

dissemination

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SENATE FILE 246
BY FUHRMAN and LIND

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

A BILL FOR

1 An Act relating to tinted windows and increasing the applicable
2 scheduled violation fines.

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

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SF 246

1 Section 1. Section 321.438, subsection 2, Code 1991, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 2. a. A person shall not operate on the highways a motor
5 vehicle requiring registration under section 321.18 under any
6 of the following conditions:

7 (1) If the windshield is composed of, covered by, or
8 treated with a sunscreen device or material which has the
9 effect of making the windshield more reflective or of reducing
10 the light transmittance of the windshield.

11 (2) If a sunscreening device or transparent material used
12 in conjunction with the safety glazing which is placed,
13 displayed, installed, affixed, or applied to a side or rear
14 window has a net light transmittance of less than fifty
15 percent.

16 b. A sunscreening device shall be nonreflective. A
17 sunscreening device when used on a windshield shall not be
18 red, yellow, or amber in color and shall be placed only upon
19 the top portion of the windshield extending downward no
20 further than the ASI line.

21 c. This subsection does not apply to the following:

22 (1) Glazing materials which have not been modified since
23 their original installation and original replacement windows
24 and windshields that were installed or replaced in conformance
25 with 49 C.F.R. § 571.205, adopted as of a specific date by
26 rule by the department.

27 (2) Medical exemptions granted by the department under
28 paragraph "d".

29 (3) Side or rear windows on motor trucks, motor homes,
30 multipurpose vehicles subject to registration as motor trucks,
31 and ambulances and hearses, if equipped with left and right
32 outside rearview mirrors.

33 (4) A motor vehicle with a removable, nonreflective
34 sunscreening device if the device is not used at any time from
35 sunset to sunrise, or at other times when conditions such as

1 fog, snow, sleet, or rain provide insufficient lighting to
2 render clearly discernible persons and vehicles on the highway
3 at a distance of five hundred feet ahead.

4 d. The department shall issue a medical exemption
5 certificate and a sticker which shall be affixed to the
6 windshield of the motor vehicle upon application by a person
7 seeking a medical exemption from the requirements of this
8 subsection if the applicant files a written statement signed
9 by a licensed vision specialist which certifies that the
10 person needs an exemption from the light transmittancy
11 requirements of this subsection. A licensed vision
12 specialist, as used in this paragraph, means a physician or
13 osteopath licensed under chapter 148, 150, or 150A, or an
14 optometrist licensed under chapter 154. The sticker and
15 tinting shall be removed prior to transfer of ownership of the
16 motor vehicle.

17 e. Sunscreening devices installed or otherwise offered for
18 sale or use in this state shall bear a label not to exceed one
19 and one half square inches in size containing the name of the
20 manufacturer and the percent of light transmittance. The
21 label shall be placed in the lower right corner of each
22 glazing surface. The manufacturer shall certify to the
23 department the percentage of light transmittancy and
24 reflectivity of the sunscreen material.

25 f. As used in this subsection:

26 (1) "Light transmittance" means the ratio of the amount of
27 total light to pass through a product or material to the
28 amount of total light falling on the product or material.

29 (2) "Nonreflective" means a product or material designed
30 to absorb light rather than to reflect it. The product or
31 material must have no more than twenty percent luminous
32 reflectance. Luminous reflectance means the ratio of the
33 amount of total light that is reflected outward by the product
34 or material to the amount of the total light falling on the
35 product or material.

1 (3) "Sunscreening device" means a film material or device
2 designed to be used in conjunction with motor vehicle safety
3 glazing materials for reducing the effects of the sun.

4 Sec. 2. Section 805.8, subsection 2, paragraph d, Code
5 1991, is amended to read as follows:

6 d. For improper equipment under section 321.438,
7 subsection 2, the scheduled fine is fifteen fifty dollars for
8 a first offense and one hundred dollars for subsequent
9 offenses.

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EXPLANATION

11 This bill changes current window tinting requirements. The
12 current standard, set by rule by the state department of
13 transportation, pursuant to federal regulation, sets a minimum
14 standard of transparency requiring 70 percent light
15 transmittance on the windshield and front side window, to the
16 immediate right or left of the driver and on the front
17 sidewing, forward of and to the left or right of the driver.

18 This bill prohibits a person operating a motor vehicle
19 requiring registration in the state of Iowa from having a
20 sunscreen device or material on the windshield which makes the
21 windshield more reflective or reduces the light transmittance
22 of the windshield, and allows for a side or rear window light
23 transmittance of no less than 50 percent.

24 A sunscreening device must be nonreflective and when used
25 on a windshield cannot be red, yellow, or amber and cannot
26 extend downward from the top of the windshield past the ASI
27 line.

28 The requirements of this bill do not apply to original
29 installations, medical exemptions, side or rear windows on
30 motor trucks, motor homes, multipurpose vehicles subject to
31 registration as motor trucks, and ambulances and hearses, if
32 the vehicles have left and right outside rearview mirrors, and
33 to removable, nonreflective sunscreening devices if the device
34 is not used between sunset and sunrise or under other
35 conditions such as fog, snow, sleet, or rain.

1 The suncreening device must have a label containing the
2 name of the manufacturer and the percent of light
3 transmittancy.

4 Additionally, the bill increases the scheduled fines for
5 use of improper equipment from \$15 per violation to \$50 for
6 the first violation and \$100 for each subsequent violation. A
7 violator is also subject to court costs and the criminal
8 penalty surcharge.

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