

Senate File 491 - Introduced

SENATE FILE 491

BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 350)

A BILL FOR

1 An Act relating to motor vehicle window tint, and making
2 penalties applicable.

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. (1) A person shall not operate on the highway
4 a motor vehicle equipped with a front windshield, to which
5 material that reduces the transmission of light has been
6 applied, except a windshield may have such material applied
7 that allows at least twenty-five percent light transmittance
8 and does not exceed a luminous reflectance of twenty-five
9 percent above the manufacturer's AS-1 line or within the top
10 five inches of the windshield.

11 (2) A person shall not operate on the highway a motor
12 vehicle equipped with a side window to the immediate right
13 or left of the driver operator, or a sidewing forward of and
14 to the left or right of the driver which is excessively dark
15 or reflective so that it is difficult for a person outside
16 the motor vehicle to see into the motor vehicle through the
17 windshield, window, or sidewing operator, that allows less than
18 twenty-five percent light transmittance or exceeds a luminous
19 reflectance of twenty-five percent.

20 (3) A person shall not operate on the highway a motor
21 vehicle equipped with a window other than as described in
22 subparagraphs (1) and (2) that allows less than twenty-five
23 percent light transmittance or exceeds a luminous reflectance
24 of twenty-five percent. This subparagraph does not apply to
25 a person operating a motor vehicle equipped with an outside
26 mirror attached to each side of the vehicle if the mirrors
27 comply with section 321.437.

28 ~~a. The department shall adopt rules establishing a minimum~~
29 ~~measurable standard of transparency which shall apply to~~
30 ~~violations of [this subsection](#).~~

31 ~~b. [This subsection](#) does not apply to a person who operates~~
32 ~~a motor vehicle owned or leased by a federal, state, or local~~
33 ~~law enforcement agency if the operation is part of the person's~~
34 ~~official duties.~~

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EXPLANATION

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

3 Under current law, a person is prohibited from operating
4 a motor vehicle equipped with a front windshield, a side
5 window to the immediate right or left of the driver, or a
6 sidewing forward of and to the left or right of the driver
7 (window) which is excessively dark or reflective so that it is
8 difficult for a person outside the motor vehicle to see into
9 the motor vehicle through the window. Under rules adopted
10 by the department of transportation (DOT) (761 IAC 450.7),
11 "excessively dark or reflective" means the window does not
12 meet a minimum standard of transparency of 70 percent light
13 transmittance. However, the requirement does not apply to
14 a person who operates a motor vehicle owned or leased by
15 a federal, state, or local law enforcement agency if the
16 operation is part of the person's official duties.

17 This bill strikes the authority of the DOT to adopt rules
18 establishing a minimum measurable standard of transparency
19 and instead prohibits a person from operating on the highway
20 a motor vehicle equipped with a front windshield to which
21 light-transmission-reducing material has been applied.
22 However, a windshield may have light-transmission-reducing
23 material applied that allows at least 25 percent light
24 transmittance and does not exceed a luminous reflectance of 25
25 percent above the manufacturer's AS-1 line or within the top
26 five inches of the windshield. A person is also prohibited
27 from operating a motor vehicle with a side window to the
28 immediate right or left of the operator, or a sidewing forward
29 of and to the left or right of the operator, that allows less
30 than 25 percent light transmittance or exceeds a luminous
31 reflectance of 25 percent.

32 Under the bill, a person is prohibited from operating a motor
33 vehicle equipped with any other window that allows less than 25
34 percent light transmittance or exceeds a luminous reflectance
35 of 25 percent. However, the bill does not limit the light

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1 transmittance or luminous reflectance of such other windows if
2 the vehicle is equipped with an outside mirror attached to each
3 side of the vehicle if the mirrors comply with Code section
4 321.437.

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