

Create a statutory definition of “secondary violation” and disallow stops based only on secondary violations.

Revised 14-1:

(86) “Secondary violation” means a violation of any provision of this title that may be enforced only in accordance with the provisions of section 14-223b.

Revised 14-212:

(1) The following terms shall be construed as they are defined in section 14-1: “Authorized emergency vehicle”, “class 1 electric bicycle”, “class 2 electric bicycle”, “class 3 electric bicycle”, “commissioner”, “driver”, “electric bicycle”, “electric foot scooter”, “fuels”, “gross weight”, “head lamp”, “high-mileage vehicle”, “highway”, “light weight”, “limited access highway”, “maintenance vehicle”, “motor bus”, “motorcycle”, “motor vehicle registration”, “nonresident”, “nonskid device”, “number plate”, “officer”, “operator”, “owner”, “passenger motor vehicle”, “passenger and commercial motor vehicle”, “person”, “pneumatic tires”, “pole trailer”, “registration”, “registration number”, “second offense”, “**secondary violation**”, “semitrailer”, “shoulder”, “solid tires”, “stop”, “subsequent offense”, “tail lamp”, “tractor”, “tractor-trailer unit”, “trailer”, “truck” and “vanpool vehicle”;

New section 14-223b:

No officer shall stop a vehicle for violation of provisions of this title if the only violations identified are secondary violations. Nothing in this section shall be construed to prevent enforcement of a secondary violation by automated enforcement or by a mailed notice of violation. Nothing in this section shall be construed to prevent enforcement of a secondary violation if any violation for which a vehicle has been stopped is not a secondary violation.

Reform window tint statutes:

Revised 14-99g(f)-(g):

(f) Any person who violates any provision of subsections (b) to (e), inclusive, of this section shall be deemed to have committed an infraction for each offense. Any person who violates any provision of subsection (b) of this section shall remove such object or material which obstructs his clear and full view of the road and report within sixty days to the police department which issued the infractions complaint to present his vehicle for inspection and to demonstrate compliance with the provisions of this section. If such person fails to report to such police department and is cited for a subsequent violation of this section, his vehicle shall be impounded after notice and opportunity for hearing. **A violation of any provision of subsections (b) to (e), inclusive, of this section shall be a secondary violation.**

(g) Any person owning a vehicle having a window which has been tinted or darkened with any tinted material after factory delivery, shall present such vehicle to the Department of Motor Vehicles, by July 1, 1996, to receive a sticker for any tinted or darkened window to indicate such tinting or darkening is in compliance with this section. Any person operating a motor vehicle, on or after July 1, 1996, in violation of this subsection shall be deemed to have committed an

infraction. A violation of this subsection shall be a secondary violation.

Reform display-of-plate statutes

Revised 14-18:

(a)(1) Each motor vehicle for which one number plate has been issued shall, while in use or operation upon any public highway, display in a conspicuous place at the rear of such vehicle the number plate. The commissioner may issue a sticker denoting the expiration date of the registration. Such sticker shall be displayed in such place on the vehicle as the commissioner may direct. Such sticker may contain the corresponding letters and numbers of the registration and number plate issued by the commissioner. (2) Each motor vehicle for which two number plates have been issued shall, while in use or operation upon any public highway, display in a conspicuous place at the front and the rear of such vehicle the number plates. Provided that the numerals and letters thereon are plainly legible, displaying a number plate against a vehicle's rear window shall be a secondary violation. The commissioner may issue a sticker denoting the expiration date of the registration. Such sticker shall be displayed in such place on the vehicle as the commissioner may direct. Such sticker may contain the corresponding letters and numbers of the number plate issued by the commissioner.

(b) Repealed by 1969, P.A. 247, S. 1.

(c) Official number plates when displayed upon motor vehicles shall be [entirely] substantially unobscured and the numerals and letters thereon shall be plainly legible at all times. Such number plates shall be horizontal and shall be fastened so as not to swing and, during the time when a motor vehicle is required to display lights, [the rear number plate shall be illuminated as to be legible at a distance of fifty feet]. Nothing may be affixed to a motor vehicle or to the official number plates displayed on such vehicle that obscures or impairs the visibility of [any information] the numerals and letters on such number plates. Not more than one number plate shall be displayed on the front or rear of any motor vehicle in operation upon the public highways of the state; provided any motor vehicle may, upon permission of the commissioner, display more than one number plate in front or rear, subject to such conditions as the commissioner prescribes. If any number plate supplied by the commissioner is lost, or if the registered number thereon becomes mutilated or illegible, the owner of or the person in control of the motor vehicle for which such number plate was furnished shall immediately place a temporary number plate bearing said registration number upon such motor vehicle, which temporary number plate shall conform to the regular number plate and shall be displayed as nearly as possible as herein provided for such regular number plate; and such owner shall, within forty-eight hours after such loss or mutilation of the number plate, give notice thereof to the commissioner and apply for a new number plate. The commissioner may issue a permit to operate with such temporary plate and shall supply new number plates upon payment of the fee therefor as provided in section 14-50a. Upon receipt of such new number plates and new certificate, the remaining old number plate, if any, and certificate shall be surrendered to the commissioner.

Reform lighting statutes:

Clarify that 14-96a applies only to those who fail to turn on working lights, not those whose vehicles are not equipped with working lights.

Revised 14-96a:

(a) Every vehicle upon a highway within this state shall display such lighted lamps and illuminating devices as may be required under the provisions of sections 14-96a to 14-96aa, inclusive,

(1) at any time from a half-hour after sunset to a half-hour before sunrise,

(2) at any time when, due to insufficient light or unfavorable atmospheric conditions, persons and vehicles on the highway are not clearly discernible at a distance of five hundred feet ahead, and

(3) at any time during periods of precipitation, including, but not limited to, periods of snow, rain or fog.

(b) Whenever in said sections any requirement is declared as to distance from which certain lamps and devices shall render objects visible or within which such lamps or devices shall be visible, such requirement shall apply during the times stated in subsection (a) of this section in respect to a vehicle without load when upon a straight, level, unlighted highway under normal atmospheric conditions unless a different time or condition is expressly stated.

(c) Whenever in said sections any requirement is declared as to the mounted height of lamps or devices, such requirement shall mean the height measured from the center of such lamps or devices to the level ground upon which the vehicle stands when such vehicle is without a load.

(d) Failure to **[provide lighted] illuminate** lamps and illuminating devices at such time as required by this section shall be an infraction.

(e) To the extent that a violation of the number, placement, intensity, or any other technical specifications to the provisions of sections 14-96b through 14-96aa, inclusive, would also be a violation of this section, such violation shall be enforced pursuant to such specific provision and shall not be considered a violation of this section.

Make stopping vehicles for a single headlight, taillight, reflector, or brake light being broken a secondary offense.

Revised 14-96c:

(a) After October 1, 1967, every motor vehicle, trailer, semitrailer and pole trailer, and any other vehicle which is being drawn at the end of a combination of vehicles, shall be equipped with at least two tail lamps mounted on the rear, which, when lighted as required in subsection (a) of section 14-96a, shall emit a red light plainly visible from a distance of one thousand feet to the rear, except that passenger cars manufactured or assembled prior to October 1, 1957, and motorcycles shall have at least one such tail lamp. On a combination of vehicles, only the tail lamps on the rearmost vehicle need actually be seen from the distance specified. On vehicles equipped with more than one tail lamp, the lamps shall be mounted on the same level and as widely spaced laterally as practicable.

(b) Every tail lamp upon every vehicle shall be located at a mounted height of not more than seventy-two inches nor less than fifteen inches.

(c) The rear registration plate shall be so illuminated with a white light as to render it clearly legible from a distance of fifty feet to the rear. Any tail lamp or tail lamps, together with any separate lamp or lamps for illuminating the rear registration plate, shall be so wired as to be lighted whenever the head lamps or auxiliary driving lamps are lighted, except that any vehicle equipped by the manufacturer with daytime running lamps which meet federal requirements may have such daytime running lamps illuminated without illumination of the tail lamps or rear registration plate.

(d) Failure to have tail lamps or failure to illuminate the rear registration plate as required in this section shall be an infraction. **Failure to have two functioning tail lamps shall be a secondary violation if a vehicle has one illuminated and functioning tail lamp. Failure to illuminate the rear registration plate shall be a secondary violation.**

Revised 14-96d:

(a) Each motor vehicle, trailer, semitrailer and pole trailer shall carry on the rear, either as a part of the tail lamps or separately, two or more red reflectors meeting the requirements of this section. Each motorcycle shall carry at least one such reflector.

(b) Each such reflector shall be mounted on the vehicle at a height of not less than fifteen inches nor more than sixty inches, and shall be of such size and characteristics and so mounted as to be visible at night from all distances within three hundred fifty feet to one hundred feet from such vehicle when directly in front of upper beams of head lamps.

(c) Failure to carry and mount reflectors as required in this section shall be an infraction. **Failure to carry and mount two reflectors shall be a secondary violation if a vehicle has one reflector.**

Revised 14-96e:

(a) Each motor vehicle, trailer, semitrailer and pole trailer shall be equipped with two or more stop lamps meeting the requirements of subsection (a) of section 14-96r, except that passenger motor vehicles manufactured or assembled prior to October 1, 1957, and motorcycles shall be equipped with at least one stop lamp. On a combination of vehicles, only the stop lamps on the rearmost vehicle need actually be seen from the distance specified.

(b) Each motor vehicle in use on a highway shall be equipped with, and required signals shall be given by, a turn signal lamp or lamps complying with the requirements of the Code of Federal Regulations, Title 49, Section 571.108, as amended.

(c) Failure to equip vehicles with stop lamps or a turn signal lamp or lamps or turn signal devices as required by this section shall be an infraction. **Failure to equip a vehicle with two or more functioning stop lamps shall be a secondary violation if the vehicle has one functioning stop lamp otherwise in compliance with the provisions of subsection (a) of this section.**

Revised 14-96y:

(a) **Every motor vehicle other than a motorcycle shall have at least two functioning head lamps, one of which shall be located on each side at the front of such vehicle, except when** [At all times specified in subsection (a) of section 14-96a, at least two lighted lamps shall be displayed, one on each side at the front of every motor vehicle other than a motorcycle, except

when] such vehicle is parked subject to the regulations governing lights on parked vehicles.

(b) Whenever a motor vehicle equipped with head lamps as herein required is also equipped with any auxiliary lamps or a spot lamp or any other lamp on the front thereof projecting a beam of intensity greater than three hundred candlepower, not more than a total of four of any such lamps on the front of a vehicle shall be lighted at any one time when upon a highway.

(c) Failure to have **two functioning head** lamps as required by this section shall be an infraction. **Failure to have two functioning head lamps shall be a secondary violation if the vehicle has one lighted head lamp otherwise in compliance with the provisions of subsection (a).**

Reduce the scope of the obstructed windshield statute to make minor obstruction a secondary offense.

Revised 14-99f:

(a) Each motor vehicle shall be equipped with a windshield of a type prescribed by section 14-100 and a windshield cleaner or wiper in effective working order located directly in front of the operator while in use on the highway. The windshield shall be reasonably free of defects and accumulations, inside and out, of snow, ice, condensation and dirt. The provisions of this subsection shall not apply to a motorcycle or a vehicle designed by the manufacturer for nonhighway operation without a windshield.

(b) No person shall operate a motor vehicle required to be equipped with such a windshield if the windshield is in a condition to interfere with an unobstructed view of the highway.

(c) No article, device, sticker or ornament shall be attached or affixed to or hung on or in any motor vehicle in such a manner or location as to interfere with the operator's unobstructed view of the highway or to distract the attention of the operator.

(d) Violation of any provision of this section shall be an infraction. **A violation of subsection (c) shall be a secondary violation if the obstruction of the windshield is not substantial.**

Extend the period for which failure to renew registration is considered a minor infraction from 30 days to 60 days and make that infraction secondary.

Revised 14-12(a):

(a) No motor vehicle shall be operated, towed or parked on any highway, except as otherwise expressly provided, unless it is registered with the commissioner, provided any motor vehicle may be towed for repairs or necessary work if it bears the markers of a licensed and registered dealer, manufacturer or repairer and provided any motor vehicle which is validly registered in another state may, for a period of sixty days following establishment by the owner of residence in this state, be operated on any highway without first being registered with the commissioner. Except as otherwise provided in this subsection,

(1) a person commits an infraction if such person (A) registers a motor vehicle he or she does not own, or (B) operates, allows the operation of, parks or allows the parking of an unregistered motor vehicle on any highway, or

(2) a resident of this state who operates or parks a motor vehicle such resident owns with marker plates issued by another state on any highway

shall be fined one thousand dollars. If the owner of a motor vehicle previously registered on an annual or biennial basis, the registration of which expired not more than [thirty] sixty days previously, operates, allows the operation of, parks or allows that parking of such a motor vehicle, such owner shall be fined the amount designated for the infraction of failure to renew a registration, but the right to retain his or her operator's license shall not be affected. **Such an infraction shall be a secondary violation.** No operator other than the owner shall be subject to penalty for the operation or parking of such a previously registered motor vehicle. As used in this subsection, the term "unregistered motor vehicle" includes any vehicle that is not eligible for registration by the commissioner due to the absence of necessary equipment or other characteristics of the vehicle that make it unsuitable for highway operation, unless the operation of such vehicle is expressly permitted by another provision of this chapter or chapter 248.