

Department of Legislative Services
Maryland General Assembly
2011 Session

FISCAL AND POLICY NOTE

Senate Bill 992

(Senator Dyson)

Judicial Proceedings

Vehicle Laws - Window Tinting - Certification by Inspection Stations

This bill prohibits the issuance of a repair order certification by a police department following a visual inspection of a window based on a tinting violation, and requires that a repair order certification be issued only by a registered individual at an inspection station.

Fiscal Summary

State Effect: General fund expenditures may decrease negligibly and Department of State Police (DSP) workloads decrease minimally as a result of the bill's elimination of police responsibility for the issuance of certain repair order certifications.

Local Effect: The bill is not anticipated to materially affect local operations or finances.

Small Business Effect: Minimal beneficial impact on small business vehicle inspection stations.

Analysis

Current Law/Background: A repair order certification is a written certification by an inspection station or police department that certifies that equipment specified in a safety equipment repair order meets specified standards. It must be signed and dated by an authorized police officer or individual from a registered inspection station that inspected the vehicle.

If a safety equipment repair order is for equipment that can be certified as corrected or adequate by visual inspection and without the use of testing equipment, any police department that issues a repair order certification must, on request of the owner, issue the certification if the equipment meets the applicable standards following a visual inspection.

The Automotive Safety Enforcement Division of DSP has adopted regulations regarding the equipment that may be inspected visually, which includes defects related to glass. Current law and DSP regulations allow windows to be tinted as long as certain criteria are met. These criteria pertain to the amount of light that may pass through the window, the color of the tint, the areas of the glass that may not be tinted, and the presence of certain features.

According to the Automotive Safety Enforcement Division, there were 1,634 licensed inspection stations in Maryland at year-end 2009, with 3,118 licensed inspection mechanics. Of the inspection stations that applied for a license, 36 were disapproved in 2009 based on DSP inspection of the station. In addition, 161 complaints were filed against inspection stations in 2009, resulting in the revocation or suspension of 15 licenses, the imposition of administrative penalties against 96 stations, and the written reprimand of 46 stations.

DSP and other State agencies process about 160,000 safety equipment repair orders annually, including 13,097 based on tinted windows in 2010. According to the District Court, there were also 3,272 citations issued based on windows that were tinted beyond the legal limits.

Small Business Effect: DSP advises that inspection stations will be allowed to charge for 0.2 hours of service for each visual inspection of a window based on a tinting violation, which is consistent with DSP regulations that are currently under development.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of State Police, Maryland Department of Transportation, Department of Legislative Services

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ncs/ljm

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