

OFFICE OF POLICY AND LEGAL ANALYSIS

Date: February 18, 2020
To: Transportation Committee
From: Sam Praver, Legislative Analyst

LD 230 – An Act To Allow Low-beam Headlights on Motorcycles To Flash during Daytime Hours

SUMMARY: This bill allows the operator of a motorcycle to use a flashing low-beam headlight during the daytime.

TESTIMONY:

<p>Proponents: <i>Sen. Miramant</i></p> <ul style="list-style-type: none">• Manufacturers of motorcycles do not allow for switching the headlight off at any time.• Having headlights on during operation increases visibility of motorcycles and many states require daytime running lights.• Adding clear permission in statute to run these lights maximizes safety and removes the guesswork from enforcement.	<p>Opponents: <i>State Police</i></p> <ul style="list-style-type: none">• Allowing flashing lights on motorcycles would be very distracting and perhaps cause more harm than good.• Current law only allows flashing lights on emergency vehicles and school buses. Allowing such lights on motorcycles might trick motorists into thinking that an emergency vehicle is coming, or desensitize drivers to flashing lights.• Current law allows for a motorcycle to have a “modulating” headlight which is safer, meets the Federal Motor Vehicle Safety Standards, is permitted in all 50 states and serves the same purpose. The difference is that a modulating headlight goes from dim to bright but does not completely shut off (flash).
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CURRENT STATUTE OR LAW: (partial excerpts)

1. A motorcycle that does not have an adequate beam for headlights is restricted to daytime operation. [29-A MRS, §1904, sub-§6.](#)
2. A vehicle located on a way must be equipped with headlights. The headlights must be illuminated: During the period from sunset to sunrise; At any time when, due to insufficient light or unfavorable atmospheric conditions persons or vehicles on the way are not discernible for a distance of 1,000 feet ahead; and at any time when windshield wipers are in constant use. [29-A MRS, §2067.](#)
3. Flashing headlights are unlawful except on emergency vehicles, highway maintenance vehicles and school buses. [29-A MRS, §2054, sub-§2, paragraph a.](#)

NOTES:

Sponsor Request – Sen. Miramant: Amend the bill to allow for the use of modulating headlights that sequence between high and low beams.

- Modulating headlights are not prohibited by Maine statute, but not explicitly addressed. They are permissible under Federal Motor Vehicle Safety Standards. [49 CFR 571.108](#) (page 364).

FISCAL IMPACT:

No preliminary fiscal information available at the time of writing.