

SENATE BILL 316

R5

5lr0523

By: ~~Senators Ramirez and Montgomery~~, Montgomery, Zirkin, Brochin, Cassilly, Gladden, Hough, Lee, Muse, Norman, Raskin, and Ready

Introduced and read first time: February 5, 2015

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 3, 2015

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Obstruction Hanging From Rearview Mirror – Enforcement**

3 FOR the purpose of providing for enforcement only as a secondary offense for a violation of
4 the prohibition under certain circumstances against a person driving a vehicle on a
5 highway with any object, material, or obstruction hanging from the rearview mirror
6 under certain circumstances.

7 BY repealing and reenacting, with amendments,

8 Article – Transportation

9 Section 21–1104

10 Annotated Code of Maryland

11 (2012 Replacement Volume and 2014 Supplement)

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

14 **Article – Transportation**

15 21–1104.

16 (a) A person may not drive a vehicle if it is so loaded or there is in the front seat
17 so many passengers as to:

18 (1) Obstruct the view of the driver to the front or sides of the vehicle; or

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) Interfere with the control of the driver over the driving mechanism of
2 the vehicle.

3 (b) A passenger in a vehicle may not ride in any position where he:

4 (1) Interferes with the view of the driver to the front or sides of the vehicle;
5 or

6 (2) Interferes with the control of the driver over the driving mechanism of
7 the vehicle.

8 (c) (1) Except as provided in paragraph (2) of this subsection **AND SUBJECT**
9 **TO PARAGRAPH (3) OF THIS SUBSECTION**, a person may not drive a vehicle on a highway
10 with any object, material, or obstruction so located in or on the vehicle as to interfere with
11 the clear view of the driver through the windshield.

12 (2) This subsection does not apply to:

13 (i) Required or permitted equipment of the vehicle;

14 (ii) Adjustable, nontransparent sun visors that are not attached to
15 glass; or

16 (iii) Direction, destination, or termini signs on any passenger
17 common carrier motor vehicle.

18 **(3) (I) A PERSON MAY NOT DRIVE A VEHICLE ON A HIGHWAY WITH**
19 **ANY OBJECT, MATERIAL, OR OBSTRUCTION HANGING FROM THE REARVIEW MIRROR**
20 **THAT INTERFERES WITH THE CLEAR VIEW OF THE DRIVER THROUGH THE**
21 **WINDSHIELD.**

22 **(II) A POLICE OFFICER MAY ENFORCE THIS PARAGRAPH ONLY**
23 **AS A SECONDARY ACTION WHEN THE POLICE OFFICER DETAINS A DRIVER OF A**
24 **MOTOR VEHICLE FOR A SUSPECTED VIOLATION OF ANOTHER PROVISION OF THE**
25 **CODE.**

26 (d) (1) Except as provided in paragraphs (2) and (3) of this subsection, a person
27 may not drive a vehicle with any sign, poster, card, sticker, or other nontransparent
28 material on the windshield, side wings, or side or rear windows of the vehicle.

29 (2) This subsection does not apply to:

30 (i) Materials placed on the windshield or rear window, within a 7
31 inch square area in the lower corner, or on the side windows of the vehicle to the rear of the
32 driver, if the materials are placed so as not to interfere with the driver's clear view of traffic;

1 (ii) Direction, destination, or termini signs on any passenger
2 common carrier motor vehicle; or

3 (iii) Electronic toll collection tags placed in the windshield of a vehicle
4 in accordance with the regulations of the Maryland Transportation Authority.

5 (3) The Administration shall adopt regulations to exempt from the
6 provisions of paragraph (1) of this subsection materials placed on the windshield of a vehicle
7 in compliance with security measures required by a federal or State government agency
8 and approved by the Administration.

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.