

IN THE SENATE

SENATE BILL NO. 1022, As Amended

BY JUDICIARY AND RULES COMMITTEE

AN ACT

1 RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-944, IDAHO CODE, TO REMOVE
2 PROVISIONS REGARDING VIOLATIONS AND COMPLIANCE AND TO MAKE TECHNICAL
3 CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE
4 DATE.
5

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Section 49-944, Idaho Code, be, and the same is hereby
8 amended to read as follows:

9 49-944. STANDARDS FOR WINDSHIELDS AND WINDOWS OF MOTOR VEHICLES --
10 PROHIBITED ACTS -- PENALTY. (1) It is unlawful for any person to place, in-
11 stall, affix, or apply any window tinting film or sunscreening device to the
12 windows of any motor vehicle, except as follows:

13 (a) Nonreflective window tinting film or suncreening devices shall
14 not be applied to the windshield below the AS-1 line; if no AS-1 line is
15 identifiable on the windshield, nonreflective window tinting film or
16 sunscreening devices shall not be applied to the windshield below a line
17 extending six (6) inches below and parallel to the exposed windshield;

18 (b) Nonreflective window tinting film or sunscreening devices that
19 have a light transmission of not less than thirty-five percent (35%)
20 with a tolerance limit of plus or minus three percent (3%) and a luminous
21 reflectance of no more than thirty-five percent (35%) with a tolerance
22 limit of plus or minus three percent (3%) may be applied to the front
23 side vents, front side windows to the immediate right and left of the
24 driver, and the rear window;

25 (c) Nonreflective window tinting film or sunscreening devices that
26 have a light transmission of not less than twenty percent (20%) with a
27 tolerance limit of plus or minus three percent (3%) and a luminous re-
28 flectance of no more than thirty-five percent (35%) with a tolerance
29 limit of plus or minus three percent (3%) may be applied to the side win-
30 dows to the rear of the driver;

31 (d) Window tinting films or sunscreening devices are materials or de-
32 vices ~~which~~ that are designed to be used in conjunction with approved
33 vehicle glazing materials for the purpose of reducing the effects of the
34 sun;

35 (e) Light transmission is the ratio of the amount of total light, ex-
36 pressed in percentages, ~~which~~ that is allowed to pass through the prod-
37 uct or material to the amount of total light falling on the product or
38 material;

39 (f) Luminous reflectance is the ratio of the amount of total light, ex-
40 pressed in percentages, ~~which~~ that is reflected outward by the product
41 or material to the amount of total light falling on the product or mate-
42 rial.

1 (2) No person shall operate on the public highways, sell, or offer to
2 sell any motor vehicle with a windshield or windows ~~which~~ that are not in com-
3 pliance with the provisions of this section.

4 (3) ~~Persons who own a motor vehicle with a windshield or windows not in~~
5 ~~compliance with the provisions of this section on June 30, 1992, shall not~~
6 ~~be charged with a violation of the provisions of this section until January~~
7 ~~1, 1993. Persons owning a motor vehicle with a windshield or windows not in~~
8 ~~compliance with the provisions of this section on June 30, 1992, shall have~~
9 ~~until January 1, 1993, to obtain a certificate from the Idaho state police~~
10 ~~indicating that the person owned the motor vehicle containing a windshield~~
11 ~~or windows not in compliance with the provisions of this section on or before~~
12 ~~June 30, 1992. The certificate shall be carried in the vehicle. A person op-~~
13 ~~erating a motor vehicle with a valid certificate as provided in this subsec-~~
14 ~~tion shall not be deemed to be violating the provisions of this section on or~~
15 ~~after January 1, 1993. The Idaho state police may promulgate rules in order~~
16 ~~to implement the provisions of this section.~~

17 (4) Nonreflective window tinting film or sunscreening devices that
18 have a light transmission of not less than seventy percent (70%) plus or mi-
19 nus three percent (3%) for the front windshield and not less than twenty per-
20 cent (20%) plus or minus three percent (3%) for the windows, with a luminous
21 reflectance of no more than thirty-five percent (35%) plus or minus three
22 percent (3%) in each instance, is permitted for a motor vehicle operated by,
23 or carrying as a passenger, a person who possesses written verification from
24 a licensed physician that the operator or passenger must be protected from
25 exposure to sunlight or heat for medical reasons associated with past or cur-
26 rent treatment; such written verification shall be carried in the vehicle.

27 (5) Nothing in this section shall be construed to make illegal the op-
28 eration or sale of any motor vehicle, the windshield or windows of which are
29 composed of, covered by, or treated with, any material, substance, system,
30 or component with which the motor vehicle was sold when new or could have been
31 equipped for sale when new as standard or optional equipment from the manu-
32 facturer or authorized dealer under any United States government statute or
33 regulation governing such sale at the time of manufacture.

34 (6) Any person convicted of a violation of the provisions of this sec-
35 tion shall be guilty of an infraction.

36 SECTION 2. An emergency existing therefor, which emergency is hereby
37 declared to exist, this act shall be in full force and effect on and after
38 July 1, 2023.