

HOUSE BILL 32

R6
HB 1235/13 – ENV

(PRE-FILED)

4r1021

By: **Delegate McDermott**
Requested: October 1, 2013
Introduced and read first time: January 8, 2014
Assigned to: Environmental Matters

A BILL ENTITLED

AN ACT concerning

Vehicle Laws – Law Enforcement Vehicles – Tinted Windows

FOR the purpose of exempting a vehicle used by a law enforcement agency from a prohibition against affixing certain tinting materials to a vehicle's windows; and generally relating to law enforcement vehicles.

BY repealing and reenacting, with amendments,
Article – Transportation
Section 22–406(i)
Annotated Code of Maryland
(2012 Replacement Volume and 2013 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Transportation

22–406.

(i) (1) Except as provided in paragraph (4) of this subsection, a person may not operate a vehicle registered under § 13–912, § 13–913, § 13–917, or § 13–937 of this article on a highway in this State if:

(i) In the case of a vehicle registered under § 13–912 of this article, there is affixed to any window of the vehicle any tinting materials added to the window after manufacture of the vehicle that do not allow a light transmittance through the window of at least 35%; and

(ii) In the case of a vehicle registered under § 13–913, § 13–917, or § 13–937 of this article, there is affixed to any window to the immediate right or left

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



of the driver any window tinting materials added after manufacture of the vehicle that do not allow a light transmittance through the window of at least 35%.

(2) If a police officer observes that a vehicle is being operated in violation of paragraph (1) of this subsection, the officer may stop the driver of the vehicle and, in addition to a citation charging the driver with the offense, issue to the driver a safety equipment repair order in accordance with the provisions of § 23–105 of this article.

(3) A person may not install on a window of a vehicle any window tinting material that does not comply with the light transmittance requirements specified in paragraph (1) of this subsection.

(4) (i) A person who must be protected from the sun for medical reasons is exempt from the provisions of paragraph (1) of this subsection if the owner has, in the vehicle at the time the vehicle is stopped by a police officer, a written certification that details the owner's medical need for tinted windows, from a physician licensed to practice medicine in the State.

(ii) This subsection does not apply to tinting materials that:

1. Are affixed in such a manner so as to be easily removed; and
2. Are being used to protect a child less than 10 years of age from the sun.

(iii) Nothing in this subsection may be construed to:

1. Allow any tinting materials to be added to the windshield of a vehicle below the AS1 line or below 5 inches from the top of the windshield; or
2. Alter or restrict the authority of the Administrator to adopt regulations regarding vehicle windows, except with respect to the light transmittance requirements specified in this section.

(IV) THIS SUBSECTION DOES NOT APPLY TO A VEHICLE USED BY A LAW ENFORCEMENT AGENCY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2014.