

Senate Study Bill 256

Conference Committee Text

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1 1 Section 1. Section [321.438](#), subsection 2, Code 1995, is
1 2 amended to read as follows:
1 3 2. a.

~~—A~~

~~— Except as provided in paragraph "b", a person~~
1 4 shall not operate on the highway a motor vehicle equipped with
1 5 a

~~— front~~

~~— windshield,~~

~~— a side window to the immediate right or~~

~~—~~
1 6

~~— left of the driver, or a side wing forward of and to the left~~

~~—~~
1 7

~~— or right of the driver which is excessively dark or reflective~~

~~—~~
1 8

~~— so that it is difficult for a person outside the motor vehicle~~

~~—~~
1 9

~~— to see into the motor vehicle through the windshield, window,~~

~~—~~
1 10

~~— or sidewing~~

~~—~~
1 11 sidewings, or side or rear windows which allow for
1 12 less than seventy percent light transmittance.

~~— The department~~

~~—~~
1 12

~~— shall adopt rules establishing a minimum measurable standard~~

~~—~~
1 13

~~— of transparency which shall apply to violations of this~~

~~—~~
1 14

~~— subsection~~

~~—~~
1 15 b. A person suffering from a light-sensitive disorder may
1 16 operate a motor vehicle equipped with windows with less than
1 17 seventy percent light transmittance, if that person has made
1 18 application and has received a waiver of the restriction for
1 19 the person's motor vehicle and if a light-sensitive disorder
1 20 permit is properly affixed to the person's motor vehicle. The

1 21 department shall waive the restriction and issue an
1 22 accompanying permit if the applicant files a written statement
1 23 signed by a licensed vision specialist which certifies that
1 24 the applicant suffers from a light-sensitive disorder and that
1 25 it is medically necessary for the person to obtain a waiver of
1 26 the light transmittance requirements of this subsection. Any
1 27 other person operating a motor vehicle with a light-sensitive
1 28 disorder permit affixed to the motor vehicle shall not be
1 29 charged with a violation of this section, even though that
1 30 person does not suffer from a light-sensitive disorder. As
1 31 used in this paragraph, "licensed vision specialist" means a
1 32 physician or osteopath licensed under chapter 148, 150, or
1 33 150A, or an optometrist licensed under chapter 154. This
1 34 exemption does not apply to commercial vehicles or commercial
1 35 motor vehicles.

2 1 EXPLANATION

2 2 This bill prohibits a person from operating a motor vehicle
2 3 with a windshield or other windows which allow for less than
2 4 70 percent light transmittance.

2 5 This bill allows a person suffering from a light-sensitive
2 6 disorder to obtain a permit from the state department of
2 7 transportation allowing the person to operate a motor vehicle
2 8 with a front windshield, a front side window, or front
2 9 sidewing with less than 70 percent light transmittance. The
2 10 person must make application to the department and present a
2 11 signed statement from a licensed vision specialist indicating
2 12 that it is medically necessary for that person to operate a
2 13 motor vehicle whose light transmittance is lower than the
2 14 present requirement. Any other person operating a motor
2 15 vehicle with a light-sensitive disorder permit cannot be
2 16 charged with a violation of section 321.438, subsection 2,
2 17 even though that person does not suffer from a light-sensitive
2 18 disorder. This exemption does not apply to commercial
2 19 vehicles or commercial motor vehicles.

2 20 A violation of section 321.438 is a scheduled fine of \$15.

2 21 LSB 2305SC 76

2 22 js/sc/14