

SENATE BILL 701

R6

2lr2883

By: **Senator Klausmeier**

Introduced and read first time: February 4, 2022

Assigned to: Judicial Proceedings

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Window Tinting Materials – Private Detectives**

3 FOR the purpose of exempting under certain circumstances a vehicle owned or leased by a
4 private detective or a private detective agency from the prohibition against affixing
5 certain aftermarket window tinting materials on a vehicle; and generally relating to
6 the use of window tinting materials on a vehicle.

7 BY repealing and reenacting, with amendments,
8 Article – Transportation
9 Section 22–406(i)
10 Annotated Code of Maryland
11 (2020 Replacement Volume and 2021 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 22–406.

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

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

23 (ii) In the case of a vehicle registered under § 13–913, § 13–917, or §
24 13–937 of this article, there is affixed to any window to the immediate right or left of the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

10 (4) (i) A person who must be protected from the sun for medical reasons
11 is exempt from the provisions of paragraph (1) of this subsection if the owner has, in the
12 vehicle at the time the vehicle is stopped by a police officer, a written certification in the
13 manner and format required by the Automotive Safety Enforcement Division of the
14 Department of State Police that details the owner's medical need for tinted windows with
15 a light transmittance of less than the allowed 35%, from a physician licensed to practice
16 medicine in the State.

17 (ii) A written certification under this paragraph shall be valid for a
18 period of time that the licensed physician determines the owner needs the enhanced tinted
19 windows, not to exceed 2 years.

20 (iii) This subsection does not apply to tinting materials that **ARE:**

21 1. [Are affixed] **AFFIXED** in such a manner so as to be easily
22 removed; and

23 2. **A.** [Are being] **BEING** used to protect a child less than
24 10 years of age from the sun; **OR**

25 **B. AFFIXED TO A VEHICLE THAT IS OWNED OR**
26 **LEASED BY A PRIVATE DETECTIVE CERTIFIED, OR A PRIVATE DETECTIVE AGENCY**
27 **LICENSED, UNDER TITLE 13 OF THE BUSINESS OCCUPATIONS AND PROFESSIONS**
28 **ARTICLE.**

29 (iv) Nothing in this subsection may be construed to:

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

32 2. Prohibit a person from operating the vehicle while the
33 person for whom the written certification is required is not present in the vehicle, provided
34 that the written certification is in the vehicle; or

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

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 2022.