

Article - Transportation

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§22–201.2.

(a) Notwithstanding any other provision of this subtitle, if a driver of a vehicle on a highway operates the vehicle's windshield wipers for a continuous period of time because of impaired visibility resulting from unfavorable atmospheric conditions, the driver shall light the vehicle's headlamps.

(b) A violation of this section is not considered a moving violation for purposes of § 16–402 of this article.

(c) (1) If a person is convicted under this section, the conviction may not:

(i) Be considered evidence of negligence;

(ii) Be considered evidence of contributory negligence;

(iii) Limit liability of a party or an insurer; or

(iv) Diminish recovery for damages arising out of the ownership, maintenance, or operation of a motor vehicle.

(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.

(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.

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