

THE THIRTY-SECOND LEGISLATURE OF AMERICAN SAMOA

Third Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa  
on Monday, the ninth day of January  
two thousand and twelve

AN ACT AMENDING THE REGULATION OF HEAD LAMPS TO PROHIBIT  
AFTERMARKET MODIFICATIONS TO VEHICLE LIGHTING SYSTEMS;  
AMENDING SECTIONS 22.0101, 22.1101 AND 22.1105 A.S.C.A.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

**Section 1. 22.0101 is amended to read:**

**“22.0101 Definitions.**

**The following words and phrases shall, for the purposes of this title, have the following meanings, except when the context otherwise requires:**

**(1) “Aftermarket” means the market for replacement parts, accessories, and equipment for the care or the enhancement of an original motor vehicle.**

**(2) “Alley” means a street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic.**

**(3) “Auxiliary driving lamp” means a lamp supplementing the light from the headlamps, such as a fog light or a spot light.**

**~~(3)~~ (4) “Bicycle” means a device propelled by human power upon which any person may ride, having 2 tandem wheels either of which is more than 14 inches in diameter.**

**~~(4)~~ (5) “Chief” means the Chief of Police or his designee.**

**~~(5)~~ (6) “Commissioner” means the Commissioner of Public Safety in American Samoa.**

**~~(6)~~ (7) “Crosswalk” means that part of a roadway at an intersection included within the connections of the lateral lines of the sidewalks on opposite sides of the highway measured from the curbs or in the absence of curbs, from the edges of the traversable roadwalk; or any portion of a roadway at an intersection distinctly indicated for pedestrian crossing by lines or other surface marking.**

(7) (8) "Dealer" means every person engaged in the business of buying, selling or exchanging vehicles, who has an established place of business for such purpose in this Territory.

(8) (9) "Driver" means every person who drives or is in actual physical control of a vehicle.

(9) (10) An "authorized emergency vehicle" is a police, fire or ambulance vehicle, or an emergency repair vehicle of the Department of Public Works, or any other vehicle specified by the commissioner, equipped with emergency flashing lights and other equipment required by the commissioner.

(10) (11) "Governor" means the Governor of American Samoa.

(11) (12) "Highway" means the entire width between the boundary lines of every publicly maintained way when any part thereof is opened to the use of the public for the purpose of vehicular travel.

(12) (13) "Intersection" means the area embraced within the prolongation or connection of the lateral curblines or if none, then the lateral boundary lines of the roadways of 2 highways which join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways joining at any other angle may come in conflict.

(13) (14) "License tag" means that visible material required by the Commissioner to be affixed to a motor vehicle for purposes of evidencing that such vehicle is validly licensed in accordance with the laws of American Samoa.

(14) (15) "Motorcycle" means every motor vehicle having one or more seats for the use of one or more riders and designed to travel on not more than 3 wheels in contact with the ground. No distinction shall be made between motorcycles and motor-driven cycles or motorbikes.

(15) (16) "Motor vehicle" means every vehicle which is self-propelled, including motorcycles, track and road tractors, trucks, forklifts, except where specific exception is made.

(16) (17) "Moving traffic offense" means any manner of operating a moving motor vehicle which is prohibited by this title, excluding serious traffic offenses.

(17) (18) "Nonresident" means not a permanent resident.

(18) (19) "Official traffic-control devices" means all signs, signals, markings and devices not inconsistent with this title, placed or erected by authority of a public body or official having jurisdiction, for the purpose of regulating, warning or guiding traffic.

(19) (20) "Owner" means a person, other than a lienholder, having the property in or title to a vehicle. This term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes the lessee under a lease not intended as security.

(20) (21) "Park or parking" means the standing of a vehicle, whether occupied or not, otherwise than temporarily, for the purpose of and while actually engaged in, loading or unloading merchandise or passengers.

(21) (22) "Pedestrian" means any natural person on foot.

~~(22)~~ (23) "Person" means every natural person, firm, copartnership, association or corporation.

~~(23)~~ (24) "Police officer" means every officer authorized to direct or regulate traffic or to make an arrest for violation of traffic regulations.

~~(24)~~ (25) "Registration" means the registration certificates issued under the laws of this Territory and pertaining to the registration of vehicles.

~~(25)~~ (26) "Right-of-way" means the right of one vehicle or pedestrian to proceed in a lawful manner in preference to another vehicle or pedestrian approaching under such circumstances of direction, speed, and proximity as to give rise to danger of collision unless one grants precedence to the other.

~~(26)~~ (27) "School bus" means every motor vehicle which complies with the provisions of this title and is used to transport children to or from school or in connection with school activities.

~~(27)~~ (28) "Serious traffic offense" means any offense enumerated in 22.0701 et seq.

~~(28)~~ (29) "Sidewalk" means that portion of a highway between the curblines, or the lateral lines of a roadway, and the adjacent property lines, intended for use by pedestrians.

~~(29)~~ (30) "Stand or standing" means the halting of a vehicle, whether occupied or not, otherwise than temporarily for the purpose of and while actually engaged in receiving or discharging passengers.

~~(30)~~ (31) "Stop" when required means complete cessation of movement.

~~(31)~~ (32) "Stop or stopping" when prohibited means any halting, even momentarily, of a motor vehicle, whether occupied or not, except when necessary to avoid conflict with other traffic or in compliance with the directions of a police officer or traffic-control sign or signal.

~~(32)~~ (33) "Territory" means the Territory of American Samoa.

~~(33)~~ (34) "Treasurer" means the Treasurer of the Government of American Samoa.

~~(34)~~ (35) "Vehicle", where not referring to motor vehicle, means any conveyance or device in, upon or by which any person or property is or may be transported upon a highway."

Sec 2. 22.1101 is amended to read:

"22.1101 Head lamps and tail lamps.

Every vehicle upon a highway at any time from a half hour after sunset to a half hour before sunrise, during heavy rainstorms, or at any other times when there is not sufficient light to render clearly discernible any person or vehicle on the highway at a distance of 200 feet, must be equipped with lighted lamps and lighting devices as follows:

(a) Each side of the front of every motor vehicle, except motorcycles, must be equipped with at least 1, but not more than 2, head lamps. All head lamps must be located at a height of not more than 54 inches nor less than 24 inches, measured above the level surface upon which the vehicle stands.

(b) Every motorcycle or bicycle must be equipped with a lamp on the front exhibiting a white light visible at least 500 feet to the front.

(c) All vehicles utilizing single beam head lamps must have lights positioned to illuminate persons and vehicles at a distance of not more than 200 feet and not less than 150 feet.

(d) All vehicles utilizing multiple beam head lamps must use the lower beam when an oncoming vehicle approaches within 500 feet from the front and whenever the driver of the vehicle approaches another vehicle within 300 feet from the rear.

(e) Every motor vehicle, or vehicle being drawn at the end of a motor vehicle, must be equipped with 1 or more lighted rear lamps exhibiting red light plainly visible from a distance of 500 feet to the rear. One of such rear lamps or a separate lamp, must be so constructed and placed as to illuminate with a white light the rear license tag and render it clearly legible from a distance of 50 feet to the rear.

(f) Every bicycle must be equipped with a red reflector on the rear visible from a distance of 300 feet to the rear.

(g) Motor vehicles shall not be modified with any aftermarket colored transparent or translucent substance or material installed, affixed or applied on or in front of the head lamps, the auxiliary driving lamp or the auxiliary passing lamp or combinations of the head lamps, driving lamp or passing lamp that would obstruct, reduce or interfere with the visibility or effectiveness of the head lamps, increase the beam intensity, or that would change the color of light emitted.

(h)(1) Except as provided in (h)(2) following, motor vehicles shall not be modified with any aftermarket lighting accessories that may alter the appearance of the original vehicle from the manufacturer. This is to include any lighting alterations in, on, around or under the vehicle.

(2) The prohibition in (h)(1) above shall not apply to police or authorized emergency vehicles, vehicles equipped for the purpose of warning of hazardous situations, or vehicles equipped with a lighting system intended to mark or signal a solemn procession or occasion.”

Sec 3. 22.1105 is amended to read:

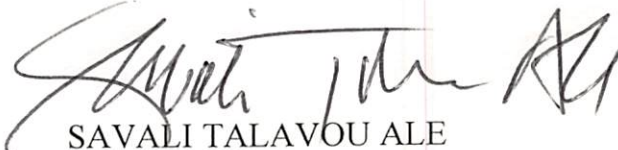
“22.1105 Lamps on vehicles not specifically covered by chapter.

“Every motor vehicle, including bicycles and all other conveyances used on a highway, not specifically required by this chapter to be equipped with lamps or other lighting devices, must at all times, as specified in 22.1101, be equipped with a lamp emitting a white or yellow light visible under normal atmospheric conditions from a distance of 300 feet in front of such vehicle

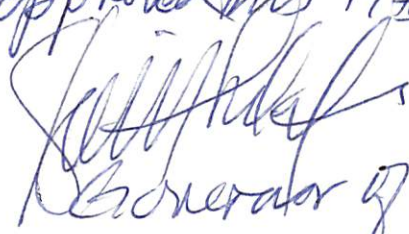
and with a red reflector on the rear so designed as to be visible as least 300 feet directly in front of a motor vehicle displaying lawful dimmed head lamps or with a rear lamp exhibiting a red light visible from a distance of 300 feet to the rear.”



GAOTEOTE PALAIE TOFAU  
President of the Senate



SAVALI TALAVOU ALE  
Speaker, House of Representatives

Approved this 17th day of February 2012  
  
Governor of American Samoa

NOFOAIGA TOLUSEFULU-LUA FONOFAITULAFONO AMERIKA SAMOA

Fono Tele Lona Tolu

Nofioia ma usuia i Fagatogo, Tutuila, Amerika Samoa  
Aso Gafua, aso iva o Ianuari  
Lua afe sefulu-lua

O SE TULAFONO E SUIA AI TUUTUUGA MO MOLU TAAVALE E FAASĀ  
AI ONA TOE FAI NI SUIGA I MOLU O TAAVALE MAI LE MEA NA MUAI  
FAATAU MAI AI; SUIA AI MAGA 22.0101, 22.1101 MA LE 22.1105 T.T.A.S.

IA FAATULAFONOINA E LE FONOFAITULAFONO O AMERIKA SAMOA:

**Maga 1. 22.0101 ua suia e faitauina:**

**“22.0101 Uiga o upu.**

O upu nei ma faaupuga, mo le faaaogaina i lenei lava ulutala, o latou uiga nei, sei vagana ai ua ese mai se manaoga o ni faaupuga o loo omai faatasi ai:

(1) “Maketi e ese mai le mea na sau ai” o lona uiga o le maketi e faatau ai totoga e sui ai, mea e faaaoga mo le tausia ma le suia o se taavale mai lona tulaga sa mua’i aumai ai.

(2) “Auala tua” o lona uiga o se auala e faamoemoe e mafai ai ona sao atu le taavale i tua poo autafa foi o ni fanua poo ni fale i nofoaga tu i le taulaga, ae le faamoemoe ina ia fai ma auala e sao atu ai ni taavale i le isi itu.

(3) O le moli faaopopo o le taavale” o lona uiga o se moli e faaopopo atu i le malamalama mai moli i luma o le taavale, e pei o se moli mo le taimi puaoa poo se moli sulu.

(3) (4) “Uila vilivae” o lona uiga o se mea e faagaoioi i le malosia o le tagata e mafai ona tietie ai soo se tasi, e lua ona uili e sili atu i le tai 14 inisi mai le tasi itu i le isi itu.

(4) (5) “Taitai” o lona uiga o le Taitai leoleo poo sona sui.

(5) (6) “Komesina” o lona uiga o le Komesina o le Saogalemu Lautele o Amerika Samoa.

(6) (7) “Ala savali” o lona uiga o le vaega o le auala i se magaala o loo aofia i totonu o fesootaiga o laina o le alasavali i tafaala i itu faafesagai o le auala e fua mai le sima lena e i le pitoala ae afai foi e leai ni sima o i ai mai itu o le alasavali; poo soo se vaega o se auala i se magaala o loo faailoga faapitoo mo le savali ai o tagata i le isi itu o le auala poo isi lava faailoga o loo i ai.

(7) (8) “Faipisinisi” o lona uiga o tagata uma i le pisinisi o le faatau mai, faatau atu, poo le faafesuia’ia o ni taavale, e iloga lava le nofoaga o lana pisinisi mo lena lava faamoemoe i totonu o le Teritori.

(8) (9) “Avetaavale” o lona uiga soo se tagata e aveina poo loo ia faafoeina foi se taavale.

(9) (10) O se “taavale faatagaina mo faalavelave faafuasei” o se taavale lea a leoleo, tineimu poo le falemai, poo taavale e lipeaina le taavale mo falavelave faafuasei a le Matagaluega o Galuega Lautele, poo se isi lava taavale e faatonu e le komesina, e i ai ni moli emoemo o faalavelave ma nisi meafaigaluega e manaomia e le komesina.

(10) (11) “Kovana” o lona uiga o le Kovana o Amerika Samoa.

(11) (12) “Auala” o lona uiga o le lautele atoa lava i le va o laina tua’oi o soo se auala e teuina ma tausia e le malo pe afai e tatalaina soo se vaega mo le faaaogaina lautele e taavale.

(12) (13) “Magaala” o lona uiga o se vaega atoa lava o loo aofia i totonu o le sa’oga poo le fesootaiga foi o tafaala, ae afai foi e leai ni laina faailogaina, o lona uiga o laina tua’oi o ni magaala o ni alatetele se lua e fesootai i se tulimanu, poo se vaega i totonu o se mea e fetai ai ni taavale o loo faaaogaina ni auala eseese ma e mafai ona faaono feteenai ai.

(13) (14) “Pepa Laisene” o lona uiga o se mea e mafai ona vaaia e manaomia e le Komesina ina ia faapipii i se taavale mo le faamoemoe e faailoa ai o lea taavale ua uma ona laiseneina e tusa ai ma tulafono a Amerika Samoa.

(14) (15) “Uilaafi” o lona uiga soo se uila e tasi pe sili atu ona nofoa mo tagata tietie ma e faatatau ina ia faaaogaina ai uili e le sili atu i le tolu e papai i le palapala. E leai se eseese e faia i le va o uilaafi ma uila e faagaoioi e le afi ma isi uila faapea.

(15) (16) “Taavale afi” o lona uiga soo se taavale e alu lava ia, e aofia ai uilaafi, masini e alu i luga o auala, loli, lifi, vagana ai ni mea e faapito ona faagafua.

(16) (17) “Solitulafono o taavale feoi” o lona uiga soo se gaoioiga e faafoe ai se taavale e faasa i lenei ulutala, e ese mai ai solitulafono mamafa tau taavale.

(17) (18) “Tagata le nofomau” o lona uiga o se tasi e le nofomau iinei.

(18) (19) “Mea aloa’ia mo le pulea o taavale” o lona uiga o faailoga uma, faailoilo, maka ma mea uma lava e le feteenai ma lenei ulufale, o loo tuuina i luga o le pule a se vaega a le malo poo se tasi e oo lana pule mo le faatonutonuina, lapata’ia ma le ta’ialaina o taavale.

(19) (20) “O le ana ia” o lona uiga o se tasi, e ese mai ai i le o loo taofia le nonoina o le taavale, o loo i ai le meatotino poo le pule o le taavale. O lenei la faaupuga e aofia ai le tagata e agavaa na te faaaoga ma umia se taavale e faalagolago i se mea e faamau ai le taavale o loo i le tasi tagata, ae le aofia ai le o loo lisiina le taavale i lalo o se lisi e le o faamoemoe e faamau ai.

~~(20)~~ (21) “Paka” poo se pakaga” o lona uiga o le tulaga o le taavale, poo i ai se tasi pe leai, i se tulaga e ese mai ai i se tu le tumau, mo le faamoemoe e utaina pe tuu foi i lalo se uta poo ni pasese.

~~(21)~~ (22) “Tagata savali” o lona uiga o se tagata o loo savali.

~~(22)~~ (23) “Tagata” o lona uiga o soo se tagata, kamupani, pa’aga, faalapopotoga poo se sosaiete.

~~(23)~~ (24) “Leoleo” o lona uiga soo se ofisa e fatagaina na te faatonutonu taavale pe pue faapagota foi se tasi ona o solitulafono tau taavale.

~~(24)~~ (25) “Lesitala” o lona uiga o tusi lesitala e tuuina mai i lalo o tulafono a le Teritori faatatau i le lesitalaina o taavale.

~~(25)~~ (26) “Aia e faafaigofie ai ona uia” o lona uiga o le aia o se taavale poo se tagata savali e alu ai ae tu se tasi taavale poo se tagata savali e latalata mai i se tulaga faapea poo se itu foi, o le saosaoa ma le tulata ai i se tulaga le saogalemu e faaono oo ai ina feto’ai sei vagana ua tuu atu e le tasi le avanoa i le isi.

~~(26)~~ (27) “Pasi A’oga” o lona uiga o taavale uma e usita’ia aiaiga o lenei ulutala ma e faaaoga e feaveai ai tamaiti i le a’oga ma le toe foi pe o gaioiiga foi tau a’oga.

~~(27)~~ (28) “Solitulafono matuia tau taavale” o lona uiga soo se solitulafono o loo ta’ua i le 22.0701 ma isi maga mulimuli mai ai.

~~(28)~~ (29) “Auala savali i tafaala” o lona uiga o le vaega o le alatele i le va o tua’oi poo laina o le auala, ma laina o meatotino latalata ane ai, e faamoemoe e faaaogaina e tagata savali.

~~(29)~~ (30) “Tu pe tutu” o lona uiga o le taofia o se taavale, pe i ai se tasi pe leai, e ese ai mai se tulaga le tumau, mo le faamoemoe e ave pe tuu foi ni pasese.

~~(30)~~ (31) “Taofi” pe a manaomia o lona uiga o le matua tu lava e le gaioioi.

~~(31)~~ (32) “Taofi” poo le taofiga” pe a faasaina o lona uiga soo se taofiga, tusa lava pe na o sina taimi, o se taavale, pe o i ai se tasi pe leai, sei vagana ua tatau ai ona ia aloese mai se faalavelave ma se isi taavale poo le usita’ia foi o faasinoga a se leoleo poo se faailoga e pulea ai taavale.

~~(32)~~ (33) “Teritori” o lona uiga o le Teritori o Amerika Samoa.

~~(33)~~ (34) “Teutupe” o lona uiga o le Teutupe a le Malo o Amerika Samoa

~~(34)~~ (35) “Taavale” pe afai e le o faatatau i se taavale afi, o lona uiga soo se ituaiga o auala e feaveai ai se tagata poo se meatotino i luga o se alatele.”

**Maga 2. 22.1101 ua suia nei e faitauina:**

**“22.1101 Moli taavale i luma ma tua.**

Soo se taavale i luga o le alatele i soo se taimi mai le ‘afa itula talu ona goto le la e oo i le ‘afa itula talu ona oso le la, i le taimi o ni timuga mamafa,



poo se isi lava taimi e le lava ai le malamalama vaai ai se tagata poo se taavale i luga o le alatele mai le mamao e 200 futu, e tatau ona faaola moli e pei ona tusia i lalo:

(a) O itu uma o le pito i luma o soo se taavale, sei vagana ai uilaafi, e tatau ona i ai o ni moli e le sili atu i le lua ni moli tetele. O moli uma ia i le pito i luma e tatau ona tuu i se maualuga e le sili atu i le 54 inisi ae le ititi ifo i le 24 inisi, e fua atu i le mea laugatasi o loo tu ai le taavale.

(e) O uilaafi uma ma uila e tatau ona i ai o se moli pa'epa'e i le pito i luma e iloa atu e le ititi ifo i le 500 futu i le vaai mai luma.

(i) O taavale uma e faaaogaina le susulu e tasi o moli i luma e tatau ona faatulaga moli i luma ina ia faamalamalama ai tagata ma taavale i se mamao e le sili atu i le 200 futu ma ia le ititi ifo i le 150 futu.

(o) O taavale uma e tele susulu o ona moli i luma e tatau ona faaaoga le susulu maualalo ifo pe afai e latalata mai i totonu o le 500 futu le isi taavale e sau mai le isi itu ma soo se taimi e latalata atu ai le avetaavale i se tasi taavale i totonu o le 300 futu mai tua.

(u) O taavale afi uma, poo se taavale e toso e se taavale afi, e tatau ona i ai o se moli e tasi pe sili atu i le pito i tua e faailoa gofie ai se moli mūmū e iloa mai le mamao e 500 futu mai le pito i tua. O se tasi o ia moli, poo se moli foi e ese mai ai, e tatau ona fausia ma tu tutonu ina ia faailoa ai i se moli pa'epa'e le laisene o le taavale ina ia iloa lelei mai le mamao e 50 futu mai tua.

(f) O uila uma e tatau ona i ai o se mea e sulua ai lanu mūmū i le pito i tua ina ia iloa atu i le mamao e 300 futu mai tua.

(g) O taavaleafi uma e le mafai ona fai ai ni suiga e faaaoga ai ni mea e toe faapipii atu, faapipii pe tuu foi i luga poo luma foi o moli, o se moli faaleoleo poo se isi lava tuufaatasiga o ni moli i luma, se moli e ave ai le taavale poo le moli foi e pasi ai se tasi taavale e faalavelave ai, faaititia pe faalavelave ai foi i le vaai poo le aoga o moli, faatele ai le malosi o le moli, poo le suia ai foi o le lanu o le moli o loo iloa atu.

(l) (l) Se'i vagana ai le mea o loo ta'ua i le (l)(2) o loo mulimuli mai, e le mafai ona suia ni taavale afi i le faaaoga o ni mea e toe faatau mulimuli ane e suia ai le foliga mai o le taavale i le mea na fausia ai. O mea la nei e aofia ai ni suiga o moli i totonu, i luga, le faataamilo poo lalo foi o le taavale.

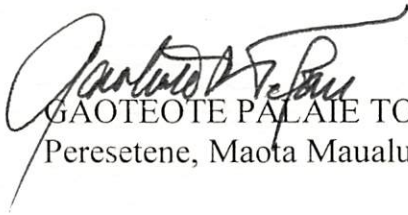
(2) O le mea o loo faasao mai le (l)(1) o lo'o i luga e le faaaogaina lea i taavale a leoleo poo taavale faatagaina mo faalavelave faafuase'i, taavale o loo faaauppegaina mo le faamoemoe e lapata'ia ai taimi o faalavelave, poo taavale foi e faaaoga o latou moli ua faia mo le faamoemoe e faailoa ai se solo filemu e faailoga ai se aso faapitoa poo se mea faapena."

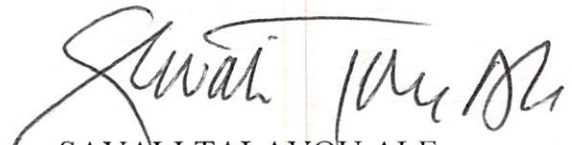
Maga 3. 22.1105 ua suia nei e faitauina:

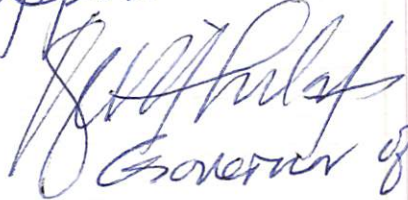
"22.1105 Moli taavale e le o aofia i lenei mataupu.

"O taavale taitasi uma, e aofia ai uila ma isi auala uma o feoaiga i luga o le alatele, e le o manaomia faapitoa i lenei mataupu ina ia faia ai ni moli poo

nisi mea e faamalamalama ai, e tatau ona i ai o se moli i taimi uma e pa'epa'e pe samasama lona malamalama e iloa lelei atu pe a lagilelei mai se mamao e 300 futu i luma atu o lea taavale/uila ma se mea e atagia ai e lanu mūmū i tua e faatatau ia iloa mai le mamao e le ititi ifo i le 300 futu i luma o loo faailoa atu ai ni moli o loo faaititia le mumu poo se moli mūmū e iloa mai se mamao e 300 futu mai tua.

  
GAOTEOTE PALAIE TOFAU  
Peresetene, Maota Maualuga

  
SAVALI TALAVOU ALE  
Fofoga Fetalai, Maota o Sui

*approved this 17th day of February 2012*  
  
Governor of American Samoa