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By: **Delegates Menes and Conroy**  
Introduced and read first time: January 23, 2004  
Assigned to: Environmental Matters

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A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws - Vehicle Equipment - Window Tinting**

3 FOR the purpose of adding certain trucks and Class M (multipurpose) vehicles to  
4 those vehicles prohibited from operating on any State highway if there is affixed  
5 to any window any tinting materials added after the manufacture of the vehicle  
6 that do not allow a light transmittance of at least a certain percentage; and  
7 generally relating to vehicle window tinting.

8 BY repealing and reenacting, with amendments,  
9 Article - Transportation  
10 Section 22-406  
11 Annotated Code of Maryland  
12 (2002 Replacement Volume and 2003 Supplement)

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

15 **Article - Transportation**

16 22-406.

17 (a) "Safety glass" means:

18 (1) Any glass product that is so made or treated as substantially to  
19 prevent the glass from shattering and flying when struck or broken; or

20 (2) Any similar or other product that the Administration approves.

21 (b) A person may not drive on any highway in this State any motor vehicle  
22 manufactured or assembled after June 1, 1937, and registered in this State, unless  
23 the vehicle is equipped with safety glass wherever glass is used in the motor vehicle  
24 in doors, windows, windshields, and wings.

25 (c) A person may not sell any motor vehicle manufactured or assembled after  
26 June 1, 1937, registered or intended to be registered in this State and driven or  
27 intended to be driven on any highway in this State, unless the vehicle is equipped

1 with safety glass wherever glass is used in the motor vehicle in doors, windows,  
2 windshields, and wings. Each sale in violation of this provision is a separate offense.

3 (d) The owner of any motor vehicle may not have broken glass in the  
4 windshield of the vehicle replaced with any glass other than safety glass.

5 (e) The owner of any motor vehicle may not have safety glass, broken or  
6 otherwise, in doors, windows, or wings of the motor vehicle replaced with any glass  
7 other than safety glass.

8 (f) A person may not install in the doors, windows, windshields, and wings of  
9 any motor vehicle any glass other than glass required by subsections (d) and (e) of this  
10 section.

11 (g) (1) The Administration shall compile, maintain, and publish a list, by  
12 name, of the types of glass approved by it as conforming to the specifications and  
13 requirements of safety glass as set forth in this section.

14 (2) The Administration may not register any motor vehicle that is  
15 subject to the provisions of this section unless it is equipped with an approved type of  
16 safety glass and shall suspend the registration of any motor vehicle subject to this  
17 section that the Administration finds is not so equipped until the vehicle is made to  
18 conform to the requirements of this section.

19 (h) In case of any violation of any provision of this section by any common  
20 carrier or person operating under a permit issued by the Public Service Commission  
21 of Maryland, the permit shall either be revoked or, in the discretion of the  
22 Commission, suspended until the provision is complied with to the satisfaction of the  
23 Commission.

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

27 (i) In the case of a vehicle registered under § 13-912, § 13-917, OR §  
28 13-937 of this article, there is affixed to any window of the vehicle any tinting  
29 materials added to the window after manufacture of the vehicle that do not allow a  
30 light transmittance through the window of at least 35%; and

31 (ii) In the case of a vehicle registered under § 13-913[, § 13-917 or  
32 § 13-937] of this article, there is affixed to any window to the immediate right or left  
33 of the driver any window tinting materials added after manufacture of the vehicle  
34 that do not allow a light transmittance through the window of at least 35%.

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

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

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

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

10                           1.     Are affixed in such a manner so as to be easily removed;  
11 and

12                           2.     Are being used to protect a child less than 10 years of age  
13 from the sun.

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

15                           1.     Allow any tinting materials to be added to the windshield  
16 of a vehicle below the AS1 line or below 5 inches from the top of the windshield; or

17                           2.     Alter or restrict the authority of the Administrator to  
18 adopt regulations regarding vehicle windows, except with respect to the light  
19 transmittance requirements specified in this section.

20     SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
21 October 1, 2004.