

HOUSE BILL 97

R6

5lr0944
CF 5lr0945

By: **Delegates Rosenberg, Carter, and Oaks**
Introduced and read first time: January 23, 2015
Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Window Tinting Restrictions – Medical Exemption for Vehicle**
3 **Owner’s Family**

4 FOR the purpose of expanding the medical necessity exemption from the prohibition
5 against operating a certain vehicle with certain window tinting to apply the
6 exemption to a member of the vehicle owner’s immediate family; clarifying language;
7 and generally relating to window tinting in vehicles.

8 BY repealing and reenacting, with amendments,
9 Article – Transportation
10 Section 22–406(i)
11 Annotated Code of Maryland
12 (2012 Replacement Volume and 2014 Supplement)

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

15 **Article – Transportation**

16 22–406.

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.



1 (ii) In the case of a vehicle registered under § 13–913, § 13–917, or §
2 13–937 of this article, there is affixed to any window to the immediate right or left of the
3 driver any window tinting materials added after manufacture of the vehicle that do not
4 allow a light transmittance through the window of at least 35%.

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

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

12 (4) (i) A [person] **VEHICLE OWNER OR MEMBER OF THE OWNER'S**
13 **IMMEDIATE FAMILY** who must be protected from the sun for medical reasons is exempt
14 from the provisions of paragraph (1) of this subsection if [the owner has], in the vehicle at
15 the time the vehicle is stopped by a police officer, **THERE IS** a written certification that
16 details the owner's **OR IMMEDIATE FAMILY MEMBER'S** medical need for tinted windows,
17 from a physician licensed to practice medicine in the State.

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

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

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

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

29 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
30 October 1, 2015.