

IN THE SENATE

SENATE BILL NO. 1022

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1
2 RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-944, IDAHO CODE, TO REVISE A
3 PROVISION REGARDING STANDARDS FOR WINDSHIELDS AND WINDOWS OF MOTOR VE-
4 HICLES, TO REMOVE PROVISIONS REGARDING VIOLATIONS AND COMPLIANCE, AND
5 TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING
6 AN EFFECTIVE DATE.

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 49-944, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 49-944. STANDARDS FOR WINDSHIELDS AND WINDOWS OF MOTOR VEHICLES --
11 PROHIBITED ACTS -- PENALTY. (1) It is unlawful for any person to place, in-
12 stall, affix, or apply any window tinting film or sunscreening device to the
13 windows of any motor vehicle, except as follows:

14 (a) Nonreflective window tinting film or suncreening devices shall
15 not be applied to the windshield below the AS-1 line; if no AS-1 line is
16 identifiable on the windshield, nonreflective window tinting film or
17 sunscreening devices shall not be applied to the windshield below a line
18 extending six (6) inches below and parallel to the exposed windshield;

19 (b) Nonreflective window tinting film or sunscreening devices that
20 have a light transmission of not less than thirty-five percent (35%)
21 with a tolerance limit of plus or minus three percent (3%) and a luminous
22 reflectance of no more than thirty-five percent (35%) with a tolerance
23 limit of plus or minus three percent (3%) may be applied to the front
24 side vents, front side windows to the immediate right and left of the
25 driver, and the rear window;

26 (c) Nonreflective window tinting film or sunscreening devices that
27 have a light transmission of not less than twenty percent (20%) with a
28 tolerance limit of plus or minus three percent (3%) and a luminous re-
29 flectance of no more than thirty-five percent (35%) with a tolerance
30 limit of plus or minus three percent (3%) may be applied to the side win-
31 dows to the rear of the driver;

32 (d) Window tinting films or sunscreening devices are materials or de-
33 vices ~~which~~ that are designed to be used in conjunction with approved
34 vehicle glazing materials for the purpose of reducing the effects of the
35 sun;

36 (e) Light transmission is the ratio of the amount of total light, ex-
37 pressed in percentages, ~~which~~ that is allowed to pass through the prod-
38 uct or material to the amount of total light falling on the product or
39 material;

40 (f) Luminous reflectance is the ratio of the amount of total light, ex-
41 pressed in percentages, ~~which~~ that is reflected outward by the product

1 or material to the amount of total light falling on the product or mate-
2 rial.

3 (2) No person shall operate on the public highways, sell, or offer to
4 sell any motor vehicle with a windshield or windows ~~which that~~ are not in com-
5 pliance with the provisions of this section or 49 CFR 571.1 through 571.500.

6 (3) ~~Persons who own a motor vehicle with a windshield or windows not in~~
7 ~~compliance with the provisions of this section on June 30, 1992, shall not~~
8 ~~be charged with a violation of the provisions of this section until January~~
9 ~~1, 1993. Persons owning a motor vehicle with a windshield or windows not in~~
10 ~~compliance with the provisions of this section on June 30, 1992, shall have~~
11 ~~until January 1, 1993, to obtain a certificate from the Idaho state police~~
12 ~~indicating that the person owned the motor vehicle containing a windshield~~
13 ~~or windows not in compliance with the provisions of this section on or before~~
14 ~~June 30, 1992. The certificate shall be carried in the vehicle. A person oper-~~
15 ~~ating a motor vehicle with a valid certificate as provided in this subsec-~~
16 ~~tion shall not be deemed to be violating the provisions of this section on or~~
17 ~~after January 1, 1993. The Idaho state police may promulgate rules in order~~
18 ~~to implement the provisions of this section.~~

19 (4) Nonreflective window tinting film or sunscreening devices that
20 have a light transmission of not less than seventy percent (70%) plus or mi-
21 nus three percent (3%) for the front windshield and not less than twenty per-
22 cent (20%) plus or minus three percent (3%) for the windows, with a luminous
23 reflectance of no more than thirty-five percent (35%) plus or minus three
24 percent (3%) in each instance, is permitted for a motor vehicle operated by,
25 or carrying as a passenger, a person who possesses written verification from
26 a licensed physician that the operator or passenger must be protected from
27 exposure to sunlight or heat for medical reasons associated with past or cur-
28 rent treatment; such written verification shall be carried in the vehicle.

29 (5) Nothing in this section shall be construed to make illegal the op-
30 eration or sale of any motor vehicle, the windshield or windows of which are
31 composed of, covered by, or treated with, any material, substance, system,
32 or component with which the motor vehicle was sold when new or could have been
33 equipped for sale when new as standard or optional equipment from the manu-
34 facturer or authorized dealer under any United States government statute or
35 regulation governing such sale at the time of manufacture.

36 (6) Any person convicted of a violation of the provisions of this sec-
37 tion shall be guilty of an infraction.

38 SECTION 2. An emergency existing therefor, which emergency is hereby
39 declared to exist, this act shall be in full force and effect on and after
40 July 1, 2023.