

(2) SUBJECT TO THE PROVISIONS OF PARAGRAPH (3) OF THIS SUBSECTION, A PARTY, WITNESS, OR COUNSEL MAY NOT MAKE REFERENCE TO A VIOLATION OF THIS SECTION.

(3) NOTHING CONTAINED IN THIS SUBSECTION MAY BE CONSTRUED TO PROHIBIT THE RIGHT OF A PERSON TO INSTITUTE A CIVIL ACTION FOR DAMAGES AGAINST A DEALER, MANUFACTURER, DISTRIBUTOR, FACTORY BRANCH, OR OTHER APPROPRIATE ENTITY ARISING OUT OF AN INCIDENT THAT INVOLVES A DEFECTIVELY INSTALLED OR DEFECTIVELY OPERATING HEADLAMP, ~~PARKING LIGHT,~~ OR FOG LIGHT.

(D) A PERSON WHO IS CONVICTED OF A VIOLATION OF SUBSECTION (A) OF THIS SECTION IS SUBJECT TO A FINE NOT TO EXCEED \$25.

(E) A POLICE OFFICER MAY ENFORCE THE PROVISIONS OF THIS SECTION ONLY AS A SECONDARY ACTION WHEN THE POLICE OFFICER DETAINS A DRIVER OF A MOTOR VEHICLE FOR A SUSPECTED VIOLATION OF ANOTHER PROVISION OF THE CODE.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 1997.

Approved April 29, 1997.

CHAPTER 176

(House Bill 68)

AN ACT concerning

Vehicle Laws – Use of Headlamps

FOR the purpose of requiring the driver of a vehicle to light the vehicle's headlamps; ~~parking lights,~~ or fog lights when the vehicle's windshield wipers are being operated under certain conditions; specifying that a violation of this Act is not a moving violation for certain purposes; providing that if a person is convicted of violating this Act the conviction may not be considered evidence of negligence or contributory negligence, limit liability of a party or insurer, or diminish recovery for damages arising out of the ownership, maintenance, or operation of a motor vehicle; establishing a certain penalty; permitting the enforcement of this Act only as a secondary violation; and generally relating to a requirement that headlamps; ~~parking lights,~~ or fog lights be lighted at certain times.

BY adding to

Article – Transportation

Section 22-201.2

Annotated Code of Maryland

(1992 Replacement Volume and 1996 Supplement)