

Department of Legislative Services
Maryland General Assembly
2022 Session

FISCAL AND POLICY NOTE
First Reader

Senate Bill 701 (Senator Klausmeier)
Judicial Proceedings

Vehicle Laws - Window Tinting Materials - Private Detectives

This bill exempts a vehicle owned or leased by a licensed private detective (or a private detective agency) from the prohibition against affixing certain aftermarket window tinting materials on a vehicle.

Fiscal Summary

State Effect: General fund revenues decrease, likely minimally, due to the collection of fewer fines associated with window tint violations. Any changes to enforcement can be handled with existing budgeted resources.

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

Small Business Effect: Minimal.

Analysis

Current Law: A person is generally prohibited from operating specified vehicle types on a highway in the State with window tints of specified grades, as follows:

- a Class A (passenger) vehicle if any window of the vehicle has tinting materials added to the window after manufacture that do not allow a light transmittance through the window of at least 35%; and
- a Class B (for hire), Class E (truck under a specified weight and capacity), or Class M (multipurpose) vehicle if any window to the immediate right or left of the driver has window tinting materials added after manufacture of the vehicle that do not allow a light transmittance through the window of at least 35%.

A person is also prohibited from installing on a vehicle window tinting material that does not comply with these light transmittance requirements.

If a police officer observes that a vehicle is being operated with an illegally tinted window, the officer may stop the driver of the vehicle and, in addition to a citation charging the driver with the offense, issue to the driver a safety equipment repair order.

A person who must be protected from the sun for medical reasons is exempt from these restrictions if the owner has, in the vehicle at the time the vehicle is stopped by a police officer, a written certification from a physician that details the owner's medical need for tinted windows.

State Revenues: General fund revenues decrease, likely minimally, as fewer fines are collected for driving with illegally tinted windows under the bill's exemption. A reliable estimate of this revenue loss cannot be made without data regarding the percentage of such citations attributable to a violation involving vehicles owned by licensed private detectives or agencies. However, it is assumed that this situation represents a small percentage of total infractions related to improperly tinted windows and that the decrease in general fund penalty revenues is likely minimal.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

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

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km/ljm

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