

**Senate File 48 - Introduced**

SENATE FILE 48  
BY SALMON

**A BILL FOR**

1 An Act providing for an exception to motor vehicle window tint  
2 limitations for persons with certain medical conditions.  
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.438, subsection 2, Code 2023, is  
2 amended to read as follows:

3 2. a. A person shall not operate on the highway a motor  
4 vehicle equipped with a front windshield, a side window to the  
5 immediate right or left of the driver, or a sidewing forward  
6 of and to the left or right of the driver which is excessively  
7 dark or reflective so that it is difficult for a person outside  
8 the motor vehicle to see into the motor vehicle through the  
9 windshield, window, or sidewing.

10 ~~a.~~ b. The department shall ~~adopt~~ do all of the following:

11 (1) Adopt rules to administer this subsection, including  
12 establishing a minimum measurable standard of transparency  
13 which shall apply to violations of ~~this subsection~~ paragraph  
14 "a".

15 ~~b.~~ (2) ~~This subsection~~ Prescribe a form affidavit to be  
16 used as described in paragraph "c", subparagraph (2).

17 (3) Design and issue a decal to be displayed as required in  
18 paragraph "c", subparagraph (2).

19 c. Paragraph "a" does not apply to a any of the following:

20 (1) A person who operates a motor vehicle owned or leased  
21 by a federal, state, or local law enforcement agency if the  
22 operation is part of the person's official duties.

23 (2) A person who possesses an affidavit signed by a  
24 physician licensed under chapter 148, a physician assistant  
25 licensed under chapter 148C, a chiropractor licensed under  
26 chapter 151, an advanced registered nurse practitioner licensed  
27 under chapter 152, or an optometrist licensed under chapter  
28 154 stating that the person has a medical condition involving  
29 extreme sensitivity to light that makes it necessary for a  
30 motor vehicle operated by the person to be equipped with a  
31 front windshield, side window, or sidewing that exceeds the  
32 minimum measurable standard of transparency established by the  
33 department, and who operates the motor vehicle in compliance  
34 with this subparagraph.

35 (a) The person shall carry a copy of the affidavit in the

1 motor vehicle at all times.

2 (b) The person shall not operate on the highway a motor  
3 vehicle equipped with a front windshield, a side window to the  
4 immediate right or left of the driver, or a sidewing forward  
5 of and to the left or right of the driver which does not meet a  
6 minimum standard of transparency of thirty-five percent light  
7 transmittance.

8 (c) The person shall affix the decal issued by the  
9 department on the rear window of the motor vehicle for the  
10 purpose of informing law enforcement that the motor vehicle may  
11 be operated by a person who is medically exempt from paragraph  
12 "a".

13 EXPLANATION

14 The inclusion of this explanation does not constitute agreement with  
15 the explanation's substance by the members of the general assembly.

16 Current law prohibits a person from operating on the highway  
17 a motor vehicle that is equipped with a front windshield, side  
18 window, or sidewing (window) which is excessively dark or  
19 reflective such that it is difficult for a person outside the  
20 motor vehicle to see into the motor vehicle through the window.  
21 By administrative rule, the department of transportation (DOT)  
22 defines "excessively dark or reflective" to mean that the  
23 window does not meet a minimum standard of transparency of 70  
24 percent light transmittance.

25 This bill provides an exception to the prohibition on  
26 excessively dark or reflective motor vehicle windows where the  
27 person operating the motor vehicle has an affidavit signed  
28 by a physician, physician assistant, chiropractor, advanced  
29 registered nurse practitioner, or optometrist licensed under  
30 Iowa law stating that the person has a medical condition  
31 involving extreme sensitivity to light that makes it necessary  
32 for a motor vehicle operated by the person to be equipped with  
33 a window that would otherwise be prohibited. However, the  
34 bill requires the window to still meet a minimum standard of  
35 transparency of 35 percent light transmittance.

1 The bill requires the DOT to prescribe a form affidavit  
2 and design and issue a window decal. A person who operates  
3 a motor vehicle with window tint meeting a minimum standard  
4 of transparency of between 35 percent and 70 percent light  
5 transmittance under the bill must carry the affidavit in the  
6 vehicle at all times and affix the decal issued by the DOT to  
7 the rear window of the motor vehicle to inform law enforcement  
8 officers that the vehicle may be operated by a person who  
9 is medically exempt from the 70 percent light transmittance  
10 requirement.

11 A violation of Code section 321.438 is punishable by a  
12 scheduled fine of \$70.