

HOUSE BILL 436

R6, R5

5lr0666
CF SB 707

By: **Delegates Pena–Melnyk, Feldmark, Hutchinson, Kaufman, Kerr, Rosenberg, Ruff, Stein, ~~and Taveras~~ Taveras, and Addison**

Introduced and read first time: January 16, 2025

Assigned to: Environment and Transportation

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 25, 2025

CHAPTER _____

1 AN ACT concerning

2 **Vehicle Laws – Medical Exemption for Enhanced Tinted Windows – ~~Repeal of~~**
3 **Time Limitation**

4 FOR the purpose of repealing the 2–year time limitation on medical exemptions for
5 enhanced tinted windows ~~on certain vehicles~~ for vehicle owners with certain
6 permanent medical conditions; and generally relating to enhanced tinted windows.

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 2024 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:

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

5 (ii) In the case of a vehicle registered under § 13–913, § 13–917, or §
 6 13–937 of this article, there is affixed to any window to the immediate right or left of the
 7 driver any window tinting materials added after manufacture of the vehicle that do not
 8 allow a light transmittance through the window of at least 35%.

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

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

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

23 (ii) **1. ~~A~~ EXCEPT AS PROVIDED IN SUBSUBPARAGRAPH 2 OF**
 24 **THIS SUBPARAGRAPH, A** written certification under this paragraph shall be valid for a
 25 period of time that the licensed physician determines the owner needs the enhanced tinted
 26 windows~~],~~ not to exceed 2 years~~].~~

27 **2. IF THE LICENSED PHYSICIAN DETERMINES THAT THE**
 28 **OWNER'S MEDICAL CONDITION IS PERMANENT, A WRITTEN CERTIFICATION UNDER**
 29 **THIS PARAGRAPH SHALL BE VALID INDEFINITELY.**

30 (iii) This subsection does not apply to tinting materials that:

- 31 1. Are affixed in such a manner so as to be easily removed;
 32 and
 33 2. Are being used to protect a child less than 10 years of age
 34 from the sun.

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

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

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

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

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
10 October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.