

HB0323S01 compared with HB0323

~~text~~ shows text that was in HB0323 but was deleted in HB0323S01.

text shows text that was not in HB0323 but was inserted into HB0323S01.

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Representative Karianne Lisonbee proposes the following substitute bill:

MOTOR VEHICLE SAFETY INSPECTION MODIFICATIONS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: {}Karianne Lisonbee

Senate Sponsor: {}_____

LONG TITLE

General Description:

This bill amends provisions ~~regarding when a peace officer stops a vehicle for improper~~relating to window tinting.

Highlighted Provisions:

This bill:

- ▶ {}enacts a provision allowing a peace officer to stop a vehicle for improper side window tinting only if the peace officer has stopped the vehicle for a violation of another offense{}; and
- ▶ prohibits the revocation or suspension of an individual's vehicle registration or driver license for a window tinting violation.

Money Appropriated in this Bill:

None

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Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-1635, as last amended by Laws of Utah 2022, Chapter 183

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **41-6a-1635** is amended to read:

41-6a-1635. Windshields and windows -- Tinting -- Obstructions reducing visibility -- Wipers -- Prohibitions.

(1) Except as provided in Subsections (2), (3), and (4) a person may not operate a motor vehicle with:

(a) a windshield that allows less than 70% light transmittance;

(b) a front side window that allows less than 35% light transmittance, with no more than a 5% variance observed by a peace officer metering the light transmittance;

(c) any windshield or window that is composed of, covered by, or treated with any material or component that presents a metallic or mirrored appearance;

(d) any sign, poster, or other nontransparent material on the windshield or side windows of the motor vehicle except:

(i) a certificate or other paper required to be so displayed by law; or

(ii) the vehicle's identification number displayed or etched in accordance with rules made by the department under Section 41-6a-1601; or

(e) any debris, frost, or other substance that materially obstructs the operator's view.

(2) (a) A person may not operate a motor vehicle with an object or device hanging or mounted in a manner that materially obstructs the operator's view.

(b) A person shall ensure that an object or device hanging or mounted in compliance with Subsection (2)(a) is used in accordance with this chapter.

(3) Nontransparent materials may be used:

(a) along the top edge of the windshield if the materials do not extend downward more than four inches from the top edge of the windshield or beyond the AS-1 line whichever is lowest;

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(b) in the lower left-hand corner of the windshield provided they do not extend more than three inches to the right of the left edge or more than four inches above the bottom edge of the windshield; or

(c) on the rear windows including rear side windows located behind the vehicle operator.

(4) A windshield or other window is considered to comply with the requirements of Subsection (1) if the windshield or other window meets the federal statutes and regulations for motor vehicle window composition, covering, light transmittance, and treatment.

(5) Except for material used on the windshield in compliance with Subsections (3)(a) and (b), a motor vehicle with tinting or nontransparent material on any window shall be equipped with rear-view mirrors mounted on the left side and on the right side of the motor vehicle to reflect to the driver a view of the highway to the rear of the motor vehicle.

(6) (a) (i) The windshield on a motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield.

(ii) The device shall be constructed to be operated by the operator of the motor vehicle.

(b) A windshield wiper on a motor vehicle shall be maintained in good working order.

(7) A person may not have for sale, sell, offer for sale, install, cover, or treat a windshield or window in violation of this section.

(8) Notwithstanding this section, any person subject to the federal Motor Vehicle Safety Standards, including motor vehicle manufacturers, distributors, dealers, importers, and repair businesses, shall comply with the federal standards on motor vehicle window tinting.

(9) A violation of this section is an infraction.

(10) A peace officer may only enforce ~~this section~~ Subsection (1)(b) when the peace officer has detained the operator of a motor vehicle for a suspected violation of another section in Title 41, Motor Vehicles, or for another offense.

(11) The Motor Vehicle Division or Driver License Division may not revoke or suspend an individual's vehicle registration or driver license for a violation or multiple violations of Subsection (1)(a) or (b).

Section 2. **Effective date.**

This bill takes effect on May 1, 2024.