

DUTY TO DIM HEADLIGHTS. G.S. 20-131(a).

The motor vehicle law provides that the operator of a motor vehicle on a highway, when meeting another vehicle, shall so control the lights<sup>1</sup> of his vehicle by [shifting] [depressing] [deflecting] [tilting] [dimming] the headlight beams in such a manner as to avoid projecting a glaring or dazzling light to persons<sup>2</sup> within a distance of 500 feet in front of such headlights.<sup>3</sup>

A violation of this law is negligence within itself.<sup>4</sup>

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<sup>1</sup>If there is a question as to what constitutes a "headlamp," see Bigelow v. Johnson, 303 N.C. 126, 277 S.E.2d 347 (1981) and G.S. 20-129.

<sup>2</sup>G.S. 20-131(a) and G.S. 20-129(a) do not apply to persons lying or sleeping on the highway. Sink v. Sumrell, 41 N.C. App. 242, 254 S.E.2d 665 (1979).

<sup>3</sup>G.S. 20-131(b) provides: "Headlamps shall be deemed to comply with the foregoing provisions prohibiting glaring and dazzling lights if none of the main bright portion of the headlamp beams rises above a horizontal plane passing through the lamp centers parallel to the level road upon which the loaded vehicle stands, and in no case higher than 42 inches, 75 feet ahead of the vehicle."

<sup>4</sup>See Miller v. Wright, 272 N.C. 666, 158 S.E.2d 824 (1967); O'Berry v. Perry, 266 N.C. 77, 145 S.E.2d 321 (1965).

