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S.279

Introduced by Senators Gulick, Bray, Hardy, Lyons, Mazza, McCormack,
Perchlik, Starr, Vyhovsky, Weeks, White and Wrenner

Referred to Committee on

Date:

Subject: Motor vehicles; window tint; motor vehicle dealers; safety inspection

Statement of purpose of bill as introduced: This bill proposes to prohibit the
sale, lease, or operation of motor vehicles with factory and aftermarket window
tint in Vermont and make factory and aftermarket window tint a fail criterion
on the annual safety inspection.

An act relating to the prohibition of motor vehicle window tint

It is hereby enacted by the General Assembly of the State of Vermont:

* * * Prohibition on the Sale or Lease of

Motor Vehicles with Tinted Windows * * *

Sec. 1. 23 V.S.A. § 469 is added to read:

§ 469. PROHIBITION ON THE SALE OR LEASE OF MOTOR VEHICLES

WITH TINTED WINDOWS

No dealer shall sell, lease, or exchange a motor vehicle with tinting material
that has been painted or adhered on or over, or hung in back of, any transparent
part of a motor vehicle windshield, vent windows, or side windows located

1 immediately to the left and right of the operator or a motor vehicle with tinting
2 that is within any transparent part of a motor vehicle windshield, vent
3 windows, or side windows located immediately to the left and right of the
4 operator unless the purchaser or lessor has been granted an exemption to allow
5 for the operation of a motor vehicle with tinted windows pursuant to
6 subsection 1125(c) of this title.

7 Sec. 2. RULEMAKING; ADMINISTRATIVE PENALTIES

8 The Department of Motor Vehicles shall, unless extended by the Legislative
9 Committee on Administrative Rules, adopt amendments to the Department of
10 Motor Vehicles, Vermont Dealer Licensing and Schedule of Penalties and
11 Suspension (CVR 14-050-050) to establish an administrative penalty for
12 violating 23 V.S.A. § 469 (prohibition on the sale or lease of motor vehicles
13 with tinted windows) as added by Sec. 1 of this act to be effective not later
14 than the effective date of this act.

15 * * * Prohibition on Operation of Motor Vehicles with Tinted Windows * * *

16 Sec. 3. 23 V.S.A. § 1125 is amended to read:

17 § 1125. OBSTRUCTING WINDSHIELDS; AND WINDOWS

18 (a) Except as otherwise provided in this section, ~~a person~~ an individual
19 shall not operate a motor vehicle ~~on which~~ when the operator's view is
20 materially obstructed by either:

1 (1) material or items that have been painted or adhered on or over, or
2 hung in back of, any transparent part of a motor vehicle windshield, vent
3 windows, or side windows located immediately to the left and right of the
4 operator; or

5 (2) tinting that is within any transparent part of a motor vehicle
6 windshield, vent windows, or side windows located immediately to the left and
7 right of the operator. ~~The prohibition of this section on hanging items shall~~
8 ~~apply only when a hanging item materially obstructs the driver's view.~~

9 (b) Notwithstanding subsection (a) of this section, ~~a person~~ an individual
10 may operate a motor vehicle with material or items painted or adhered on or
11 over, or hung in back of, the windshield, vent windows, or side windows:

12 (1) in a space not over four inches high and 12 inches long in the lower
13 right-hand corner of the windshield;

14 (2) in such space as the Commissioner of Motor Vehicles may specify
15 for location of any sticker required by governmental regulation;

16 (3) in a space not over two inches high and two and one-half inches long
17 in the upper left-hand corner of the windshield;

18 (4) if the operator is ~~a person~~ an individual employed by the federal,
19 State, or local government or a volunteer emergency responder operating an
20 authorized emergency vehicle, who places any necessary equipment in back of

1 the windshield of the vehicle, provided the equipment does not interfere with
2 the operator's control of the driving mechanism of the vehicle;

3 (5) on a motor vehicle that is for sale by a licensed automobile dealer
4 prior to the sale of the vehicle, in a space not over three inches high and six
5 inches long in the upper left-hand corner of the windshield, and in a space not
6 over four inches high and 18 inches long in the upper right-hand corner of the
7 windshield; or

8 (6) if the object is a rearview mirror, or is an electronic toll-collection
9 transponder located either between the roof line and the rearview mirror post
10 or behind the rearview mirror.

11 (c) The Commissioner may grant an exemption to the prohibition of this
12 section upon application from ~~a person~~ an individual required for medical
13 reasons to be shielded from the rays of the sun and who attaches to the
14 application a document signed by a licensed physician or optometrist certifying
15 that shielding from the rays of the sun is a medical necessity. The physician or
16 optometrist certification shall be renewed every four years. However, when a
17 licensed physician or optometrist has previously certified to the Commissioner
18 that an applicant's condition is both permanent and stable, the exemption may
19 be renewed by the applicant without submission of a form signed by a licensed
20 physician or optometrist. Additionally, the window shading or tinting
21 permitted under this subsection shall be limited to the vent windows or side

1 windows located immediately to the left and right of the operator. The
2 exemption provided in this subsection shall terminate upon the transfer of the
3 approved vehicle and at that time the applicable window tinting shall be
4 removed by the seller. Furthermore, if the material described in this subsection
5 tears or bubbles or is otherwise worn to prohibit clear vision, it shall be
6 removed or replaced.

7 (d) The rear side windows and the back window may be obstructed only if
8 the motor vehicle is equipped on each side with a securely attached mirror,
9 which provides the operator with a clear view of the roadway in the rear and on
10 both sides of the motor vehicle.

11 * * * Safety Inspection * * *

12 Sec. 4. LEGISLATIVE INTENT

13 It is the intent of the General Assembly that a motor vehicle with material
14 or items that have been painted or adhered on or over, or hung in back of, any
15 transparent part of a motor vehicle windshield, vent windows, or side windows
16 located immediately to the left and right of the operator or with tinting that is
17 within any transparent part of a motor vehicle windshield, vent windows, or
18 side windows located immediately to the left and right of the operator poses a
19 danger to the operator or to other highway users unless one of the exemptions
20 in 23 V.S.A. § 1125 is met and that such a motor vehicle shall fail the annual
21 safety inspection required under 23 V.S.A. § 1222.

1 Sec. 5. RULEMAKING; PERIODIC INSPECTION MANUAL

2 The Department of Motor Vehicles shall, unless extended by the Legislative
3 Committee on Administrative Rules, adopt amendments to Department of
4 Motor Vehicles, Inspection of Motor Vehicles (CVR 14-050-022) consistent
5 with the legislative intent in Sec. 4 of this act to be effective not later than the
6 effective date of this act.

7 * * * Effective Date * * *

8 Sec. 6. EFFECTIVE DATE

9 This act shall take effect on January 1, 2025.