

TITLE 49  
MOTOR VEHICLES

CHAPTER 9  
VEHICLE EQUIPMENT

49-901. DUTIES OF DEPARTMENT AND DIRECTOR OF IDAHO STATE POLICE. (1) The director shall adopt standards and specifications applicable to head lamps, clearance lamps, identification and other lamps on snow removal equipment when operated on the highways in lieu of the lamps otherwise required on vehicles by this title. Standards and specifications may permit the use of flashing lights for purposes of identification on snow removal equipment when in service upon the highways.

(2) The director may adopt standards and specifications applicable to lighting equipment on and special warning devices to be carried by school buses supplemental to but consistent with the provisions of section [49-914](#), Idaho Code. Standards and specifications shall correlate with and so far as possible conform to specifications then current as approved by the society of automotive engineers.

(3) The director is authorized to approve or disapprove lighting devices and to issue and enforce rules establishing standards and specifications for the approval of lighting devices, their installation, adjustment, and aiming, and adjustment when in use on motor vehicles. Regulations shall correlate with and, so far as practicable, conform to the then current standards and specifications of the society of automotive engineers applicable to that equipment.

(4) The director shall approve or disapprove any lighting device, of a type on which approval is specifically required in this title, within a reasonable time after the device has been submitted. He is authorized to set up the procedure which shall be followed when any device is submitted for approval, and upon approving any lamp or device shall issue to the applicant a certificate of approval together with any instructions determined by him. The department shall publish lists of all lamps and devices by name and type which have been approved. Any person desiring approval of a device shall notify the director in writing of the person's intention and shall submit the device for testing and approval as directed by the director. The director shall not approve a lighting device on any motorcycle or motor-driven cycle that does not have a self-recovery lighting system such as a generator or alternator to replace the power supply.

(5) The director shall approve and disapprove warning lighting devices on emergency and police vehicles and establish standards and specifications for emergency warning lighting devices.

(6) When the department has reason to believe that an approved device as being sold commercially does not comply with the requirements of this title, the director may, after giving thirty (30) days' previous notice to the person holding the certificate of approval for the device in this state, conduct a hearing upon the question of compliance of the approved device. After the hearing he shall determine whether the approved device meets the requirements of this title. If the device does not meet the requirements of this title, he shall give notice to the person holding the certificate of approval for the device in this state.

If at the expiration of ninety (90) days after the notice, the person holding the certificate of approval for the device has failed to satisfy the

department that the approved device as thereafter to be sold meets the requirements of this title, the director shall suspend or revoke the approval issued until or unless the device is resubmitted to and retested by an approved testing agency and found to meet the requirements of this title, and may require that all the devices sold since the notification following the hearing be replaced with devices that do comply with the requirements of this title. The department may at the time of the retest, purchase in the open market and submit to the testing agency one or more sets of the approved devices, and if the device upon retest fails to meet the requirements of this title, the director may refuse to renew the certificate of approval of the device.

(7) The director shall adopt and enforce safety requirements, rules and specifications applicable to air conditioning equipment which shall correlate with and, so far as possible, conform to the current recommended practice or standard applicable to air conditioning equipment approved by the society of automotive engineers.

(8) The director in cooperation with the state board of education shall adopt and enforce rules not inconsistent with this title to govern the design and operation of all school buses when owned and operated by any school district or privately owned and operated under contract with any school district in the state, and these rules shall by reference be made a part of any contract with a school district. Every school district, its officers and employees, and every person employed under contract by a school district shall be subject to these rules.

[49-901, added 1988, ch. 265, sec. 226, p. 687; am. 2000, ch. 469, sec. 116, p. 1577.]

49-902. SCOPE AND EFFECT. (1) It shall be unlawful for any person to drive, or move, or for the owner to cause or knowingly permit to be driven or moved on any highway any vehicle or combination of vehicles which is in an unsafe condition as to endanger any person, or which does not contain those parts or is not at all times equipped with the lamps and other requirements in proper condition and adjustment, as required by the provisions of this chapter, or which is equipped in any manner in violation of the provisions of this chapter.

(2) Nothing contained in the provisions of this chapter shall be construed to prohibit the use of additional parts and accessories on any vehicle not inconsistent with the provisions of this chapter.

(3) The provisions of this chapter, with respect to equipment on vehicles, shall not apply to implements of husbandry, road machinery, road rollers, farm tractors or slow moving vehicles except as otherwise specifically made applicable.

[49-902, added 1988, ch. 265, sec. 227, p. 688.]

49-903. WHEN LIGHTED LAMPS ARE REQUIRED. Every vehicle upon a highway at any time from sunset to sunrise and at any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of five hundred (500) feet ahead shall display lighted lamps and illuminating devices as here respectively required for different classes of vehicles, subject to exceptions with respect to parked vehicles as stated herein.

[49-903, added 1988, ch. 265, sec. 228, p. 689; am. 1990, ch. 166, sec. 1, p. 363.]

49-904. VISIBILITY DISTANCE AND MOUNTED HEIGHT OF LAMPS. (1) Whenever a requirement is stated as to the distance from which certain lamps and devices shall render objects visible, or within which lamps or devices shall be visible, those provisions shall apply during the times stated in section [49-903](#), Idaho Code, 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.

(2) Whenever a requirement is stated as to the mounted height of lamps or devices, it shall mean from the center of the lamp or device to the level ground upon which the vehicle stands when the vehicle is without a load.

[49-904, added 1988, ch. 265, sec. 229, p. 689.]

49-905. HEAD LAMPS ON MOTOR VEHICLES. (1) Every motor vehicle other than a motorcycle or motor-driven cycle shall be equipped with at least two (2) head lamps with at least one (1) on each side of the front of the motor vehicle. The head lamps shall comply with the requirements and limitations set forth in this chapter.

(2) Every motorcycle and every motor-driven cycle shall be equipped with at least one (1) and not more than two (2) head lamps which shall comply with the requirements and limitations of this chapter.

(3) Every head lamp upon every motor vehicle, including every motorcycle and motor-driven cycle, shall be located at a height measured from the center of the head lamp of not more than fifty-four (54) inches nor less than twenty-four (24) inches to be measured as set forth in section [49-904](#)(2), Idaho Code.

(4) No person shall operate any motor vehicle on the highways with head lamps which are composed of, covered by, or treated with any material, substance, system, or component which, when such head lamps are not in operation, is highly reflective or otherwise opaque and nontransparent.

(5) No person shall have for sale, sell, or offer for sale any motor vehicles with head lamps that are in violation of the provisions of this section.

(6) Nothing in this section shall be construed to make illegal the operation or sale of any motor vehicle, the head lamps of which are composed of, covered by, or treated with any material, substance, system, or component with which the motor vehicle was sold when new or could have been equipped for sale when new as standard or optional equipment under any United States government statute or regulation governing the sale at the time of manufacture.

(7) Any person convicted of a violation of the provisions of this section shall be guilty of an infraction.

[49-905, added 1988, ch. 265, sec. 230, p. 689; am. 1992, ch. 88, sec. 1, p. 275.]

49-906. TAIL LAMPS. (1) Every motor vehicle, trailer, semitrailer, and pole trailer, and any other vehicle which is being drawn at the end of a train of vehicles, shall be equipped with at least one (1) tail lamp mounted on the rear, which when lighted as required, shall emit a red light plainly visible from a distance of five hundred (500) feet to the rear. In the case of a train of vehicles only the tail lamp on the rearmost vehicle need actually

be seen from the distance specified. Every mentioned vehicle, other than a truck tractor, registered in this state and manufactured or assembled after December 31, 1955, shall be equipped with at least two (2) tail lamps mounted on the rear, which when lighted as required, shall comply with the provisions of this section.

(2) Every tail lamp upon every vehicle shall be located at a height of not more than seventy-two (72) inches nor less than twenty (20) inches.

(3) Any tail lamp shall be wired so to be lighted whenever the head lamps or auxiliary driving lamps are lighted.

(4) Nothing herein shall prohibit the display on any vehicle thirty (30) years or older of tail lamps containing a blue or purple insert lens not to exceed one (1) inch in diameter, provided the tail lamp or lamps otherwise comply with the requirements of this section.

[49-906, added 1988, ch. 265, sec. 231, p. 690; am. 1993, ch. 95, sec. 1, p. 244.]

49-907. MOTOR VEHICLES TO BE EQUIPPED WITH REFLECTORS. (1) Every motor vehicle sold and operated upon a highway, other than a truck tractor, shall carry on the rear, either as a part of the tail lamps or separately, two (2) red reflectors. Every motorcycle and every motor-driven cycle shall carry at least one (1) reflector meeting the requirements of this section. Vehicles of the type mentioned in section [49-909](#), Idaho Code, shall be equipped with reflectors as required in the applicable subsections.

(2) Except as otherwise provided, every reflector shall be mounted on the vehicle at a height of not less than twenty (20) inches nor more than sixty (60) inches measured as set forth in section [49-904](#)(2), Idaho Code, and shall be of a size and characteristic and mounted so to be visible at night from all distances within three hundred fifty (350) feet to one hundred (100) feet from the vehicle when directly in front of lawful upper beams of head lamps.

[49-907, added 1988, ch. 265, sec. 232, p. 690.]

49-908. STOP LAMPS AND TURN SIGNALS REQUIRED ON MOTOR VEHICLES. (1) After December 31, 1986, it shall be unlawful for any person to sell any motor vehicle, including any motorcycle or motor-driven cycle, in this state or for any person to drive a vehicle on the highways unless it is equipped with at least one (1) stop lamp meeting the requirements of section [49-919](#), Idaho Code.

(2) No person shall sell or offer for sale or operate on the highways any motor vehicle, trailer, or semitrailer registered in this state and manufactured or assembled after December 31, 1954, unless it is equipped with mechanical or electrical turn signals meeting the requirements of section [49-918](#), Idaho Code. This subsection shall not apply to a motorcycle or motor-driven cycle.

[49-908, added 1988, ch. 265, sec. 233, p. 691.]

49-909. ADDITIONAL EQUIPMENT REQUIRED ON CERTAIN VEHICLES. In addition to other equipment required in this chapter, the following vehicles shall be equipped as follows:

- (1) On every bus or truck, whatever its size, there shall be:
  - (a) On each side, one (1) reflector, at or near the rear; and

(b) On the rear, two (2) reflectors, one (1) at each side, and one (1) stoplight.

(2) On every bus or truck eighty (80) inches or more in over-all width and less than thirty (30) feet in over-all length, in addition to the requirements in subsection (1):

(a) On the front, two (2) clearance lamps, one (1) at each side; and

(b) On the rear, two (2) clearance lamps, one (1) at each side.

(3) On every bus or truck thirty (30) feet or more in over-all length, regardless of its width, in addition to the requirements in subsection (1), clearance lamps required in subsection (2), plus:

(a) On each side, two (2) side marker lamps, one (1) at or near the front and one (1) at or near the rear; and

(b) On each side, one (1) reflector at or near the front.

(4) On every truck tractor, the cab of which is as wide as or wider than any vehicle being drawn:

(a) On the front, two (2) clearance lamps, one (1) at each side; and

(b) On each side, one (1) side marker lamp at or near the front.

(5) On every trailer or semitrailer having a gross weight in excess of three thousand (3,000) pounds, if wider than the truck or the cab of the truck tractor drawing it, the following:

(a) On the front, two (2) clearance lamps, one (1) at each side;

(b) On each side, two (2) side marker lamps, one (1) at or near the front and one (1) at or near the rear;

(c) On each side, two (2) reflectors, one (1) at or near the front and one (1) at or near the rear; and

(d) On the rear, two (2) clearance lamps, one (1) at each side, also two (2) reflectors, one (1) at each side, and one (1) stoplight.

(6) On every trailer or semitrailer having a gross weight in excess of three thousand (3,000) pounds if of the same width or less than the truck or the cab of the truck drawing it, the following:

(a) On each side, one (1) side marker lamp near the rear;

(b) On each side, two (2) reflectors, one (1) at or near the front and one (1) at or near the rear;

(c) On the rear, two (2) clearance lamps, one (1) at each side; and

(d) On the rear, two (2) reflectors, one (1) at each side and one (1) stoplight.

(7) On every pole trailer in excess of three thousand (3,000) pounds gross weight:

(a) On each side, one (1) side marker lamp and one (1) clearance lamp which may be in combination, to show the front, side and rear; and

(b) On the rear of the pole trailer or load, two (2) reflectors, one (1) at each side.

(8) On every trailer, semitrailer and pole trailer weighing three thousand (3,000) pounds gross or less:

(a) On the rear, two (2) reflectors, one (1) on each side; and

(b) On the front, two (2) reflectors, one (1) on each side.

(9) If any trailer or semitrailer is so loaded or is of dimensions which obscure the stoplight on the towing vehicle, then the drawn vehicle shall also be equipped with one (1) stoplight.

(10) Reflectors shall be mounted at a height no less than twenty-four (24) inches and not higher than sixty (60) inches above the ground on which the vehicle stands. If the highest part of the permanent structure of the vehicle is less than twenty-four (24) inches, the reflector at that point shall

be mounted as high as that part of the permanent structure will permit. Rear reflectors on a pole trailer may be mounted on each side of the bolster or load. Any required red reflector on the rear of a vehicle may be incorporated with the tail lamp, but the reflector shall meet all the other reflector requirements of this chapter.

(11) Clearance lamps shall be mounted on the permanent structure of the vehicle in a manner to indicate its extreme width and as near the top as practicable. Clearance lamps and side marker lamps may be mounted in combination provided illumination is given as prescribed for both.

(12) Lighting devices required shall be mounted, so far as practicable, in a manner to reduce the hazard of their being obscured by mud or dust thrown by the vehicle's wheels.

(13) On every trailer where the connecting tongue is fifteen (15) feet or more in length two (2) amber-colored reflectors shall be mounted on the connecting tongue, one (1) on each side near the center of the connecting tongue.

[49-909, added 1988, ch. 265, sec. 234, p. 691; am. 1991, ch. 284, sec. 1, p. 731; am. 2005, ch. 126, sec. 1, p. 410.]

49-910. COLOR OF CLEARANCE LAMPS, SIDE MARKER LAMPS, AND REFLECTORS. (1) Front clearance lamps and marker lamps and reflectors mounted on the front or on the side near the front of a vehicle shall display or reflect an amber color.

(2) Rear clearance lamps and marker lamps and reflectors mounted on the rear or on the sides near the rear of a vehicle shall display or reflect a red color.

(3) All lighting devices and reflectors mounted on the rear of any vehicle shall display or reflect a red color, except the stoplight or other signal device, which may be red, amber, or yellow, and except that the light illuminating the license plate shall be white and the light emitted by a back-up lamp may be white, amber, or red.

[49-910, added 1988, ch. 265, sec. 235, p. 693.]

49-910A. COLOR OF LAMPS AND GLOBES LIMITED TO CERTAIN VEHICLE CLASSES. For the purposes of this chapter lighting devices utilizing various colors of lighted globes approved by the director of the Idaho state police for use on vehicles shall be restricted to the following class of vehicles:

(1) Police vehicles. Only police vehicles shall display blue lights, lenses or globes.

(2) Designated emergency vehicles. Fire fighting vehicles, vehicles belonging to personnel of voluntary fire departments, vehicles belonging to, or operated by EMS personnel certified or otherwise recognized by the EMS bureau of the Idaho department of health and welfare while in the performance of emergency medical services, ambulances, sheriff's search and rescue vehicles which are under the immediate supervision of the county sheriff, and wreckers, as defined in section [49-124](#), Idaho Code, which are engaged in motor vehicle recovery operations and are blocking part or all of one or more lanes of traffic, are designated emergency vehicles. With the exception of school buses as provided in section [49-915](#), Idaho Code, only fire fighting vehicles, vehicles belonging to personnel of voluntary fire departments, vehicles belonging to, or operated by EMS personnel certified or otherwise recognized by the EMS bureau of the Idaho department of health and welfare

while in the performance of emergency medical services, ambulances, designated emergency vehicles described herein, vehicles authorized by the Idaho transportation board for use in the enforcement of vehicle laws specified in section [40-510](#), Idaho Code, and other emergency vehicles designated by the director of the Idaho state police may display red flashing lights or red lenses or globes which are visible from the front of the vehicle.

(3) All vehicles. Any motor vehicle may have attached to it a flashing amber light to warn motorists of a vehicular traffic hazard requiring the exercise of unusual care in approaching, overtaking or passing the vehicle displaying such lighting. The driver of an approaching vehicle shall yield the right-of-way to any stationary vehicle displaying a flashing amber light.

[49-910A, added 1988, ch. 265, sec. 236, p. 693; am. 1989, ch. 310, sec. 23, p. 796; am. 1991, ch. 288, sec. 4, p. 744; am. 1993, ch. 377, sec. 1, p. 1385; am. 1996, ch. 308, sec. 2, p. 1013; am. 2000, ch. 469, sec. 117, p. 1579.]

49-911. VISIBILITY OF REFLECTORS, CLEARANCE LAMPS, AND MARKER LAMPS. (1) Every reflector upon any vehicle referred to in section [49-909](#), Idaho Code, shall be of a size and characteristic and maintained to be readily visible at nighttime from all distances within six hundred (600) feet to one hundred (100) feet from the vehicle when directly in front of lawful upper beams of head lamps. Reflectors required to be mounted on the sides of the vehicle shall reflect the required color light to the sides, and those mounted on the rear shall reflect a red color to the rear.

(2) Front and rear clearance lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of five hundred (500) feet from the front and rear, respectively, of the vehicle.

(3) Side marker lamps shall be capable of being seen and distinguished under normal atmospheric conditions at the times lights are required at a distance of five hundred (500) feet from the side of the vehicle on which mounted.

[49-911, added 1988, ch. 265, sec. 237, p. 693.]

49-912. OBSTRUCTED LIGHTS NOT REQUIRED. Whenever motor and other vehicles are operated in combination during the time that lights are required, any lamp, except tail lamps, need not be lighted which, by reason of its location on a vehicle of the combination, would be obscured by another vehicle of the combination, but this shall not affect the requirement that lighted clearance lamps be displayed on the front of the foremost vehicles required to have clearance lamps, nor that all lights required on the rear of the rear-most vehicle of any combination shall be lighted.

[49-912, added 1988, ch. 265, sec. 238, p. 694.]

49-913. LAMP OR FLAG ON PROJECTING LOAD. Whenever the load upon any vehicle extends to the rear four (4) feet or more beyond the bed or body of the vehicle, there shall be displayed at the extreme rear end of the load, at the times specified in section [49-903](#), Idaho Code, a red light or lantern plainly visible from a distance of at least five hundred (500) feet to the sides and rear. The red light or lantern required under this section shall be in ad-

dition to the red rear light required upon every vehicle. At any other time there shall be displayed at the extreme rear end of the load a red or fluorescent orange flag a minimum of eighteen (18) inches by eighteen (18) inches and hung so that the flag is visible to the driver of a vehicle approaching from the rear.

[49-913, added 1988, ch. 265, sec. 239, p. 694; am. 2000, ch. 101, sec. 1, p. 222; am. 2019, ch. 94, sec. 1, p. 339.]

49-914. LAMPS ON PARKED VEHICLES. (1) Whenever a vehicle is lawfully parked upon a highway at the times specified in section [49-903](#), Idaho Code, and in the event there is sufficient light to reveal any person or object within a distance of five hundred (500) feet upon the highway, no lights need be displayed upon the parked vehicle.

(2) Whenever a vehicle is parked or stopped upon a highway, whether attended or unattended, at the times specified in section [49-903](#), Idaho Code, and there is not sufficient light to reveal any person or object within a distance of five hundred (500) feet upon the highway, the parked or stopped vehicle shall be equipped with one or more lamps meeting the following requirements: at least one (1) lamp shall display a white or amber light visible from a distance of five hundred (500) feet to the front of the vehicle, and the same lamp or at least one (1) other lamp shall display a red light visible from the same distance to the rear of the vehicle. The location of the lamp shall always be such that at least one (1) lamp or combination of lamps meeting the requirements of this section is installed as near as practicable to the side of the vehicle which is closest to passing traffic. This provision shall not apply to a motor-driven cycle.

(3) Any lighted head lamps upon a parked vehicle shall be depressed or dimmed.

[49-914, added 1988, ch. 265, sec. 240, p. 694.]

49-915. SCHOOL BUSES -- VISUAL SIGNAL. (1) Every school bus shall, in addition to any other equipment and distinctive markings required by this title, be equipped with signal lamps mounted as high and as widely spaced laterally as practicable, which shall display to the front two (2) alternately flashing red lights located at the same level and to the rear two (2) alternately flashing red lights located at the same level. These lights shall be visible at five hundred (500) feet in normal sunlight.

(2) Any school bus shall, in addition to the lights required by subsection (1), be equipped with yellow signal lamps mounted near each of the four (4) red lamps and at the same level, but closer to the vertical centerline of the bus, which shall display two (2) alternately flashing yellow lights to the front and two (2) alternately flashing yellow lights to the rear. These lights shall be visible at five hundred (500) feet in normal sunlight. These lights shall be displayed by the school bus driver at least two hundred (200) feet before every stop at which the alternately flashing red lights required by subsection (1) will be actuated.

(3) Every school bus shall be equipped with a semaphore stop arm which shall be a flat eighteen (18) inch octagon exclusive of brackets for mounting, with reflectorized material on both sides, be red with a silver white border, and have a legend reading "stop" six (6) inches high with three-quarter (3/4) inch wide silver white letters, mounted outside the bus on the left side opposite driver's seat and have a driver-controlled mechanism. Flash-



ing lamps in the stop arm may be connected to the alternating red flashing signal lamp circuits. The stop arm signal may be vacuum, electric, air or manually controlled.

[49-915, added 1988, ch. 265, sec. 241, p. 695.]

49-916. LAMPS ON FARM TRACTORS, FARM EQUIPMENT AND IMPLEMENTS OF HUSBANDRY. (1) Every farm tractor and every self-propelled farm equipment unit or implement of husbandry not equipped with an electric lighting system shall at all times specified in section [49-903](#), Idaho Code, be equipped with at least one (1) lamp displaying a white light visible from a distance of not less than five hundred (500) feet to the front of the vehicle and shall also be equipped with at least one (1) lamp displaying a red light visible from at least the same distance to the rear of the vehicle, and two (2) red reflectors visible from a distance of one hundred (100) to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps. Lights required in this section shall be positioned so that one (1) lamp showing to the front and one (1) lamp or reflector showing to the rear will indicate the further projection of the tractor, unit or implement on the side of the road used in passing the vehicle.

(2) Every combination of farm tractor and towed unit of farm equipment or implement of husbandry not equipped with an electric lighting system shall at all times specified in section [49-903](#), Idaho Code, be equipped with the following:

(a) At least one (1) lamp mounted to indicate as nearly as practicable the extreme left projection of the combination and displaying a white light visible from a distance of not less than five hundred (500) feet to the front of the combination;

(b) Two (2) red reflectors visible from a distance of one hundred (100) to six hundred (600) feet to the rear of the combination when illuminated by the upper beams of head lamps. The reflectors shall be mounted in a manner to indicate as nearly as practicable the extreme left and right rear projections of the towed unit or implement on the highway.

(3) Every farm tractor and every self-propelled unit of farm equipment or implement of husbandry equipped with an electric lighting system shall at all times specified in section [49-903](#), Idaho Code, be equipped with two (2) single-beam or multiple-beam head lamps meeting the requirements of sections [49-922](#) or [49-924](#), Idaho Code, respectively or, as an alternative, section [49-926](#), Idaho Code, and two (2) red lamps visible from a distance of not less than five hundred (500) feet to the rear, or in the alternative, one (1) red lamp visible from a distance of not less than five hundred (500) feet to the rear and two (2) red reflectors visible from a distance of one hundred (100) to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps. Red lamps or reflectors shall be mounted in the rear of the farm tractor or self-propelled implement of husbandry to indicate as nearly as practicable the extreme left and right projections of the vehicle on the highway.

(4) The farm tractor element of every combination of farm tractor and towed farm equipment or towed implement of husbandry equipped with an electric lighting system shall at all times specified in section [49-903](#), Idaho Code, be equipped with two (2) single-beam or multiple-beam head lamps meeting the requirements of sections [49-922](#), [49-924](#), or [49-926](#), Idaho Code.

[49-916, added 1988, ch. 265, sec. 242, p. 696.]

49-917. LAMPS ON OTHER VEHICLES AND EQUIPMENT. Every vehicle, including animal-drawn vehicles and other vehicles not specifically required by the provisions of this chapter to be equipped with lamps or other lighting devices, shall at all times specified in section [49-903](#), Idaho Code, be equipped with at least one (1) lamp displaying a white light visible from a distance of not less than five hundred (500) feet to the front of the vehicle, and shall also be equipped with two (2) lamps displaying a red light visible from the same distance to the rear of the vehicle, or as an alternative, one (1) lamp displaying a red light visible from the same distance to the rear and two (2) red reflectors visible for distances of one hundred (100) to six hundred (600) feet to the rear when illuminated by the upper beams of head lamps.

[49-917, added 1988, ch. 265, sec. 243, p. 697.]

49-918. SPOT LAMPS AND AUXILIARY LAMPS. (1) Any motor vehicle may be equipped with not more than two (2) spot lamps, and each lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the high-intensity portion of the beam will be directed to the left of the prolongation of the extreme left side of the vehicle nor more than one hundred (100) feet ahead of the vehicle.

(2) Any motor vehicle may be equipped with not more than two (2) fog lamps mounted on the front, at a height not less than twelve (12) inches nor more than thirty (30) inches above the level surface upon which the vehicle stands, and so aimed that when the vehicle is not loaded none of the high-intensity portion of the light to the left of the center of the vehicle shall at a distance of twenty-five (25) feet ahead project higher than a level of four (4) inches below the level of the center of the lamp from which it comes. Lighted fog lamps meeting these requirements may be used with lower head lamp beams as specified in section [49-922](#) (2), Idaho Code.

(3) Any motor vehicle may be equipped with not more than two (2) auxiliary passing lamps mounted on the front at a height not less than twenty-four (24) inches nor more than forty-two (42) inches above the level surface upon which the vehicle stands. The provisions of section [49-922](#), Idaho Code, shall apply to any combination of head lamps and auxiliary passing lamps.

(4) Any motor vehicle may be equipped with not more than two (2) auxiliary driving lamps mounted on the front at a height not less than sixteen (16) inches nor more than forty-two (42) inches above the level surface upon which the vehicle stands. The provisions of section [49-922](#), Idaho Code, shall apply to any combination of head lamps and auxiliary driving lamps.

[49-918, added 1988, ch. 265, sec. 244, p. 697.]

49-919. SIGNAL LAMPS AND SIGNAL DEVICES. (1) Any motor vehicle may be equipped and when required under this chapter shall be equipped with stop lamps on the rear of the vehicle which shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight, and which shall be actuated upon application of the service (foot) brake, and which may but need not, be incorporated with one or more other rear lamps.

(2) Any motor vehicle may be equipped and when required under this chapter shall be equipped with lamps or mechanical signal devices showing to the front and rear for the purposes of indicating an intention to turn either to the right or left. When lamps are used for this purpose, the lamps showing to

the front shall be located on the same level and as widely spaced laterally as practicable, and when in use shall display a white or amber light, or any shade of color between white and amber, visible from a distance of not less than one hundred (100) feet to the front in normal sunlight, and the lamps showing to the rear shall be located at the same level and as widely spaced laterally as practicable, and when in use shall display a red or amber light, or any shade of color between red and amber, visible from a distance of not less than one hundred (100) feet to the rear in normal sunlight. When actuated the lamps shall indicate the intended direction of turning by flashing the lights showing to the front and rear on the side toward which the turn is made. Where mechanical signal devices are used for this purpose, the devices shall be self-illuminated when in use at the times specified in section [49-903](#), Idaho Code.

(3) No stop lamp or signal lamp or device shall project a glaring light.

[49-919, added 1988, ch. 265, sec. 245, p. 698.]

49-920. ADDITIONAL LIGHTING EQUIPMENT. (1) Any motor vehicle may be equipped with not more than two (2) side cowl or fender lamps which shall emit an amber or white light without glare.

(2) Any motor vehicle may be equipped with not more than one (1) running-board courtesy lamp on each side which shall emit a white or amber light without glare.

(3) Any motor vehicle may be equipped with not more than two (2) back-up lamps either separately or in combination with other lamps, but any back-up lamp shall not be lighted when the motor vehicle is in forward motion.

(4) Any vehicle may be equipped with lamps which may be used 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, and when so equipped may display that warning in addition to any other warning signals required by this title. Lamps used to display the warning to the front shall be mounted at the same level and as widely spaced laterally as practicable, and shall display simultaneously flashing white or amber lights, or any shade or color between white and amber. The lamps used to display the warning to the rear shall be mounted at the same level and as widely spaced laterally as practicable, and shall show simultaneously flashing amber or red lights, or any shade of color between amber and red. These warning lights shall be visible from a distance of not less than five hundred (500) feet under normal atmospheric conditions at night.

(5) Any commercial vehicle eighty (80) inches or more in overall width may be equipped with not more than three (3) identification lamps showing to the front which shall emit an amber light without glare, and not more than three (3) identification lamps showing to the rear which shall emit a red light without glare. These lamps shall be placed in a row and may be mounted either horizontally or vertically.

[49-920, added 1988, ch. 265, sec. 246, p. 698.]

49-921. REAR MOUNTED ACCELERATION AND DECELERATION LIGHTING SYSTEM. (1) Every motor vehicle, trailer, semitrailer, truck tractor, and pole trailer used in the state may be equipped with an auxiliary lighting system consisting of:

(a) One (1) green light to be activated when the accelerator of the motor vehicle is depressed;

(b) Not more than two (2) amber lights to be activated when the motor vehicle is moving forward, or standing and idling, but is not under the power of the engine.

(2) An auxiliary system shall not interfere with the operation of vehicle tail lamps and shall not interfere with the operation of vehicle signal lamps and signal devices. The system may operate in conjunction with tail lamps or signal lamps and signal devices.

(3) Only one (1) color of the system may be illuminated at any one (1) time, and at all times either the green light, or amber light or lights shall be illuminated when the tail lamps of the vehicle are not illuminated.

(4) The green light and the amber light or lights, when illuminated, shall be plainly visible at a distance of five hundred (500) feet to the rear.

(5) Only one (1) system may be mounted on a motor vehicle, trailer, semitrailer, truck tractor, or pole trailer; and the system shall be rear mounted in a horizontal fashion, at a height of not more than seventy-two (72) inches, nor less than twenty (20) inches.

(6) On a combination of vehicles, only the lights of the rearmost vehicle need actually be seen and distinguished as provided in subsection (4) of this section.

(7) Each manufacturer's model of such a system described in this section shall be approved by the board before it may be sold or offered for sale in the state.

[49-921, added 1988, ch. 265, sec. 247, p. 699.]

49-922. MULTIPLE-BEAM ROAD-LIGHTING EQUIPMENT. Except as otherwise provided in this chapter, the head lamps or the auxiliary driving lamp or the auxiliary passing lamp or their combinations on motor vehicles other than a motorcycle or motor-driven cycle shall be so arranged that selection may be made between distributions of light projected to different elevations, and the lamps may be so arranged that the selection can be made automatically, subject to the following requirements and limitations:

(1) There shall be an uppermost distribution of light, or composite beam, so aimed and of an intensity to reveal persons and vehicles at a distance of at least three hundred fifty (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 one hundred (100) feet ahead. 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 motor vehicle manufactured after December 31, 1954, other than a motorcycle or motor-driven cycle, 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. The 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.

[49-922, added 1988, ch. 265, sec. 248, p. 700.]

49-923. USE OF MULTIPLE-BEAM ROAD-LIGHTING EQUIPMENT. (1) Whenever a motor vehicle is being operated on a highway during the times specified in section [49-903](#), Idaho Code, 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.

(2) Whenever a driver of a vehicle approaches an oncoming vehicle within five hundred (500) feet, the 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, shall be deemed to avoid glare at all times, regardless of road contour and loading.

(3) Whenever the driver of a vehicle follows another vehicle within two hundred (200) feet to the rear, except when engaged in the act of overtaking and passing, the driver shall use a distribution of light permissible under this chapter other than the uppermost distribution of light specified in section [49-922](#), Idaho Code.

[49-923, added 1988, ch. 265, sec. 249, p. 700.]

49-924. SINGLE-BEAM ROAD-LIGHTING EQUIPMENT. Head lamps arranged to provide a single distribution of light shall be permitted on motor vehicles manufactured prior to January 1, 1955, in lieu of multiple-beam road-lighting equipment specified in this chapter if the single distribution of light complies with the following requirements and limitations:

(1) The head lamps 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 twenty-five (25) feet ahead project higher than a level of five (5) inches below the level of the center of the lamp from which it comes, and in no case higher than forty-two (42) inches above the level on which the vehicle stands at a distance of seventy-five (75) feet ahead.

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

[49-924, added 1988, ch. 265, sec. 250, p. 701.]

49-925. LIGHTING EQUIPMENT ON MOTOR-DRIVEN CYCLES. The head lamp upon every motor-driven cycle may be of the single-beam or multiple-beam type, but in either event shall comply with the requirements and limitations as follows:

(1) Every head lamp on a motor-driven cycle shall be of sufficient intensity to reveal a person or a vehicle at a distance of not less than one hundred (100) feet when the motor-driven cycle is operated at any speed less than twenty-five (25) miles per hour and at a distance of not less than two hundred (200) feet when the motor-driven cycle is operated at a speed of twenty-five (25) or more miles per hour, and at a distance of three hundred (300) feet when the motor-driven cycle is operated at a speed of thirty-five (35) miles or more per hour.

(2) In the event a motor-driven cycle is equipped with multiple-beam head lamps, the beams shall meet the minimum requirements set forth above and shall not exceed the limitations set forth in section [49-922](#), Idaho Code.

(3) In the event a motor-driven cycle is equipped with a single-beam lamp, the lamp shall be so aimed that when the vehicle is loaded, none of the high-intensity portion of light, at a distance of twenty-five (25) feet ahead, shall project higher than the level of the center of the lamp from which it comes.

[49-925, added 1988, ch. 265, sec. 251, p. 701.]

49-926. ALTERNATE ROAD-LIGHTING EQUIPMENT. Any motor vehicle may be operated under the conditions specified in section [49-903](#), Idaho Code, when equipped with two (2) lighted lamps upon the front capable of revealing persons and objects seventy-five (75) feet ahead in lieu of lamps required in section [49-922](#) or section [49-924](#), Idaho Code. At no time shall it be operated at a speed in excess of twenty (20) miles per hour.

[49-926, added 1988, ch. 265, sec. 252, p. 702.]

49-927. NUMBER OF DRIVING LAMPS REQUIRED OR PERMITTED. (1) At all times specified in section [49-903](#), Idaho Code, at least two (2) lighted lamps shall be displayed, one (1) on each side at the front of every motor vehicle other than a motorcycle or motor-driven cycle, except when the vehicle is parked subject to the requirements governing lights on parked vehicles.

(2) Whenever a motor vehicle equipped with required head lamps is also equipped with any auxiliary lamps, a spot lamp, or any other lamp on the front projecting a beam of intensity greater than three hundred (300) candlepower, not more than a total of four (4) lamps on the front of a vehicle shall be lighted at any one (1) time when upon a highway.

[49-927, added 1988, ch. 265, sec. 253, p. 702.]

49-928. SPECIAL RESTRICTIONS ON LAMPS. (1) Any lighted lamp or illuminating device upon a motor vehicle, other than head lamps, spot lamps, auxiliary lamps, or flashing turn signals, emergency vehicle warning lamps, and school bus warning lamps, which projects a beam of light of an intensity greater than three hundred (300) candlepower shall be so directed that no part of the high-intensity portion of the beam will strike the level of the roadway on which the vehicle stands at a distance of more than seventy-five (75) feet from the vehicle.

(2) No person shall drive or move any vehicle or equipment upon any highway with any lamp or device displaying a red light visible from directly in front of the center of the vehicle or equipment. This section shall not apply to any vehicle upon which a red light visible from the front is expressly authorized or required by this title.

(3) As a practical means of determining whether head lamps or auxiliary driving or fog lamps glare the following test shall apply: Any such lamp shall be deemed to be glaring if any part of the main beam strikes the body of a person, vehicle, screen or other object higher than the lamp centers twenty-five (25) feet or more ahead of the vehicle and in no event shall the main bright portion of the beam be higher than forty-two (42) inches at a distance of seventy-five (75) feet ahead of the vehicle.

(4) Flashing lights are prohibited except on an authorized emergency vehicle, school bus, snow removal equipment, or on any vehicle as a means for indicating a right or left turn, or the presence of a vehicular traffic hazard requiring unusual care in approaching, overtaking or passing.

[49-928, added 1988, ch. 265, sec. 254, p. 702.]

49-929. LIGHTS ON SNOW REMOVAL EQUIPMENT. It shall be unlawful to operate any snow removal equipment on any highway unless lamps on the equipment comply with and are lighted when and as required by the standards and specifications adopted by the director of the Idaho transportation department.

[49-929, added 1988, ch. 265, sec. 255, p. 703; am. 1991, ch. 86, sec. 1, p. 191.]

49-930. SELLING OR USING LAMPS OR EQUIPMENT. (1) No person shall have for sale, sell, or offer for sale for use upon or as a part of the equipment of a motor vehicle, trailer, or semitrailer, or use upon any vehicle any head lamp, auxiliary or fog lamp, rear lamp, or reflector which reflector is required in this chapter, or parts of any of the foregoing which tend to change the original design or performance, unless of a type which has been submitted to the director and approved by him, and which bears the trademark or name under which it is approved so as to be legible when installed.

(2) No person shall use upon any motor vehicle, trailer, or semitrailer any lamps mentioned in this section unless the lamps are mounted, adjusted and aimed in accordance with instructions of the department.

[49-930, added 1988, ch. 265, sec. 256, p. 703.]

49-933. BRAKES. (1) Every motor vehicle, other than a motorcycle or motor-driven cycle, when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold the vehicle, including two (2) separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two (2) wheels. If the two (2) separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one (1) part of the operating mechanism shall not leave the motor vehicle without brakes on at least two (2) wheels.

(2) Every motorcycle and every motor-driven cycle, when operated upon a highway, shall be equipped with at least one (1) brake, which may be operated by hand or foot.

(3) Every trailer or semitrailer of an unladen weight of one thousand five hundred (1,500) pounds or more when operated upon a highway shall be equipped with brakes adequate to control the movement of and to stop and hold the vehicle and be designed to be applied by the driver of the towing motor vehicle from its cab. The brakes shall be designed and so connected that in case of an accidental breakaway of the towed vehicle, the brakes shall be automatically applied.

(4) Every new motor vehicle, trailer, or semitrailer sold in this state and operated upon the highways shall be equipped with service brakes upon all wheels of the vehicle, except that any motorcycle or motor-driven cycle, trucks and truck tractors having three (3) or more axles need not have brakes on the front wheels. Vehicles equipped with at least two (2) steerable axles need not be equipped with brakes on the wheels of one (1) axle, and any trailer or semitrailer of less than one thousand five hundred (1,500) pounds unladen weight need not be equipped with brakes. Every farm trailer while being used hauling agricultural products from farm to storage, marketing or processing plant, or returning therefrom, and used within a radius of fifty (50) miles, shall be exempt from these braking requirements.

(5) One (1) of the means of brake operation shall consist of a mechanical connection from the operating lever, or by equivalent means to the brake shoes or bands, and this brake shall be capable of holding the vehicle, or combination of vehicles, stationary under any condition of loading on any upgrade or downgrade upon which it is operated.

(6) Brake shoes operating within or upon the drums on the vehicle wheels of any motor vehicle may be used for both service and hand operation.

(7) Every motor vehicle or combination of vehicles, at all times and under all conditions of loading, shall, upon application of the service (foot) brake, be capable of decelerating and developing a braking force equivalent to minimum required deceleration, and stopping within the requirements set forth in this subsection:

	Stopping distance in feet	Deceleration in feet per second	Equivalent braking force in percentage of vehicle or combination weight
Passenger vehicles, not including buses .....	25	17	53.0%
Single-unit vehicles with a manufacturer's gross vehicle weight rating of less than 10,000 pounds .....	30	14	43.5%
Single-unit, 2-axle vehicles with a manufacturer's gross vehicle weight rating of 10,000 or more pounds ....	40	14	43.5%
All other vehicles and combinations with a manufacturer's gross vehicle weight rating of 10,000 or more pounds ....	50	14	43.5%

Compliance with these standards shall be determined either by actual road tests conducted on a substantially level, not to exceed a plus or minus one per cent (1%) grade, dry, smooth, hard-surfaced road that is free from loose material, with stopping distances measured from the actual instant braking controls are moved and from an initial speed of twenty (20) miles per hour; or else by suitable mechanical tests in a testing lane which recreates the same conditions; or by a combination of both methods.

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

[49-933, added 1988, ch. 265, sec. 257, p. 704; am. 2015, ch. 208, sec. 7, p. 644.]

49-934. BRAKES ON MOTOR-DRIVEN CYCLES. (1) The director is authorized to require an inspection of the brake on any motor-driven cycle and to disapprove any brake which he finds will not comply with the performance standard set forth in section [49-933](#), Idaho Code, or which in his opinion is not so designed or constructed as to insure reasonable and reliable performance in actual use.

(2) The director may request the department to refuse registration for, or suspend or revoke the registration of any vehicle referred to in this sec-



tion when he determines that the brake on the vehicle does not comply with the provisions of this section.

(3) No person shall operate on any highway any vehicle referred to in this section in the event the director has disapproved the brake equipment upon that vehicle or type of vehicle.

[49-934, added 1988, ch. 265, sec. 258, p. 705.]

49-937. MUFFLERS, PREVENTION OF NOISE. (1) Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cut-out, bypass, or similar device upon a motor vehicle on a highway. When any motor vehicle was originally equipped with a noise suppressing system or when any motor vehicle is required by law or regulation of this state or the federal government to have a noise suppressing system, that system shall be maintained in good working order. No person shall disconnect any part of that system except temporarily in order to make repairs, replacements or adjustments, and no person shall modify or alter that system or its operation in any manner, except to conform to the manufacturer's specifications. No person shall knowingly operate and no owner shall knowingly cause or permit to be operated any motor vehicle originally equipped or required by any law or regulation of the state or the federal government to be equipped with a noise suppressing system while any part of that system is disconnected or while that system or its operation is modified or altered in any manner, except to conform to the manufacturer's specifications.

(2) The engine and power mechanism of every motor vehicle shall be so equipped and adjusted as to prevent the escape of excessive fumes or smoke.

(3) No person shall modify the exhaust system of a motor vehicle or a motorcycle in a manner which will amplify or increase the noise of the vehicle or motorcycle above that emitted by the muffler originally installed on the vehicle by the manufacturer.

(4) A showing that the sound made by a passenger motor vehicle or motorcycle exceeds the maximum allowable decibel level shall be prima facie evidence of a violation of subsection (1) of this section.

(5) No person shall sell, offer for sale, or install any noise suppressing system or device which will produce excessive or unusual noise.

[49-937, added 1988, ch. 265, sec. 259, p. 706.]

49-940. MIRRORS. (1) Every motor vehicle shall be equipped with a mirror so located as to reflect to the operator a view of the highway for a distance of at least two hundred (200) feet to the rear of the vehicle.

(2) When a motor vehicle is so loaded or constructed, or is towing a vehicle or trailer which is so loaded or constructed as to obstruct the driver's view straight to the rear, then the motor vehicle shall be equipped with a mirror on the left side and a mirror on the right side so located as to reflect to the operator a view of the highway for a distance of at least two hundred (200) feet to the rear of the vehicle.

(3) When an operator of a motor vehicle is transporting under special permit authority an oversize load which makes mirrors impractical devices for reflecting to the operator a view of the highway to the rear, a following escort vehicle equipped with proper mirrors meeting the requirements herein may be substituted for the required mirrors on the hauling motor vehicle. The escort vehicle must be a car or light truck and it must be equipped with

an oversize load sign, flashing or rotating lights, and a two (2) way radio which provides full-time communication with the escorted vehicle.

[49-940, added 1988, ch. 265, sec. 260, p. 707; am. 1992, ch. 222, sec. 1, p. 671.]

49-943. WINDSHIELDS TO BE UNOBSTRUCTED AND EQUIPPED WITH WIPERS. (1) No person shall drive any motor vehicle with any sign, poster, or other non-transparent material upon the front windshield, side wings, or side or rear windows of the vehicle which obstructs the driver's clear view of the highway or any intersecting highway.

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

(3) Every windshield wiper upon a motor vehicle shall be maintained in good working order.

[49-943, added 1988, ch. 265, sec. 261, p. 707.]

49-944. STANDARDS FOR WINDSHIELDS AND WINDOWS OF MOTOR VEHICLES -- PROHIBITED ACTS -- PENALTY. (1) It is unlawful for any person to place, install, affix or apply any window tinting film or sunscreening device to the windows of any motor vehicle, except as follows:

(a) Nonreflective window tinting film or suncreening devices shall not be applied to the windshield below the AS-1 line; if no AS-1 line is identifiable on the windshield, nonreflective window tinting film or sunscreening devices shall not be applied to the windshield below a line extending six (6) inches below and parallel to the exposed windshield;

(b) Nonreflective window tinting film or sunscreening devices that have a light transmission of not less than thirty-five percent (35%) with a tolerance limit of plus or minus three percent (3%) and a luminous reflectance of no more than thirty-five percent (35%) with a tolerance limit of plus or minus three percent (3%) may be applied to the front side vents, front side windows to the immediate right and left of the driver, and the rear window;

(c) Nonreflective window tinting film or sunscreening devices that have a light transmission of not less than twenty percent (20%) with a tolerance limit of plus or minus three percent (3%) and a luminous reflectance of no more than thirty-five percent (35%) with a tolerance limit of plus or minus three percent (3%) may be applied to the side windows to the rear of the driver;

(d) Window tinting films or sunscreening devices are materials or devices which are designed to be used in conjunction with approved vehicle glazing materials for the purpose of reducing the effects of the sun;

(e) Light transmission is the ratio of the amount of total light, expressed in percentages, which is allowed to pass through the product or material to the amount of total light falling on the product or material;

(f) Luminous reflectance is the ratio of the amount of total light, expressed in percentages, which is reflected outward by the product or material to the amount of total light falling on the product or material.

(2) No person shall operate on the public highways, sell, or offer to sell any motor vehicle with a windshield or windows which are not in compliance with the provisions of this section.

(3) Persons who own a motor vehicle with a windshield or windows not in compliance with the provisions of this section on June 30, 1992, shall not be charged with a violation of the provisions of this section until January 1, 1993. Persons owning a motor vehicle with a windshield or windows not in compliance with the provisions of this section on June 30, 1992, shall have until January 1, 1993, to obtain a certificate from the Idaho state police indicating that the person owned the motor vehicle containing a windshield or windows not in compliance with the provisions of this section on or before June 30, 1992. The certificate shall be carried in the vehicle. A person operating a motor vehicle with a valid certificate as provided in this subsection shall not be deemed to be violating the provisions of this section on or after January 1, 1993. The Idaho state police may promulgate rules in order to implement the provisions of this section.

(4) Nonreflective window tinting film or sunscreening devices that have a light transmission of not less than seventy percent (70%) plus or minus three percent (3%) for the front windshield and not less than twenty percent (20%) plus or minus three percent (3%) for the windows, with a luminous reflectance of no more than thirty-five percent (35%) plus or minus three percent (3%) in each instance, is permitted for a motor vehicle operated by, or carrying as a passenger, a person who possesses written verification from a licensed physician that the operator or passenger must be protected from exposure to sunlight or heat for medical reasons associated with past or current treatment; such written verification shall be carried in the vehicle.

(5) Nothing in this section shall be construed to make illegal the operation or sale of any motor vehicle, the windshield or windows of which are composed of, covered by, or treated with, any material, substance, system, or component with which the motor vehicle was sold when new or could have been equipped for sale when new as standard or optional equipment from the manufacturer or authorized dealer under any United States government statute or regulation governing such sale at the time of manufacture.

(6) Any person convicted of a violation of the provisions of this section shall be guilty of an infraction.

[49-944, added 1992, ch. 88, sec. 3, p. 275; am. 1993, ch. 400, sec. 1, p. 1466; am. 2000, ch. 469, sec. 118, p. 1580.]

49-945. SAFETY GLAZING MATERIAL IN MOTOR VEHICLES. No person shall sell any new motor vehicle, nor shall any new motor vehicle be registered unless the vehicle is equipped with safety glazing material of a type approved by the director wherever glazing material is used in doors, windows, and windshields. This provision shall apply to all passenger-type motor vehicles, including passenger buses and school buses, but in respect to trucks, including truck tractors, the requirements as to safety glazing material shall apply to all glazing material used in doors, windows, and windshields in the drivers' compartments of the vehicles.

[49-945, added 1988, ch. 265, sec. 263, p. 708.]

49-948. RESTRICTIONS AS TO TIRE EQUIPMENT. (1) Every solid rubber tire on a vehicle shall have rubber on its entire traction surface at least one (1) inch thick above the edge of the flange of the entire periphery.

(2) No person shall operate or move on any highway any motor vehicle, trailer, or semitrailer having any metal tire in contact with the highway.

(3) No tire on a vehicle moved on a highway shall have on its periphery any block, stud, flange, cleat, spike, or any other protuberance of any material other than rubber which projects beyond the tread of the traction surface of the tire, except as allowed herein. It shall be permissible to use farm machinery with tires having protuberances which will not injure the highway, and it shall be permissible to use tire chains. Tires with built-in lugs of tungsten carbide or other suitable material, hereinafter called studs, may be used upon any vehicle when required for safety because of snow, ice, or other conditions tending to cause a vehicle to skid, that will not unduly damage the highway. Motor vehicles, trailers and semitrailers with tires having built-in studs are prohibited on public highways between the dates of May 1 and September 30, annually, except as provided in paragraphs (a), (b) and (c) of this subsection:

(a) Fire pumper/tanker trucks and ladder trucks belonging to fire departments and firefighting agencies are exempt from the prohibited dates.

(b) A vehicle may be equipped year-round with tires that have retractable studs if the studs retract pneumatically or mechanically to at or below the wear bar of the tire when not in use and the retractable studs protrude beyond the wear bar of the tire only between October 1 and April 30. Retractable studs may be made of metal or other material and are not subject to the stud weight requirements of subsection (4) of this section.

(c) Special exemptions from the prohibited dates may be granted by the Idaho transportation board if it is found by the board that enhancements to public safety outweigh the increased pavement wear.

(4) Commercial tire retailers shall not sell studded tires with studs exceeding the following weight and protrusion limitations after July 1, 2005. Commercial tire retailers and tire shops shall not manually install studs exceeding the following weight and protrusion limitations after July 1, 2005.

(a) Studs shall not protrude more than six-hundredths (.06) of an inch from the surface of the tire tread when originally installed.

(b) Stud size shall be as recommended by the manufacturer of the tire for the type and size of the tire.

(c) Studs shall individually weigh no more than one and one-half (1.5) grams if the stud is size 14 or less.

(d) Studs shall individually weigh no more than two and three-tenths (2.3) grams if the stud size is 15 or 16.

(e) Studs shall individually weigh no more than three (3) grams if the stud size is 17 or larger.

(5) If the Idaho transportation department determines, at any time, that Lookout Pass or Fourth of July Pass on interstate 90 or Lolo Pass on state highway 12 is of an unsafe condition so as to require chains, as defined in section [49-104](#), Idaho Code, in addition to pneumatic tires, the Idaho transportation department may establish requirements for the use of chains on all commercial vehicles as defined in section [49-123](#)(2)(d)(i) and (ii), Idaho Code, traveling on interstate 90 or state highway 12. If the Idaho

transportation department establishes that chains are so required, the Idaho transportation department shall:

- (a) Provide multiple advance notices of the chain requirement;
  - (b) Provide adequate opportunities for pull out;
  - (c) Provide notification at a point at which the commercial vehicle can safely pull out of the normal flow of traffic, prior to the point at which chains are required; and
  - (d) In no case post requirements for chains on bare pavement.
- (6) Provided that the conditions in subsection (5) of this section are met, the chain requirement shall be met by chaining a minimum of one (1) tire on each side of:

- (a) One (1) drive axle, regardless of the number of drive axles; and
- (b) One (1) axle at or near the rear of each towed vehicle. Such axle shall not include a variable load suspension axle or an axle of a converter dolly.

(7) Chains as required in subsection (6) (a) and (b) of this section mean "chains" as defined in section [49-104](#), Idaho Code. Any other traction device differing from chains in construction, material or design but capable of providing traction equal to or exceeding that of chains under similar conditions may be used.

(8) The Idaho transportation department shall place and maintain signs and other traffic control devices on the interstate and state highway passes as designated in subsection (5) of this section that indicate the chain requirements under subsection (6) of this section.

(9) Exempt from the chaining requirements provided for in subsections (5) and (6) of this section are:

- (a) Motor vehicles operated by the Idaho transportation department when used in the maintenance of the interstate or state highway system; and

(b) The following:

(i) Motor vehicles employed solely in transporting school children and teachers to or from school or to or from approved school activities, when the motor vehicle is either:

- 1. Wholly owned and operated by such school; or
- 2. Leased or contracted by such school and the motor vehicle is not used in furtherance of any other commercial enterprise;

(ii) Motor vehicles controlled and operated by any farmer when used in the transportation of the farmer's farm equipment or in the transportation of supplies to the farmer's farm;

(iii) The transportation of agricultural products at any time of the year;

(iv) Motor propelled vehicles for the sole purpose of carrying United States mail or property belonging to the United States;

(v) Motor carriers transporting products of the forest at any time of the year, including chip trucks;

(vi) Motor carriers transporting products of the mine including sand, gravel and aggregates thereof, excepting petroleum products; and

(vii) Vehicles properly equipped, designed and customarily used for the transportation of disabled or abandoned vehicles by means of a crane, hoist, tow bar, dolly or roll bed, commonly known as a "wrecker truck" or "tow truck."

[49-948, added 1988, ch. 265, sec. 264, p. 709; am. 2003, ch. 124, sec. 1, p. 374; am. 2007, ch. 101, sec. 1, p. 305; am. 2008, ch. 330, sec. 3, p. 907; am. 2009, ch. 157, sec. 10, p. 470; am. 2014, ch. 38, sec. 18, p. 86; am. 2015, ch. 208, sec. 8, p. 646.]

49-949. REQUIREMENT AS TO FENDER OR COVERS OVER ALL WHEELS ON MOTOR VEHICLES. (1) It shall be unlawful for any person to operate or move or any owner to permit to be operated or moved, any motor vehicle, truck, bus, semitrailer or trailer, upon any highway without having the vehicle equipped with fenders or covers which may include flaps or splash aprons, over and to the rear of wheels, as follows:

(a) On the rear wheels of every truck equipped with a body, bus, trailer or semitrailer the fenders or covers shall extend in full width from a point above and forward of the center of the tires over and to the rear of the wheels to a point that is not more than ten (10) inches above the surface of the highway when the vehicle is empty;

(b) Behind the rear wheels of every truck not equipped with a body the fenders or covers shall extend downward in full width from a point not lower than halfway between the center of the wheels and the top of the tires on the wheels to a point that is not more than ten (10) inches above the surface of the highway when the vehicle is empty;

(c) Behind all wheels of every motor vehicle other than trucks, buses, semitrailers, or trailers, the fenders or covers shall extend in full width from a point above and forward of the center of the tire over and to the rear of the wheel to a point that is not more than twenty (20) inches above the surface of the highway, unless the bumper is a factory built bumper fastened directly to the frame of the vehicle pursuant to factory installation requirements;

(d) Fenders or covers are not required on any modified American-made pre-1935 vehicle, or any identifiable vintage or replica thereof that is titled as a later assembled vehicle or replica and is used for show and pleasure use when such vehicle is used and driven only during fair weather on well-maintained hard-surfaced roads.

(2) Fenders or covers, as used in subsection (1) of this section, shall be deemed to be of sufficient size and construction as to comply with those requirements if constructed as follows:

(a) When measured on the cross sections of the tread of the wheel or on the combined cross sections of the treads of multiple wheels, the fender or cover extends at least to each side of the width of the tire or of the combined width of the multiple tires, as the case may be;

(b) The fender or cover is constructed as to be capable at all times of arresting and deflecting dirt, mud, water, or other substance as may be picked up and carried by wheels;

(c) For school buses if the body extension behind the rear wheels exceeds five (5) feet.

[49-949, added 1988, ch. 265, sec. 265, p. 710; am. 1990, ch. 175, sec. 1, p. 372; am. 1997, ch. 376, sec. 1, p. 1206.]

49-952. CERTAIN VEHICLES TO CARRY FLARES OR OTHER WARNING DEVICES. (1) No person shall operate any truck, bus, or truck tractor upon any highway outside the corporate limits of municipalities at any time specified in section [49-903](#), Idaho Code, unless there shall be carried in the vehicle the following equipment, except as provided in subsection (2):

(a) At least three (3) flares, or three (3) red electric lanterns, or three (3) portable red emergency reflectors, each of which shall be capable of being seen and distinguished at a distance of not less than six hundred (600) feet under normal atmospheric conditions at nighttime.

(b) At least two (2) red-cloth flags, not less than twelve (12) inches square, with standards to support the flags.

(c) No flare, fusee, electric lantern or cloth warning flag shall be used for the purpose of compliance with the requirements of this section unless the equipment is of a type which has been submitted to the board and approved by it. No portable reflector unit shall be used for the purpose of compliance with the requirements of this section unless it is designed and constructed to include two (2) reflecting elements one above the other, each of which shall be capable of reflecting red light clearly visible from all distances within six hundred (600) feet to one hundred (100) feet under normal atmospheric conditions at night when directly in front of lawful upper beams of head lamps, and unless it is of a type which has been submitted to the board and approved by it.

(2) No person shall operate at the time and under conditions stated in subsection (1) any motor vehicle used in the transportation of explosives, any cargo tank truck used for the transportation of flammable liquids or compressed gases, or any motor vehicle using a compressed gas as a fuel unless there shall be carried in the vehicle three (3) red electric lanterns or three (3) portable red emergency reflectors meeting the requirements of subsection (1) of this section, and there shall not be carried in any compressed gas propelled vehicle any flares, fusees, or signal produced by flame.

[49-952, added 1988, ch. 265, sec. 266, p. 710.]

49-953. DISPLAY OF WARNING DEVICES WHEN VEHICLE DISABLED. (1) Whenever any truck, bus, truck tractor, trailer, semitrailer, or pole trailer is disabled upon the traveled portion or the shoulder of any highway outside of any municipality at any time when lighted lamps are required on vehicles, the driver of the vehicle shall display the following warning devices upon the highway during the time the vehicle is disabled on the highway except as provided in subsection (2):

(a) A lighted fusee, a lighted red electric lantern or a portable red emergency reflector shall be immediately placed at the traffic side of the motor vehicle in the direction of the nearest approaching traffic.

(b) As soon thereafter as possible, but in any event within the burning period of the fusee (15 minutes), the driver shall place three (3) liquid-burning flares (pot torches), or three (3) lighted red electric lanterns, or three (3) portable red emergency reflectors on the traveled portion of the highway in the following order:

1. One, approximately two hundred (200) feet from the disabled vehicle in the center of the lane occupied by the vehicle and toward traffic approaching in that lane.

2. One, approximately two hundred (200) feet in the opposite direction from the disabled vehicle and in the center of the traffic lane occupied by the vehicle.

3. One at the traffic side of the disabled vehicle not less than ten (10) feet rearward or forward in the direction of the nearest approaching traffic. If a lighted red electric lantern or a red portable emergency reflector has been placed at the traffic side

of the vehicle in accordance with paragraph 1. of this subsection, it may be used for this purpose.

(2) Whenever any vehicle referred to in this section is disabled within five hundred (500) feet of a curve, hill crest, or other obstruction to view, the warning signal in that direction shall be placed to afford ample warning to other users of the highway, but in no case less than five hundred (500) feet from the disabled vehicle.

(3) Whenever any vehicle of a type referred to in this section is disabled upon any portion of a divided highway during the time that lights are required, the appropriate warning devices prescribed in subsections (1) and (5) of this section shall be placed one (1) at a distance of approximately two hundred (200) feet from the vehicle in the center of the lane occupied by the stopped vehicle and in the direction of traffic approaching in that lane; one (1) at a distance of approximately one hundred (100) feet from the vehicle, in the center of the lane occupied by the vehicle and in the direction of traffic approaching in that lane; and one (1) at the traffic side of the vehicle and approximately ten (10) feet from the vehicle in the direction of the nearest approaching traffic.

(4) Whenever any vehicle of a type referred to in this section is disabled upon the traveled portion or the shoulder of a highway outside any municipality at any time when the display of fusees, flares, red electric lanterns or portable red emergency reflectors is not required, the driver of the vehicle shall display two (2) red flags upon the highway in the lane of traffic occupied by the disabled vehicle, one (1) at a distance of approximately two hundred (200) feet in advance of the vehicle, and one (1) at a distance of approximately two hundred (200) feet to the rear of the vehicle.

(5) Whenever any motor vehicle used in the transportation of explosives or any cargo tank truck used for the transportation of any flammable liquid or compressed flammable gas, or any motor vehicle using compressed gas as a fuel, is disabled upon a highway at any time or place mentioned in subsection (1) of this section, the driver of the vehicle shall immediately display one (1) red electric lantern or portable red emergency reflector placed on the highway at the traffic side of the vehicle, and two (2) red electric lanterns or portable red reflectors, one (1) placed approximately two hundred (200) feet to the front and one (1) placed approximately two hundred (200) feet to the rear of the disabled vehicle in the center of the traffic lane occupied by the vehicle. Flares, fusees, or signals produced by flame shall not be used as warning devices for disabled vehicles of the type mentioned in this subsection.

(6) Flares, fusees, red electric lanterns, portable red emergency reflectors, and flags to be displayed as required in this section shall conform with the requirements of section [49-952](#), Idaho Code.

[49-953, added 1988, ch. 265, sec. 267, p. 711; am. 1992, ch. 115, sec. 22, p. 371.]

49-956. HORNS AND WARNING DEVICES. (1) Every motor vehicle when operated upon a highway shall be equipped with a horn in good working order and capable of emitting sound audible under normal conditions from a distance of not less than two hundred (200) feet, but no horn or other warning device shall emit an unreasonably loud or harsh sound or whistle. The driver of a motor vehicle shall when reasonably necessary to insure safe operation give audible warning with his horn, but shall not otherwise use the horn when upon a highway.



(2) No vehicle shall be equipped with nor shall any person use upon a vehicle any siren, whistle, or bell, except as otherwise permitted in this section.

(3) It is permissible, but not required for any vehicle to be equipped with a theft alarm signal device, so arranged that it cannot be used by the driver as an ordinary warning signal.

(4) Any authorized emergency vehicle may be equipped with a siren, whistle, or bell, capable of emitting sound audible under normal conditions from a distance of not less than five hundred (500) feet and of a type approved by the director, but the siren shall not be used except when the vehicle is operated in response to an emergency call or in the immediate pursuit of an actual or suspected violator of the law, in which the latter events the driver of the vehicle shall sound the siren when reasonably necessary to warn pedestrians and other drivers of the approach.

[49-956, added 1988, ch. 265, sec. 268, p. 713.]

49-959. AIR-CONDITIONING EQUIPMENT. (1) Air-conditioning equipment shall be manufactured, installed and maintained with due regard for the safety of the occupants of the vehicle and the public and shall not contain any refrigerant which is toxic to persons or which is flammable at or below one thousand degrees (1000°) Fahrenheit, unless the refrigerant is included in the list published by the United States environmental protection agency as an approved alternative motor vehicle air-conditioning substitute for chlorofluorocarbon-12 under 42 U.S.C. section 7671k(c).

(2) No person shall have for sale, offer for sale, sell or equip any motor vehicle with any air-conditioning equipment unless it complies with the requirements of this section.

(3) No person shall operate on any highway any motor vehicle equipped with any air-conditioning equipment unless the equipment complies with the requirements of this section.

[49-959, added 1988, ch. 265, sec. 269, p. 714; am. 1997, ch. 392, sec. 1, p. 1249; am. 2010, ch. 259, sec. 1, p. 661.]

49-962. FOOTRESTS ON MOTORCYCLES AND MOTOR DRIVEN CYCLES. It shall be unlawful for the operator of any motorcycle or motor driven cycle to carry a passenger on the vehicle unless it is equipped with footrests designed exclusively for the use of a passenger on the vehicle.

[49-962, added 1988, ch. 265, sec. 270, p. 714.]

49-965. MODIFICATION OF VEHICLE TO REDUCE ROAD CLEARANCE BEYOND CERTAIN LIMITS UNLAWFUL. It shall be unlawful to operate any passenger motor vehicle which has been modified from the original design so that any portion of the vehicle other than the wheels has less clearance from the surface of a level highway than the clearance between the highway and the lowermost portion of any rim of any wheel in contact with the highway.

[49-965, added 1988, ch. 265, sec. 271, p. 714.]

49-966. MOTOR VEHICLE BUMPER HEIGHT REQUIREMENTS. (1) With the exception of motor vehicles registered pursuant to section [49-406](#), [49-406A](#), [49-407](#) or [49-408](#), Idaho Code, or motor vehicles where the original or pre-

dominant body configuration of the motor vehicle, provided by a recognized manufacturer, did not include a front or rear bumper or bumpers for vehicles meeting the original specifications of a recognized manufacturer, a motor vehicle shall be equipped with a bumper on both the front and rear of the vehicle.

(2) Bumpers, unless specifically exempt in subsection (1) of this section, shall be at least four and one-half (4 1/2) inches in vertical height centered on the vehicle's centerline by bolting or welding to the vehicle frame as originally installed by the vehicle manufacturer. Bumpers shall be horizontal load bearing and attach to the vehicle to effectively transfer energy when impacted and shall extend in width to the originally manufactured tread width for the vehicle.

(3) The maximum bumper heights for a vehicle shall be determined by vehicle class and the vehicle's gross vehicle weight rating (GVWR). Maximum bumper height is the vertical distance between the ground and the highest point on the bottom of the bumper and shall be measured when the vehicle is laden on a level surface with the vehicle's tires inflated to the manufacturer's recommended pressure. For vehicles exempted from the bumper requirements for reasons stated in subsection (1) of this section, a maximum frame elevation measurement shall be made to the bottom of the frame rail. Maximum heights are as follows:

Vehicle Class	Maximum Height	
	Front	Rear
Passenger Cars	22 inches	22 inches
Trucks and MPVs		
4,500 or less lbs. GVWR	24 inches	26 inches
4,501 to 7,500 lbs. GVWR	27 inches	29 inches
7,501 to 10,000 lbs. GVWR	28 inches	30 inches
Four-wheel drive or dual wheel with a 10,000 or less lbs. GVWR	30 inches	31 inches

(4) Vehicles which do not meet the requirements of this section on July 1, 1997, must be brought into compliance by July 1, 1998.

[49-966, added 1997, ch. 355, sec. 2, p. 1050.]

49-967. AIR BAGS AND AIR BAG SYSTEMS -- DISCLOSURE IF INOPERABLE. (1) It shall be unlawful for any person to sell or otherwise transfer ownership of a vehicle without giving prior written notice to the purchaser or transferee if the person knows or should reasonably know that any air bag or the air bag system is inoperable.

(2) The provisions of this section shall apply only to vehicles originally equipped with factory-installed air bags or an air bag system.

(3) The provisions of this section shall not apply to a vehicle in which a deployed air bag is visible in its deployed condition or to a vehicle from which an air bag has been cut or torn away and that fact is plainly visible.

[49-967, added 2002, ch. 141, sec. 1, p. 393.]