

**Locomotives, Headlights Upon. Headlights, Upon Locomotive Engines.**

In order to comply with Chapter 18, Session Laws of 1909, it is necessary for every person, company, or corporation, operating a railroad in this state to equip all locomotive engines used in the transportation of trains over its road with electric or other headlights of not less than 1500 candle power, measured without the aid of a reflector, which light must be displayed in the direction in which the engine is moving.

April 30th, 1912.

Railroad Commission of Montana,  
Helena, Montana.

Gentlemen:

I am in receipt of your letter of March 18th, stating that in mountain districts it is the practice of railroads to use helper engines on freight trains; that the helper engines are usually at the rear of the train and when they reach the top of the hill, are cut off and in many instances are backed down to the commencement of the helper district that these engines are equipped with electric headlights, but in the movement down the hill, the headlight is displayed in the opposite direction to that in which the engine is moving.—Upon these facts, you request an official opinion as to whether or not under the provisions of Chap. 18, Session Laws of 1909, the engine must be equipped with a headlight to be displayed in the direction in which the engine is moving.

In reply I will say that Chapter 18, Session Laws of 1909, requires every person, company or corporation operating a railroad in this State to equip all locomotive engines used in the transportation of trains over its road (except those used in the switching of trains) with electric or other headlights of not less than 1500 candle power measured without the aid of a reflector.

The purpose of this statute is to add safety to the operating of trains, in that the persons upon the engine may be enabled to see as clearly as possible any object upon, or defect in the track, and also to enable other persons operating trains upon the same track to more

readily discern an approaching train. The statute provides for a "headlight," which is defined by the Standard Dictionary to be: "A light in front of a locomotive to light the track." It is evident that the intention of this statute is that the light should be displayed in the direction in which the engine is moving, otherwise it could not be a headlight.

You are, therefore, advised that in order to comply with this statute it will be necessary to display a headlight in conformity with the statute in the direction in which the engine is moving.

Yours very truly,

ALBERT J. GALEN,  
Attorney General.