting system shall have a green light, a yellow light and a red light.

(2) A rear mounted lighting system shall be constructed so that:

(a) The green light will be actuated when the accelerator is depressed;

(b) The yellow light will be actuated when the vehicle is moving forward or standing and idling, but not under power from its engine; and

(c) The red light will be actuated when the motor vehicle is being braked through the use of its braking system.

(3) The red and green lights of a rear mounted lighting system may be illuminated simultaneously. Otherwise, only one light of the system shall be illuminated at any one time and either the green or yellow lights shall be illuminated when the red lights are not illuminated.

(4) The lights of a rear mounted lighting system shall be capable of being seen and distinguished from a distance of 500 feet to the rear of the vehicle during normal daylight.

(5) Rear mounted lighting systems shall not project a glaring or dazzling light. [1983 c.338 §458 (13); 1985 c.16 §240 (13); 1985 c.69 §1 (13); 1985 c.71 §4 (13); 1985 c.393 §13 (13); 1985 c.420 §6 (13)]

816.170 Spot lights. Each of the following is a requirement for spot lights as indicated:

(1) Spot lights must be mounted, adjusted and aimed in accordance with the instructions of the Department of Transportation.

(2) Spot lights and any part for such spot lights that tends to change the original design or performance must be of a type that has been approved by the department under ORS 816.010. [1983 c.338 §458 (14); 1985 c.16 §240 (14); 1985 c.69 §1 (14); 1985 c.71 §4 (14); 1985 c.393 §13 (14); 1985 c.420 §6 (14)]

816.180 Reflectors. Each of the following is a requirement for reflectors as indicated:

(1) The following are the colors for the indicated type of reflector:

(a) Rear reflectors and rearward side reflectors shall be red.

(b) Forward side reflectors and intermediate side reflectors shall be amber.

(2) The following types of reflectors shall be placed as indicated:

(a) Rear reflectors shall be mounted on the rear of the vehicle. If more than one rear reflector is required under ORS 816.320 and 816.330, there shall be at least one rear reflector on either side of the rear of the vehicle. On pole trailers, rear reflectors may be mounted on each side of the bolster or load.

(b) Forward side reflectors shall be mounted on the side of the vehicle near the front of the vehicle.

(c) Intermediate side reflectors shall be mounted on the side of the vehicle at or near the midpoint between the forward side reflectors and the rearward side reflectors.

(d) Rearward side reflectors shall be mounted on the side of the vehicle near the rear of the vehicle.

(3) Reflectors shall be mounted on a vehicle at a height not less than 15 inches and not more than 60 inches above the ground on which the vehicle stands.

(4) Reflectors shall be of such size or characteristics and so mounted and maintained as to be readily visible at night within 500 feet to 50 feet from the vehicle when directly in front of lawful upper beams of headlights.

(5) Reflectors required to be mounted on the sides of the vehicle shall reflect the required color of light to the sides and those mounted on the rear shall reflect the required color to the rear.

(6) Reflectors required under ORS 816.320 and 816.330 shall be mounted, so far as practicable, in such manner as to reduce the hazard of being obscured by mud or dust thrown by the wheels.

(7) Reflectors that are required under ORS 816.320 and 816.330 must be mounted, adjusted and aimed in accordance with the instructions of the Department of Transportation.

(8) Reflectors that are required under ORS 816.320 and 816.330 and any part for such reflectors that tends to change the original design or performance must be of a type that has been approved by the department under ORS 816.010.

(9) Rear reflectors may be constructed either as a separate reflector or as part of and incorporated with the taillights. [1983 c.338 §458 (15); 1985 c.16 §240 (15); 1985 c.69 §1 (15); 1985 c.71 §4 (15); 1985 c.393 §13 (15); 1985 c.420 §6 (15)]

816.190 Marker lights. Each of the following is a requirement for marker lights as indicated:

(1) The following types of marker lights shall be placed as indicated:

(a) Forward side marker lights shall be mounted on the side of the vehicle at or near the front.

(b) Intermediate side marker lights shall be mounted on the side of the vehicle at or near the midpoint between the forward side marker lights and the rearward side marker lights.

(c) Rearward side marker lights shall be mounted on the side of the vehicle at or near the rear.

(2) The following are the colors for the indicated type of marker lights:

(a) Rearward side marker lights shall be red.

(b) Forward side marker lights and intermediate side marker lights shall be amber.

(3) Side marker lights may be mounted in combination with clearance lights if illumination is given as required with reference to both.

(4) Marker lights that are required under ORS 816.320 and 816.330 shall be mounted, so far as practicable, in such manner as to reduce the hazard of being obscured by mud or dust thrown by the wheels.

(5) Marker lights shall be capable of being seen and distinguished at a distance of 500 feet directly from that part of the vehicle on which the lights are placed. [1983 c.338 §458 (16); 1985 c.16 §240 (16); 1985 c.69 §1 (16); 1985 c.71 §4 (16); 1985 c.393 §13 (16); 1985 c.420 §6 (16)]

816.200 Clearance lights. Each of the following is a requirement for clearance lights as indicated:

(1) The following types of clearance lights shall be placed as indicated:

(a) Front clearance lights shall be placed on the front of the vehicle. When more than one front clearance light is required under ORS 816.320 and 816.330, at least one front clearance light shall be on each side of the front of the vehicle.

(b) Rear clearance lights shall be placed on the rear of the vehicle. When more than one rear clearance light is required under ORS 816.320 and 816.330, at least one rear clearance light shall be on each side of the rear of the vehicle.

(2) The following are the colors for indicated type of clearance lights:

(a) Front clearance lights shall be amber.

(b) Rear clearance lights shall be red.

(3) Clearance lights shall be mounted on the permanent structure of the vehicle in such a manner as to indicate its extreme

width and shall be mounted as near the top of the vehicle as practicable.

(4) Clearance lights may be mounted in combination with side marker lights if illumination is given as required with reference to both.

(5) Clearance lights that are required under ORS 816.320 and 816.330 shall be mounted, so far as practicable, in such manner as to reduce the hazard of being obscured by mud or dust thrown by the wheels.

(6) Clearance lights shall be capable of being seen and distinguished at a distance of 500 feet directly from that part of the vehicle on which the lights are placed. [1983 c.338 §458 (17); 1985 c.16 §240 (17); 1985 c.69 §1 (17); 1985 c.71 §4 (17); 1985 c.393 §13 (17); 1985 c.420 §6 (17)]

816.210 Identification lights. Each of the following is a requirement for identification lights:

(1) An identification light is a group of three lights mounted at the same height with the centers of the lights in the group of lights spaced not less than 6 inches nor more than 12 inches apart.

(2) The following types of identification lights shall be placed as indicated:

(a) Front identification lights shall be placed on the front of the vehicle.

(b) Rear identification lights shall be placed on the rear of the vehicle.

(3) Identification lights shall be mounted as close as practicable to the top of the vehicle.

(4) Identification lights shall be mounted as close as practicable to the vertical centerline of the vehicle on that part of the vehicle where the identification lights are mounted.

(5) Front identification lights shall be an amber color. Rear identification lights shall be a red color.

(6) Identification lights that are required ORS 816.320 and 816.330 shall be mounted, so far as practicable, in such manner as to reduce the hazard of being obscured by mud or dust thrown by the wheels.

(7) Identification lights shall be capable of being seen and distinguished at a distance of 500 feet directly from that part of the vehicle on which the lights are placed. [1983 c.338 §458 (18); 1985 c.16 §240 (18); 1985 c.69 §1 (18); 1985 c.71 §4 (18); 1985 c.393 §13 (18); 1985 c.420 §6 (18)]

816.220 Exempt-vehicle safety lighting equipment. Each of the following is a requirement for exempt-vehicle safety lighting equipment:

(1) Exempt-vehicle safety lighting equipment shall consist of at least two lighted lights or lanterns.

(2) The following are the colors for the indicated type of exempt-vehicle safety lighting equipment indicated:

(a) The exempt-vehicle safety lighting equipment that exhibits a light to the front of the vehicle shall exhibit a white light in that direction.

(b) The exempt-vehicle safety lighting equipment that exhibits a light to the rear of the vehicle shall exhibit a red light in that direction.

(3) At least one piece of exempt-vehicle safety lighting equipment shall exhibit a light visible to the front of the vehicle and at least one shall exhibit a light visible to the rear of the vehicle.

(4) Exempt-vehicle safety lighting equipment shall be visible from a distance of 500 feet from the direction that the light is required to be visible. [1983 c.338 §458 (19); 1985 c.16 §240 (19); 1985 c.69 §1 (19); 1985 c.71 §4 (19); 1985 c.393 §13 (19); 1985 c.420 §6 (19)]

816.230 Fog lights. Each of the following is a requirement for fog lights as described:

(1) Fog lights shall be mounted, aimed and adjusted in accordance with the instructions of the Department of Transportation.

(2) Fog lights and any part of such fog lights that tends to change the original design or performance must be of a type that has been approved by the department under ORS 816.010. [1983 c.338 §458 (20); 1985 c.16 §240 (20); 1985 c.69 §1 (20); 1985 c.71 §4 (20); 1985 c.393 §13 (20); 1985 c.420 §6 (20)]

816.240 Hazard lights. Each of the following is a requirement for hazard lights as described:

(1) At least two hazard lights shall be mounted on the front of the vehicle and at least two hazard lights shall be mounted on the rear of the vehicle.

(2) Hazard lights mounted on the front of the vehicle shall be mounted at the same level as other hazard lights on the front of the vehicle. Hazard lights mounted on the rear of the vehicle shall be mounted at the same level as other hazard lights on the rear of the vehicle.

(3) Hazard lights shall be as widely spaced laterally on the front and rear of the vehicle as practicable.

(4) Hazard lights on a vehicle shall flash simultaneously with each other.

(5) Hazard lights on the front of a vehicle may be white or amber lights. Hazard lights on the rear of a vehicle may be amber or red lights.

(6) Hazard lights shall be visible from a distance of not less than 500 feet under

normal atmospheric conditions at night. [1983 c.338 §458 (21); 1985 c.16 §240 (21); 1985 c.69 §1 (21); 1985 c.71 §4 (21); 1985 c.393 §13 (21); 1985 c.420 §6 (21)]

816.250 Police lights. Each of the following is a requirement for police lights as described:

(1) Police lights may be blue, red, yellow or amber.

(2) Police lights may be revolving or stationary-type flashing lights.

(3) Police lights shall be visible from a distance of not less than 1,000 feet under normal atmospheric conditions at night.

(4) This section is the only authorization for any blue warning light of any type that is for use on any vehicle.

(5) Police lights may include one or more lights. [1983 c.338 §458 (22); 1985 c.16 §240 (22); 1985 c.69 §1 (22); 1985 c.71 §4 (22); 1985 c.393 §13 (22); 1985 c.420 §6 (22); 1989 c.402 §9]

816.260 Bus safety lights. Each of the following is a requirement for bus safety lights:

(1) Bus safety lights shall include at least two of each color of light on the front of the vehicle and at least two of each color of light on the rear of the vehicle.

(2) Bus safety lights shall include red and amber lights.

(3) Each bus safety light shall alternately flash with the bus safety lights of the same color that are placed on the same end of the vehicle displaying the lights. [1983 c.338 §458 (23); 1985 c.16 §240 (23); 1985 c.69 §1 (23); 1985 c.71 §4 (23); 1985 c.393 §13 (23); 1985 c.420 §6 (23)]

816.270 Mail delivery lights. (1) Each of the following is a requirement for mail delivery lights other than strobe lights:

(a) Mail delivery lights shall include two lights.

(b) Mail delivery lights shall be simultaneously flashing lights.

(c) Mail delivery lights may be constructed so that the lights flash continuously or are actuated by application of the service brake.

(d) Mail delivery lights shall have at least 12 square inches of effective illuminated surface.

(e) Mail delivery lights shall be of double face or two-way type.

(f) Mail delivery lights shall project an amber color to the front and a red color to the rear.

(g) Mail delivery lights shall be visible from a distance of not less than 100 feet to the front and rear in normal sunlight.

(h) Mail delivery lights shall be mounted on the highest part of the top of the vehicle in such a position that the illumination from the lights is visible both to the front and rear for the required distance and shall be spaced laterally as far apart as body construction will permit.

(i) Between mail delivery lights there shall be mounted a 22-inch by 7-inch sign with the wording "U.S. Mail" in four-inch letters in black on a white background.

(j) Mail delivery lights and the required sign shall be installed so that the sign can be easily lowered and the lights turned off when the vehicle is not actually engaged in United States Mail service.

(k) Mail delivery lights, the required sign, wiring, switches and mounting devices shall all be of a type that has been approved by the Department of Transportation.

(2) Magnetically attached strobe lights may be used as mail delivery lights without meeting any of the requirements of subsection (1) of this section except the visibility requirements of subsection (1)(g) and (h) of this section. Strobe lights used as mail delivery lights shall be amber. [1983 c.338 §458 (24); 1985 c.16 §240 (24); 1985 c.69 §1 (24); 1985 c.71 §4 (24); 1985 c.393 §13 (24); 1985 c.420 §6 (24); 1991 c.601 §1]

816.280 Warning lights. This section establishes standards for different types of warning lights. Each of the following is a requirement for warning lights as described:

(1) The following are the colors for the indicated type of warning light:

(a) Public vehicle warning lights and pilot vehicle warning lights shall be amber.

(b) Tow vehicle warning lights may be amber or red.

(c) Weighmaster and motor carrier enforcement officer warning lights shall be red.

(2) Warning lights shall provide an intermittent light that may be either of a revolving or flashing type or any other type that provides an intermittent light.

(3) All warning lights shall be visible from a distance of not less than 500 feet under normal atmospheric conditions at night. [1983 c.338 §458 (25); 1985 c.16 §240 (25); 1985 c.69 §1 (25); 1985 c.71 §4 (25); 1985 c.393 §13 (25); 1985 c.420 §6 (25); 1989 c.402 §10; 1991 c.769 §3; 1993 c.741 §104]

816.285 Fire department warning lights. Each of the following is authorized for fire department warning lights:

(1) Fire department vehicle warning lights may be red or a combination of red and white.

(2) Fire department vehicles may use an approved headlight flashing system as authorized by ORS 816.050.

(3) Fire department vehicles may have a forward facing flashing white light for the

purpose of operating a traffic signal preemption device.

(4) Fire department vehicles may show a flashing or revolving green light when operating as the command post in emergency incidents. [1991 c.769 §5]

Note: 816.285 was added to and made a part of ORS chapter 816 by legislative action but was not added to any smaller series therein. See Preface to Oregon Revised Statutes for further explanation.

816.290 End load lights. Each of the following is a requirement for end load lights:

(1) The lights shall be red in color.

(2) The lights shall be either a lighted light or lantern.

(3) The lights shall be placed at the extreme rear end of a load.

(4) The lights shall be plainly visible from a distance of at least 500 feet to the sides and rear of the vehicle. [1983 c.338 §458 (26); 1985 c.16 §240 (26); 1985 c.69 §1 (26); 1985 c.71 §4 (26); 1985 c.393 §13 (26); 1985 c.420 §6 (26)]

816.300 Operation with nonstandard lighting equipment; penalty. (1) A person commits the offense of operation with nonstandard lighting equipment if the person does any of the following:

(a) Drives or moves on any highway any vehicle equipped with lighting equipment described under ORS 816.040 to 816.290 that does not meet the standards required for the equipment under ORS 816.040 to 816.290.

(b) Owns a vehicle or combination of vehicles and causes or knowingly permits the vehicle or combination of vehicles to be driven or moved on any highway when the vehicle or combination is equipped with lighting equipment described under ORS 816.040 to 816.290 that does not meet the standards required for the equipment under ORS 816.040 to 816.290.

(2) The application of this section is subject to the exemptions from this section established under ORS 816.310.

(3) The offense described in this section, operation with nonstandard lighting equipment, is a Class C traffic infraction. [1983 c.338 §457; 1985 c.393 §12]

816.310 Exemptions from lighting equipment requirements. This section establishes exemptions from ORS 816.040 to 816.300. The exemptions under this section are in addition to any exemptions under ORS 801.026. The exemptions established under this section are partial or complete as described in the following:

(1) ORS 816.040 to 816.300 shall not be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of those sections.

(2) Lighting equipment used on vehicles of special interest that are registered under ORS 805.020 shall be deemed in compliance with ORS 816.040 to 816.300 if the equipment is original manufacturer's equipment and accessories, or their equivalent and if the equipment is maintained in safe operating condition.

(3) ORS 816.040 to 816.300 do not apply to equipment on any of the following:

(a) Road machinery.

(b) Road rollers.

(c) Farm tractors.

(d) Antique motor vehicles that are maintained as a collector's item and used for exhibitions, parades, club activities and similar uses, but not used primarily for the transportation of persons or property.

(e) Motorized wheelchairs when used as permitted under ORS 811.440.

(4) On any combination of vehicles, only the lighting equipment on the rearmost vehicle in the combination of vehicles need be visible from distances specified under ORS 816.040 to 816.290 for lighting equipment on the rear of vehicles.

(5) Lighting equipment on bicycles shall meet the requirements established for such equipment under ORS 815.280.

(6) Vehicle lighting equipment requirements for ambulances and emergency vehicles are established in ORS 820.350. [1983 c.338 §459; 1985 c.16 §241; 1991 c.417 §6]

REQUIRED LIGHTS

816.320 Lighting equipment required for motor vehicles. This section establishes requirements for ORS 816.330. Where specific types of lighting equipment are mentioned by this section, those types are types described under ORS 816.040 to 816.290. Except where an exemption under ORS 816.340 specifically provides otherwise, a vehicle that does not comply with this section is in violation of ORS 816.330:

(1) A motor vehicle shall be equipped with all of the following in addition to any other requirements under this section:

(a) Headlights. Motor vehicles other than motorcycles or mopeds shall be equipped with at least two. Motorcycles or mopeds shall be equipped with at least one.

(b) Taillights. Motor vehicles other than motorcycles shall be equipped with two taillights. Motorcycles are only required to be equipped with one taillight.

(c) Registration plate light.

(d) Brake lights. Motor vehicles other than motorcycles and mopeds shall be equipped with at least two brake lights. Motorcycles and mopeds are only required to be equipped with one brake light.

(e) Turn signal lights.

(f) Rear reflectors.

(2) All trailers shall be equipped with all of the following in addition to any other requirements under this section:

(a) Taillights. Trailers are required to be equipped with two taillights.

(b) Registration plate lights.

(c) Two brake lights.

(d) Turn signal lights.

(e) Two rear reflectors.

(3) The motor vehicles described in this subsection shall be equipped with forward and rearward side reflectors on each side of the vehicle and forward and rearward side marker lights on each side of the vehicle in addition to any requirements under subsection (1) of this section. This subsection applies to the following vehicles:

(a) School buses.

(b) Worker transport buses.

(c) Vehicles used in transportation of persons for hire by a nonprofit entity as provided in ORS 767.025 (9).

(d) A bus being operated for transporting children to and from religious services or an activity or function authorized by the religious organization.

(e) Commercial buses.

(f) Motor trucks with a registration weight in excess of 8,000 pounds.

(4) In addition to any other requirements under this section, any motor truck with a registration weight in excess of 8,000 pounds, commercial bus or trailer that is 80 inches or more in overall width and less than 30 feet in overall length shall be equipped with the following:

(a) Two front and two rear clearance lights.

(b) Front and rear identification lights.

(5) In addition to any other requirements under this section, any motor truck with a registration weight of more than 8,000 pounds, commercial bus or trailer that is more than 30 feet in overall length, regardless of its width shall be equipped with the following:

(a) Two front and two rear clearance lights.

(b) Front and rear identification lights.

(c) Intermediate side marker lights and intermediate side reflectors on each side of the vehicle.

(6) Every motor vehicle that has multiple-beam lighting equipment shall be equipped with a high beam indicator.

(7) Tow vehicles shall be equipped with tow vehicle warning lights. [1983 c.338 §461; 1985 c.71 §5; 1989 c.402 §11; 1989 c.992 §22]

816.330 Operation without required lighting equipment; penalty. (1) A person commits the offense of operation without required lighting equipment if the person does any of the following:

(a) Drives or moves on any highway any vehicle that is not equipped with lighting equipment that is required for the vehicle under ORS 816.320.

(b) Owns a vehicle or combination of vehicles and causes or knowingly permits the vehicle or combination of vehicles to be driven or moved on any highway when the vehicle or combination is not equipped with lighting equipment that is required for the vehicle under ORS 816.320.

(2) The application of this section is subject to the exemptions from this section established under ORS 816.340.

(3) The offense described in this section, operation without required lighting equipment, is a Class C traffic infraction. [1983 c.338 §460; 1985 c.393 §14]

816.340 Exemptions from required equipment. This section establishes exemptions from ORS 816.320 and 816.330. The exemptions established under this section are in addition to any exemptions under ORS 801.026. The exemptions under this section are partial or complete as described in the following:

(1) ORS 816.320 and 816.330 shall not be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of those sections.

(2) Motor vehicles of special interest that are registered under ORS 805.020 shall be deemed in compliance with ORS 816.320 and 816.330 if the vehicles are equipped with original manufacturer's equipment and accessories, or their equivalent, and if the equipment is maintained in safe operating condition.

(3) ORS 816.320 and 816.330 do not apply to any of the following vehicles:

(a) Road machinery.

(b) Road rollers.

(c) Farm tractors, implements of husbandry and farm trailers.

(d) Antique motor vehicles that are maintained as a collector's item and used for exhibitions, parades, club activities and similar uses, but not used primarily for the transportation of persons or property.

(4) Motorcycles manufactured before 1973 are not required to be equipped with turn signals.

(5) Truck tractors are not required to be equipped with rear reflectors.

(6) Pole trailers are not required to be equipped with side reflectors, side marker lights, clearance lights or identification lights.

(7) Motor vehicles registered in this state on or before January 1, 1940, are not required to be equipped with a high-beam indicator.

(8) Bicycles shall be equipped with lighting equipment as required under ORS 815.280.

(9) Requirements for warning lights on ambulances are provided under ORS 820.350 and 820.360. [1983 c.338 §462; 1985 c.16 §242; 1989 c.402 §12]

PROHIBITED LIGHTS

816.350 Prohibitions on number and kind of lights for certain vehicles. This section establishes requirements for ORS 816.360. When specific types of lighting equipment are mentioned by this section, those types are types described under ORS 816.040 to 816.290. Except as allowed under this section or where an exemption under ORS 816.370 specifically provides otherwise, a vehicle that does not comply with this section is in violation of ORS 816.360:

(1) A motorcycle or moped shall not be equipped with more than two headlights.

(2) No vehicle shall have any lighting equipment mounted on the rear that displays or reflects any color other than red except for the following lighting equipment:

(a) Turn signal lights.

(b) Rear mounted lighting systems.

(c) Registration plate lights.

(d) Back-up lights.

(3) Except as otherwise allowed under this section, only the following types of vehicles may be equipped with public vehicle warning lights:

(a) A vehicle operated by the state, or any county, city, district or other political subdivision of the state, and used for the construction, improvement, repair, maintenance, operation or patrol of any public highway.

(b) Vehicles operated by a public utility or telecommunications utility involved in maintenance, repair or construction of their facilities along public rights of way.

(4) Vehicles operated by a police officer and used for law enforcement may be equipped with any type of police lights, but only such vehicles may be equipped with blue lights.

(5) Except as otherwise allowed under this section, only a vehicle operated by a weighmaster or motor carrier enforcement officer proceeding under the authority of ORS 810.530 may be equipped with weighmaster warning lights.

(6) Except as otherwise allowed under this section, only tow vehicles may be equipped with tow vehicle warning lights.

(7) Except as otherwise allowed under this section, only a motor vehicle escort accompanying a motor vehicle carrying or towing a load of a size or description not permitted under ORS 815.160, 815.170, 818.020, 818.060, 818.090, 818.110, 818.160 and 818.300 may be equipped with a pilot vehicle warning light.

(8) Except as otherwise allowed under this section, only the following vehicles may be equipped with bus safety lights:

(a) School buses.

(b) Worker transport buses.

(c) Vehicles issued a permit under ORS 818.260.

(9) No vehicle except a vehicle used in active service transporting United States Mail may be equipped with mail delivery lights.

(10) Except as otherwise allowed under this section, fire company warning lights may only be used on the following vehicles:

(a) An emergency vehicle.

(b) A vehicle authorized under a permit issued under ORS 818.250.

(c) Funeral lead vehicles and funeral escort vehicles used to escort funeral processions.

(11) Except as otherwise allowed under this section, no vehicle or equipment shall display or carry any lighting equipment or device with a red light visible from directly in front of the vehicle or equipment.

(12) Except as otherwise allowed under this section, all flashing lights are prohibited on all motor vehicles on any street or highway except for turn signals, hazard lights and headlight flashing systems described in ORS 816.050.

(13) No motor vehicle other than an emergency vehicle shall be equipped with more than one spot light.

(14) No motor vehicle shall be equipped with more than two cowl or fender lights. [1983 c.338 §464; 1985 c.16 §243; 1985 c.71 §6; 1987 c.447 §140; 1989 c.402 §13; 1991 c.482 §17; 1991 c.769 §2; 1993 c.741 §105]

816.360 Use of prohibited lighting equipment; penalty. (1) A person commits the offense of use of prohibited lighting equipment if the person does any of the following:

(a) Drives or moves on any highway any vehicle that is equipped with lighting equipment that the vehicle is not allowed under ORS 816.350.

(b) Owns a vehicle or combination of vehicles and causes or knowingly permits the vehicle or combination of vehicles to be driven or moved on any highway when the vehicle or combination is equipped with lights that the vehicle or combination is not allowed under ORS 816.350.

(2) The application of this section is subject to the exemptions from this section established under ORS 816.370.

(3) The offense described in this section, use of prohibited lighting equipment, is a Class C traffic infraction. [1983 c.338 §463; 1985 c.393 §15]

816.370 Exemptions from lighting equipment prohibitions. This section establishes exemptions from ORS 816.350 and 816.360. The exemptions established under this section are in addition to any exemptions under ORS 801.026. The exemptions under this section are partial or complete as described in the following:

(1) ORS 816.350 and 816.360 shall not be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of those sections.

(2) Lighting equipment used on motor vehicles of special interest that are registered under ORS 805.020 shall be deemed in compliance with ORS 816.350 and 816.360 if the equipment is original manufacturer's equipment and accessories, or their equivalent and if the equipment is maintained in safe operating condition.

(3) ORS 816.350 and 816.360 do not apply to equipment on any of the following:

(a) Road machinery.

(b) Road rollers.

(c) Farm tractors.

(d) Antique motor vehicles that are maintained as a collector's item and used for exhibitions, parades, club activities and similar uses, but not used primarily for the transportation of persons or property.

(4) Ambulances and emergency vehicles are subject to the provisions under ORS 820.350 and 820.360. [1983 c.338 §465]

CHAPTER 817

[Reserved for expansion]