PUBLIC CHAPTER NO. 1010

HOUSE BILL NO. 2486

By Representative Harmon

Substituted for: Senate Bill No. 2699

By Senator Stewart

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 9, Part 4, relative to lighting regulations for motor vehicles.

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

SECTION 1. Tennessee Code Annotated, Section 55-9-405, is amended by deleting subsections (d) and (e) in their entirety and by substituting instead the following language:

(d)

(1) Except as provided in subdivision (2), from one half (½) hour before sunset to one half (½) hour after sunrise and at all other times when lights are required to be displayed, there shall be attached to the rearmost extremity of any load that projects four feet (4') or more beyond the rear of the body of the motor vehicle, or at any tailboard or tailgate so projecting, or to the rearmost extremity of any load, carried on a pole trailer, at least one (1) red lamp, securely fastened thereto, which shall be visible from a distance of five hundred feet (500') to the sides and rear under normal atmospheric conditions. At all other times one (1) red flag, at least eighteen inches (18") square, made of cloth, synthetic or man-made material, shall be so displayed.

(2) This subsection (d) shall apply only to:

(A) Any non-commercial motor vehicle transporting property intrastate; and

(B) Any commercial motor vehicle having a gross vehicle weight rating (G.V.W.R.) or a gross combination weight rating (G.C.W.R.) of twenty six thousand pounds (26,000 lbs.) or less when such motor vehicle is transporting property intrastate.

(3) The provisions of title 65, chapter 15, and all applicable federal rules shall apply to all commercial vehicles having a gross vehicle weight rating (G.V.W.R.) or a gross combination weight rating (G.C.W.R.) of more than twenty six thousand pounds (26,000 lbs.).

(e) From one half (½) hour before sunset to one half (½) hour after sunrise and at all other times when lights are required to be displayed, any motor vehicle or trailer transporting intrastate a load of logs, long pulpwood, poles, or posts that projects four feet (4') or more beyond the rear of the body or bed of such vehicle, when the vehicle is operated on any highway or parked on the shoulder or immediately adjacent to the traveled portions of such highway, shall have securely affixed as close as practical to the end of any such projecting load either:

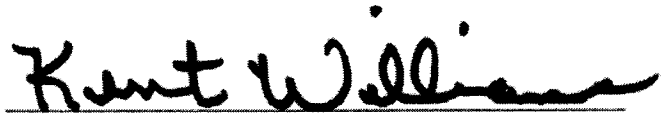
(1) One (1) amber strobe-type lamp, complying with SAE J595, equipped with a multidirectional type lens so mounted as to be visible from the rear and both sides of the projecting load. If the mounting of one (1) amber strobe lamp cannot be accomplished so that it is visible from the rear and both sides of the projecting load, multiple amber strobe lights, complying with SAE J595, shall be utilized so as to meet the visibility requirements of this subdivision. The amber strobe lamp shall flash at a rate of at least sixty (60) flashes per minute and shall be plainly visible from a distance of at least five hundred feet (500') to the rear and sides at a radius of one hundred eighty degrees (180°) of the projecting load. At all other times one (1) red flag, at least eighteen inches (18") square, made of cloth, synthetic or man-made material, shall be so displayed; or

(2) One (1) amber light-emitting diode (LED) light, complying with SAE J595, equipped with a multidirectional type lens, mounted so as to be visible from the rear and from both sides of the projecting load. If the mounting of one (1) amber light-emitting diode (LED) light cannot be accomplished so that it is visible from the rear and from both sides of the projecting load, multiple amber light-emitting diode (LED) lights, complying with SAE J595, shall be utilized so as to meet the visibility requirements of this subdivision. The amber light-emitting diode (LED) light shall flash at a rate of at least sixty (60) flashes per minute and shall be plainly visible from a distance of at least five hundred feet (500') from the rear and sides at a radius of one hundred eighty degrees (180°) of the projecting load. Any light-emitting diode (LED) light shall be constructed of durable, weather resistant material and may be powered by the vehicle's electrical system or by an independent battery system, or both. If the light-emitting diode (LED) light is powered by an independent battery system, the driver of the vehicle shall have in his or her immediate possession charged, spare batteries for use in case of battery failure. Any solid state light-emitting diode (LED) lighting that consists of multiple light-emitting diode (LED) lights shall not have less than eighty-five percent (85%) of the light-emitting diode (LED) lights in operable condition. At all other times one (1) red flag, at least eighteen inches (18") square, made of cloth, synthetic or man-made material, shall be so displayed.

(f) A violation of this section is a Class C misdemeanor.

SECTION 2. This act shall take effect July 1, 2010, the public welfare requiring it.

PASSED: May 24, 2010



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 9th day of June 2010

PHIL BREDESEN, GOVERNOR