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SENATE FILE 442
BY BRUNER

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to windshields and windows of motor vehicles and
2 making penalties applicable.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SF 442

1 Section 1. Section 321.438, subsection 2, Code 1987, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 2. a. A person shall not place, install, affix, or apply
5 a transparent material upon the windshield or side or rear
6 windows of a motor vehicle if the material alters the color or
7 reduces the light transmittance of the windshield or side or
8 rear windows, except as provided in this subsection.

9 A person shall not operate on the highway a motor vehicle
10 with a transparent material placed, displayed, installed,
11 affixed, or applied upon the windshield or side or rear window
12 if the material alters the color or reduces the light
13 transmittance of the windshield or side or rear window, except
14 as provided in this subsection.

15 b. This subsection does not apply to factory-installed
16 tinted glass or the equivalent replacement thereof if the
17 factory tinting by the prime glazing manufacturer is done by
18 any of the following:

- 19 (1) Adding a tinting agent to the molten glass before
20 tempering.
- 21 (2) Using a colored inner layer of plastic material
22 between sections of laminated glazing.
- 23 (3) Adding a tinting agent to the molten glass of one side
24 of laminated glazing.

25 As used in this paragraph "b", "tinted glass" means glass
26 that has the tint made as an integral part at the time of
27 manufacture of the complete laminated or tempered pane.
28 Tinted glass is "factory-installed" only if the tinted glass
29 is installed at the factory where the vehicle was
30 manufactured, and it is not "factory-installed" if the tint
31 was added to the glass at some other factory.

32 c. Subsection 1 and subsection 2, paragraph "a", do not
33 apply to:

- 34 (1) Rearview mirrors.
- 35 (2) Adjustable nontransparent sun visors which are mounted

1 forward of the side windows and are not attached to the glass.

2 (3) Signs, stickers, or other materials which are
3 displayed in a seven-inch square in the lower corner of the
4 windshield farthest removed from the driver; signs, stickers,
5 or other material which are displayed in a seven-inch square
6 in the lower corner of the rear window farthest removed from
7 the driver; or signs, stickers, or other materials which are
8 displayed in a five-inch square in the lower corner of the
9 windshield nearest the driver.

10 (4) Side windows which are to the rear of the driver.

11 (5) Direction, destination, or termini signs upon a
12 passenger common carrier motor vehicle, providing the signs do
13 not interfere with the driver's clear view of approaching
14 traffic.

15 (6) Rear window wiper motor.

16 (7) Rear trunk lid, handle, or hinges.

17 (8) The rear window or windows to the rear of the driver,
18 when the motor vehicle is equipped with outside mirrors on
19 both the left and right hand sides of the vehicle that are so
20 located as to reflect to the driver a view of the highway
21 through each mirror for a distance of at least two hundred
22 feet to the rear of the vehicle.

23 (9) A clear transparent lens affixed to the side window
24 opposite the driver on a vehicle greater than eighty inches in
25 width and which occupies an area not exceeding fifty square
26 inches of the lowest corner toward the rear of that window and
27 which provides the driver with a wide-angle view through the
28 lens.

29 (10) Sunscreening devices meeting all of the following
30 requirements:

31 (a) Device mounting allows ready removal.

32 (b) Transparent devices are green, gray, or neutral smoke
33 in color with a minimum luminous transmittance of thirty-five
34 percent.

35 (c) Nontransparent devices utilizing louvers or

1 alternating patterns of opaque and open sections having a
2 uniform pattern over the entire surface except for framing and
3 supports. At least thirty-five percent of the devices shall
4 be open and no individual section shall have an opaque section
5 exceeding a vertical projection of three-sixteenths of an
6 inch.

7 (d) The device used does not have a reflective quality
8 exceeding thirty-five percent on either inner or outer
9 surface.

10 (e) The device is installed on the side windows on either
11 side of the vehicle's front seat, and the driver or a
12 passenger in the front seat has in possession a letter or
13 other document signed by a licensed physician and surgeon
14 certifying that the person must be shaded from the sun due to
15 a medical condition.

16 The devices authorized by this subparagraph (10) shall not
17 be used during darkness.

18 d. Notwithstanding subsection 1 or subsection 2, paragraph
19 "a", transparent material may be installed, affixed, or
20 applied to the topmost portion of a windshield if all of the
21 following requirements are met:

22 (1) The bottom edge of the material is at least twenty-
23 nine inches above the undepressed driver's seat when measured
24 from a point five inches in front of the bottom of the
25 backrest with the driver's seat in its rearmost and lowermost
26 position with the vehicle on a level surface.

27 (2) The material is not red or amber in color.

28 (3) There is no opaque lettering on the material and any
29 other lettering does not affect primary colors or distort
30 vision through the windshield.

31 (4) The material does not reflect sunlight or headlight
32 glare into the eyes of occupants of oncoming or following
33 vehicles to any greater extent than the windshield without the
34 material.

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EXPLANATION

1 This bill replaces the current Code provision relating to
2 visibility which requires that a person outside a motor
3 vehicle be able to see into the vehicle, and replaces it with
4 a prohibition against placing material on a windshield, or on
5 side or rear windows if the material alters the color or
6 reduces the light transmittance of the windshield or window.
7 The bill also prohibits operating on the highway a vehicle
8 which has had such material placed on a windshield or window.
9 The bill exempts from this requirement certain factory-
10 installed tinted glass or its equivalent replacement and
11 provides for other exemptions.

12 A violation has a scheduled fine of fifteen dollars subject
13 to surcharge and court costs.

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