



SF 491 – Motor Vehicle Window Tint (LSB2067SV)
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Fiscal Note Version – New

Description

Senate File 491 prohibits a motor vehicle operating on the highway to have light-transmission-reducing material applied to the windshield unless the material applied allows at least 25.0% light transmittance and does not exceed a luminous reflectance of 25.0% above the manufacturer's AS-1 line or within the top five inches of the windshield. Operating a motor vehicle with a side window or siding that allows less than 25.0% light transmittance or exceeds a luminous reflectance of 25.0% is also prohibited. Lastly, operating a motor vehicle with any other window that allows less than 25.0% light transmittance or exceeds a luminous reflectance of 25.0% is prohibited unless the motor vehicle is equipped with an outside mirror in compliance with Iowa Code section [321.437](#).

The Bill also removes the Iowa Department of Transportation's (DOT's) rulemaking authority to establish a minimum measurable standard of transparency for window tint.

Background

Iowa Code section [321.438\(2\)](#) currently does not allow a front windshield, side window, or siding of a vehicle to be excessively dark or reflective and requires the DOT to establish rules to set a minimum measurable standard of transparency for this provision. The DOT adopted administrative rules in [761 IAC 450.7](#) that established 70.0% light transmittance to be the lowest level acceptable for vehicles. In FY 2022, there were 8,616 violations of Iowa Code section [321.438\(2\)](#). The current fine for a violation of Iowa Code section [321.438\(2\)](#) is \$70.

Under Iowa Code section [602.8106\(4\)\(b\)](#), scheduled fine revenue for a State law violation is distributed as follows: 91.0% to the State and 9.0% to the general fund of the county in which the violation occurred. For the State share of citations, 1.3% is distributed to the Emergency Medical Services (EMS) Fund and 98.7% is distributed to the State General Fund.

In addition to the scheduled fine, a Crime Services Surcharge, equal to 15.0% of the fine, and a \$55 fee for court costs are also imposed. The Crime Services Surcharge is remitted to the State Court Administrator and is distributed as follows: 46.0% to the Juvenile Detention Home Fund; 32.0% to the Victim Compensation Fund; 20.0% to the Criminalistics Laboratory Fund; and 2.0% to the Drug Abuse Resistance Education (DARE) Fund. The fee assessed for court costs is deposited into the State General Fund.

Assumptions

- Under current law, there will be an estimated 8,600 convictions of Iowa Code section [321.438\(2\)](#) in FY 2023, which is similar to the number of convictions in FY 2022.
- For estimation purposes, it is assumed that the number of convictions under SF 491 will decrease between 1,000 and 3,000 per year.
- The collection rate for scheduled violations is estimated at 58.0%.
- It is assumed that commercial motor vehicles are not included.

Fiscal Impact

The fiscal impact of SF 491 cannot be determined. However, any reduction in convictions will reduce revenue to the General Fund and will also reduce annual fine and surcharge revenue allocated by law to other funds. **Table 1** shows the distribution of the estimated annual revenue reduction based on conviction decreases of 1,000, 2,000, and 3,000.

Table 1 — Estimated Range of Annual Fiscal Impact Under SF 491				
	Current Law	Potential Decrease in Convictions		
	Est. FY 2023	1,000 Convictions	2,000 Convictions	3,000 Convictions
General Fund				
Penalty Revenue	\$ 313,605	\$ -36,466	\$ -72,931	\$ -109,397
Court Fee	274,340	-31,900	-63,800	-95,700
Subtotal	\$ 587,945	\$ -68,366	\$ -136,731	\$ -205,097
Surcharge Revenue				
Juvenile Detention	\$ 24,092	\$ -2,801	\$ -5,603	\$ -8,404
Victim Comp.	16,760	-1,949	-3,898	-5,846
Crime Lab	10,475	-1,218	-2,436	-3,654
DARE	1,047	-122	-244	-365
Subtotal	\$ 52,374	\$ -6,090	\$ -12,180	\$ -18,270
Other				
County General Funds	\$ 31,424	\$ -3,654	\$ -7,308	\$ -10,962
EMS Fund	4,131	-480	-961	-1,441
Grand Total	\$ 675,874	\$ -78,590	\$ -157,180	\$ -235,770

*Figures may not add up due to rounding

Sources

Criminal and Juvenile Justice Planning Division, Department of Human Rights
LSA calculations

/s/ Jennifer Acton

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The fiscal note for this Bill was prepared pursuant to [Joint Rule 17](#) and the Iowa Code. Data used in developing this fiscal note is available from the Fiscal Services Division of the Legislative Services Agency upon request.