

Department of Legislative Services

Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 436

(Delegate Pena-Melnyk, *et al.*)

Environment and Transportation

Judicial Proceedings

**Vehicle Laws - Medical Exemption for Enhanced Tinted Windows - Time
Limitation**

This bill requires the medical exemption that allows the operation of a vehicle with enhanced window tinting on a highway in the State to be valid indefinitely if a licensed physician determines that the owner's medical condition that necessitates the tinting is permanent.

Fiscal Summary

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

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

Small Business Effect: None.

Analysis

Current Law: Generally, a person may not operate certain types of vehicles on a highway in the State if the vehicle has affixed tinting materials to the windows after manufacture that do not allow a light transmittance through the window of at least 35%. This level of tinting is considered enhanced window tinting.

For any vehicle, enhanced window tinting is prohibited below the AS1 line or below five inches from the top of the front windshield. For a private passenger vehicle (*i.e.*, personal cars or trucks), the enhanced tinting is prohibited on any window of the vehicle. For other affected vehicles (including for-hire vehicles, certain larger trucks, and

multipurpose vehicles), the enhanced tinting is prohibited only on the windows to the immediate right or left of the driver. Additionally, a person is prohibited from installing any window tinting that violates these requirements.

A person who must be protected from the sun for medical reasons is exempt from the enhanced tinting prohibition if the owner has, in the vehicle at the time the vehicle is stopped by a police officer, a written certification meeting Department of State Police requirements that details the owner's medical need for enhanced tinted windows from a physician licensed to practice medicine in the State. A written certification is valid for a period of time that the licensed physician determines the owner needs the enhanced tinted windows, but the timeframe may not exceed two years.

If a police officer observes a vehicle is being operated with window tinting that violates the prohibition, the officer may stop the driver of the vehicle and, in addition to a citation charging the driver with the offense, issue a safety equipment repair order to have the tinting removed. The civil penalty for a violation is \$70.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 707 (Senator Zucker) - Judicial Proceedings.

Information Source(s): Judiciary (Administrative Office of the Courts); Department of State Police; Maryland Department of Transportation; Department of Legislative Services

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