

At the present time, the National Committee on Uniform Traffic Laws is proposing a revision of its counterpart to this Title 12. While one would hope that improved clarity would also be a consideration, the primary purpose of that proposal is a resolution of the federal preemption problem. The following excerpts from the Committee's "Summary of Deliberation" may be of interest:

"A problem exists. It is becoming increasingly difficult for state laws to keep abreast of changes in technology and federal motor vehicle safety standards. Some state laws are obsolete. Others conflict with federal standards. Adoption of the federal standards is not a practical solution to this problem because they do not apply to cars made before January 1, 1969 and because states may not wish to adopt and enforce all the standards. Furthermore, federal regulations often are not intended to apply to all vehicles commonly used on our highways. Some were designed to apply to new vehicles or to larger ones in interstate commerce. In some states, the courts may not allow the legislature to adopt present or future federal standards.

...

"Too much detail is found in Chapter 12. The more detailed the equipment provisions in statute, the less likely those state statutes will be consistent with federal rules and regulations, or anything else that changes with considerable frequency.

...

"{We} believe that basic equipment requirements should be in statute. Thus, a requirement for two headlamps, two taillamps, a horn, brakes on four wheels, windshields, specific locations of rear vision mirrors, a muffler, and depth of tire tread, all lend themselves to responding to what an individual automobile owner needs to know about equipment requirements for his vehicle. Generally, this means he knows that the equipment is installed and appears to be functioning properly."

Certainly, adoption of the Committee's proposal — in whole or in part — would result in simplification of the Code: Only the basic equipment requirements would be specified; details as to specific standards and approval would be delegated to the State Motor Vehicle Administrator. (To some degree, delegation of this sort