

1 H.285

2 Introduced by Representative Sammis of Castleton

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; tinted windows; visible light transmission

6 Statement of purpose of bill as introduced: This bill proposes to allow the  
7 operator and front passenger's windows to be tinted up to 35 percent visible  
8 light transmission and the front windshield to be tinted up to 10 percent visible  
9 light transmission.

10 An act relating to tinted windows

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 23 V.S.A. § 1125 is amended to read:

13 § 1125. OBSTRUCTING WINDSHIELDS, WINDOWS

14 (a) As used in this section, "visible light transmission" means the amount  
15 of visible light that can pass through shading or tinting material applied to the  
16 window or windshield of a motor vehicle.

17 (b) Except as otherwise provided in this section, ~~a person~~ an individual  
18 shall not operate a motor vehicle on which material or items have been painted  
19 or adhered on or over, or hung in back of, any transparent part of a motor  
20 vehicle windshield, vent windows, or side windows located immediately to the

1 left and right of the operator. The prohibition of this section on hanging items  
2 shall apply only when a hanging item materially obstructs the driver's view.

3 ~~(b)~~(c) Notwithstanding subsection ~~(a)~~(b) of this section, ~~a person~~ an  
4 individual may operate a motor vehicle with material or items painted or  
5 adhered on or over, or hung in back of, the windshield, vent windows, or side  
6 windows:

7 \* \* \*

8 (4) if the operator is ~~a person~~ employed by the federal, State, or local  
9 government or a volunteer emergency responder operating an authorized  
10 emergency vehicle; who places any necessary equipment in back of the  
11 windshield of the vehicle, provided the equipment does not interfere with the  
12 operator's control of the driving mechanism of the vehicle;

13 (5) on a motor vehicle that is for sale by a licensed automobile dealer  
14 prior to the sale of the vehicle, in a space not over three inches high and six  
15 inches long in the upper left-hand corner of the windshield, and in a space not  
16 over four inches high and 18 inches long in the upper right-hand corner of the  
17 windshield; ~~or~~

18 (6) if the object is a rearview mirror, or is an electronic toll-collection  
19 transponder located either between the roof line and the rearview mirror post  
20 or behind the rearview mirror;

1           (7) if the object is window shading or tinting material to shield from the  
2           rays of the sun and placed on the vent windows or side windows located  
3           immediately to the left and right of the operator, provided that the shading or  
4           tinting material tints to not less than 35 percent visible light transmission and  
5           the shading or tinting material is removed or replaced if it tears, bubbles, or is  
6           otherwise worn to prohibit clear vision; or

7           (8) if the object is window shading or tinting material to shield from the  
8           rays of the sun and placed on the front windshield, provided that the shading or  
9           tinting material tints to not less than 90 percent visible light transmission and  
10          the shading or tinting material is removed or replaced if it tears, bubbles, or is  
11          otherwise worn to prohibit clear vision.

12          ~~(e)(d)~~ The Notwithstanding subdivision (c)(7) of this section, the  
13          Commissioner may grant an exemption to the ~~prohibition of this section~~  
14          maximum allowed window tint upon application from a person an individual  
15          required for medical reasons to be shielded from the rays of the sun and who  
16          attaches to the application a document signed by a licensed physician or  
17          optometrist certifying that shielding from the rays of the sun is a medical  
18          necessity. The physician or optometrist certification shall be renewed every  
19          four years. However, when a licensed physician or optometrist has previously  
20          certified to the Commissioner that an applicant's condition is both permanent  
21          and stable, the exemption may be renewed by the applicant without submission

1 of a form signed by a licensed physician or optometrist. Additionally, the  
2 window shading or tinting permitted under this subsection shall be limited to  
3 the vent windows or side windows located immediately to the left and right of  
4 the operator. The exemption provided in this subsection shall terminate upon  
5 the transfer of the approved vehicle and at that time the applicable window  
6 tinting shall be removed by the seller. Furthermore, if the material described in  
7 this subsection tears, ~~or~~ bubbles, or is otherwise worn to prohibit clear vision,  
8 it shall be removed or replaced.

9 ~~(d)~~(e) The rear side windows and the back window may be obstructed only  
10 if the motor vehicle is equipped on each side with a securely attached mirror,  
11 ~~which~~ that provides the operator with a clear view of the roadway in the rear  
12 and on both sides of the motor vehicle.

13 Sec. 2. EFFECTIVE DATE

14 This act shall take effect on passage.