

FILED MAR 16 1995

SENATE FILE 378  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SSB 256)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act relating to tinted windows and making a penalty  
2 applicable.

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

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S.F. 378

1 Section 1. Section 321.438, subsection 2, Code 1995, is  
2 amended to read as follows:

3 2. a. A Except as provided in paragraph "b", a person  
4 shall not operate on the highway a motor vehicle equipped with  
5 a front windshield, a side window to the immediate right or  
6 left of the driver, or a side wing forward of and to the left  
7 or right of the driver which is excessively dark or reflective  
8 so that it is difficult for a person outside the motor vehicle  
9 to see into the motor vehicle through the windshield, window,  
10 or siding, sidewings, or side or rear windows which allow for  
11 less than seventy percent light transmittance. The department  
12 shall adopt rules establishing a minimum measurable standard  
13 of transparency which shall apply to violations of this  
14 subsection.

15 b. A person suffering from a light-sensitive disorder may  
16 operate a motor vehicle equipped with windows with less than  
17 seventy percent light transmittance, if that person has made  
18 application and has received a waiver of the restriction for  
19 the person's motor vehicle and if a light-sensitive disorder  
20 permit is properly affixed to the person's motor vehicle. The  
21 department shall waive the restriction and issue an  
22 accompanying permit if the applicant files a written statement  
23 signed by a licensed vision specialist which certifies that  
24 the applicant suffers from a light-sensitive disorder and that  
25 it is medically necessary for the person to obtain a waiver of  
26 the light transmittance requirements of this subsection. Any  
27 other person operating a motor vehicle with a light-sensitive  
28 disorder permit affixed to the motor vehicle shall not be  
29 charged with a violation of this section, even though that  
30 person does not suffer from a light-sensitive disorder. As  
31 used in this paragraph, "licensed vision specialist" means a  
32 physician or osteopath licensed under chapter 148, 150, or  
33 150A, or an optometrist licensed under chapter 154. This  
34 exemption does not apply to commercial vehicles or commercial  
35 motor vehicles.

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EXPLANATION

This bill prohibits a person from operating a motor vehicle with a windshield or other windows which allow for less than 70 percent light transmittance.

This bill allows a person suffering from a light-sensitive disorder to obtain a permit from the state department of transportation allowing the person to operate a motor vehicle with a front windshield, a front side window, or front siding with less than 70 percent light transmittance. The person must make application to the department and present a signed statement from a licensed vision specialist indicating that it is medically necessary for that person to operate a motor vehicle whose light transmittance is lower than the present requirement. Any other person operating a motor vehicle with a light-sensitive disorder permit cannot be charged with a violation of section 321.438, subsection 2, even though that person does not suffer from a light-sensitive disorder. This exemption does not apply to commercial vehicles or commercial motor vehicles.

A violation of section 321.438 is a scheduled fine of \$15.

Lind  
Gettings  
Hearden

SSB. 256

Transportation

Succeeded By

SF/HE 378

SENATE FILE

BY (PROPOSED COMMITTEE ON  
TRANSPORTATION BILL BY  
CHAIRPERSON GETTINGS)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

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