

1 **[ADDITION OF TINTED WINDOW LANGUAGE, S.279 (2024),**

2 ***with modifications]***

3 \* \* \* Tinted Windows \* \* \*

4 Sec. 13b. 23 V.S.A. § 1125 is amended to read:

5 § 1125. OBSTRUCTING WINDSHIELDS, AND WINDOWS

6 (a) **Prohibition.** Except as otherwise provided in this section, ~~a person~~ an  
7 individual shall not operate a motor vehicle on which material or items have  
8 been painted or adhered on or over, or hung in back of, any transparent part of  
9 a motor vehicle windshield, vent windows, or side windows located  
10 immediately to the left and right of the operator. The prohibition of this  
11 section on hanging items shall apply ~~only~~ to shading or tinting material or  
12 when a hanging item materially obstructs the driver's view.

13 (b) **General exemptions.** Notwithstanding subsection (a) of this section, ~~a~~  
14 ~~person~~ an individual may operate a motor vehicle with material or items  
15 painted or adhered on or over, or hung in back of, the windshield, vent  
16 windows, or side windows:

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

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

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

3 (4) if the operator is ~~a person~~ an individual employed by the federal,  
4 State, or local government or a volunteer emergency responder operating an  
5 authorized emergency vehicle, who places any necessary equipment in back of  
6 the windshield of the vehicle, provided the equipment does not interfere with  
7 the operator’s control of the driving mechanism of the vehicle;

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

13 (6) if the object is a rearview mirror; or is an electronic toll-collection  
14 transponder located either between the roof line and the rearview mirror post  
15 or behind the rearview mirror; or

16 (7) if the object is shading or tinting material and the visible light  
17 transmission of that shading or tinting material is not less than the level of  
18 visible light transmission required under 49 C.F.R. § 571.205, as amended.

19 (c) Medical exemption. The Commissioner may grant an exemption to the  
20 prohibition of this section upon application from ~~a person~~ an individual  
21 required for medical reasons to be shielded from the rays of the sun and who

1 attaches to the application a document signed by a licensed physician or  
2 optometrist certifying that shielding from the rays of the sun is a medical  
3 necessity. The physician or optometrist certification shall be renewed every  
4 four years. However, when a licensed physician or optometrist has previously  
5 certified to the Commissioner that an applicant’s condition is both permanent  
6 and stable, the exemption may be renewed by the applicant without submission  
7 of a form signed by a licensed physician or optometrist. Additionally, the  
8 window shading or tinting permitted under this subsection shall be limited to  
9 the vent windows or side windows located immediately to the left and right of  
10 the operator. The exemption provided in this subsection shall terminate upon  
11 the transfer of the approved vehicle and at that time the applicable window  
12 tinting shall be removed by the seller. ~~Furthermore, if the material described in~~  
13 ~~this subsection tears or bubbles or is otherwise worn to prohibit clear vision, it~~  
14 ~~shall be removed or replaced.~~

15 (d) Rear side window obstructions. The rear side windows and the back  
16 window may be obstructed only if the motor vehicle is equipped on each side  
17 with a securely attached mirror, ~~which~~ that provides the operator with a clear  
18 view of the roadway in the rear and on both sides of the motor vehicle.

19 (e) Removal. Any shading or tinting material that is painted or adhered on  
20 or over, or hung in back of, the windshield, vent windows, or side windows in

1 accordance with subdivision (b)(7) or subsection (c) of this section shall be  
2 removed if it tears, bubbles, or is otherwise worn to prohibit clear vision.

3 (f) Definition. As used in this section, “visible light transmission” means  
4 the amount of visible light that can pass through shading, tinting, or glazing  
5 material applied to or within the transparent portion of a window or windshield  
6 of a motor vehicle.

7 Sec. 13c. LEGISLATIVE INTENT; TINTED WINDOWS

8 It is the intent of the General Assembly that a motor vehicle with shading or  
9 tinting material that is not allowed under 23 V.S.A. § 1125, as amended by  
10 Sec. 13b of this act, poses a danger to the individual operating the motor  
11 vehicle, any passengers in the motor vehicle, and other highway users and that  
12 such a motor vehicle shall fail the annual safety inspection required under  
13 23 V.S.A. § 1222.

14 Sec. 13d. RULEMAKING; PERIODIC INSPECTION MANUAL; TINTED  
15 WINDOWS; OUTREACH

16 (a) The Department of Motor Vehicles shall, unless extended by the  
17 Legislative Committee on Administrative Rules, adopt amendments to  
18 Department of Motor Vehicles, Inspection of Motor Vehicles (CVR 14-050-  
19 022) consistent with the legislative intent in Sec. 13c of this act to be effective  
20 not later than the effective date of Sec. 13b of this act. **The amendments shall**  
21 **include what level of visible light transmission is required for windshields and**

1 the windows to the immediate right and left of the driver under 49 C.F.R.

2 § 571.205 as of the effective date of the amendments.

3 (b) The Department of Motor Vehicles, in consultation with the  
4 Department of Public Safety, shall implement a public outreach campaign on  
5 window tinting to provide information on the prohibitions and exceptions  
6 under 23 V.S.A. § 1125, as amended by Sec. 13b of this act, and the  
7 requirements of the Inspection of Motor Vehicles (CVR 14-050-022), with  
8 amendments adopted under the Administrative Procedure Act consistent with  
9 subsection (a) of this section, including what level of visible light transmission  
10 is currently required for windshields and the windows to the immediate right  
11 and left of the driver under 49 C.F.R. § 571.205. The Department of Motor  
12 Vehicles shall start to disseminate information as required under this  
13 subsection (b) not later than two months prior to the effective date of Sec. 13b  
14 of this act and shall disseminate information on window tinting through e-mail,  
15 bulletins, software updates, and the Department of Motor Vehicles' website.

16 ***[ALTERNATIVE FOR RUSTED BRAKE ROTOR LANGUAGE]***

17 \* \* \* Rusted Brake Rotors; Safety Inspection \* \* \*

18 **Sec. 13e. RUSTED BRAKE ROTORS; LEGISLATIVE INTENT;**

19 **BULLETIN; CONTACT INFORMATION FOR FAILURES**

20 (a) Legislative intent. It is the intent of the General Assembly that:

1           (1) the Department of Motor Vehicles provide information on the  
2           existing definition of “rust” in Department of Motor Vehicles, Inspection of  
3           Motor Vehicles (CVR 14-050-022) (Periodic Inspection Manual), which is “a  
4           condition of any swelling, delamination, or pitting,” to all inspection  
5           mechanics certified by the Commissioner of Motor Vehicles so there is  
6           consistency amongst inspection stations in how the Periodic Inspection Manual  
7           is interpreted and applied.

8           (2) that the presence of rust on brake rotors, by itself, does not constitute  
9           a failure for the purpose of the annual safety inspection required under  
10          23 V.S.A. § 1222 and that the presence of rust that is temporary, also known as  
11          surface rust, which sometimes results from the vehicle being parked for a  
12          period of time, not be sufficient for a motor vehicle to fail inspection because  
13          such rust does not cause diminished braking performance that prevents a motor  
14          vehicle from adequately stopping.

15          (b) Bulletin. The Department of Motor Vehicles shall issue a clarifying  
16          administrative bulletin to all inspection mechanics certified by the  
17          Commissioner of Motor Vehicles that:

18               (1) details the rejection criteria for rotors and drums in the Periodic  
19               Inspection Manual;

20               (2) explains the difference between surface rust and rust that is  
21               considerable for purposes of determining if the rejection criteria are met, which

1 requires that the existing rust be a condition of any swelling, delamination, or  
2 pitting; and

3 (3) provides information that an inspection mechanic should provide to  
4 the owners of a vehicle that fails inspection because of rusting on rotors and  
5 drums.

6 (c) Contact information. The Department of Motor Vehicles shall include  
7 contact information for whom, at the Department of Motor Vehicles, to contact  
8 with questions about the annual safety inspection and the Periodic Inspection  
9 Manual on all notices of failure issued by inspection mechanics certified by the  
10 Commissioner of Motor Vehicles.

11 **[CHANGES TO THE EFFECTIVE DATES HIGHLIGHTED]**

12 \* \* \* Effective Dates \* \* \*

13 Sec. 27. EFFECTIVE DATES

14 (a) Notwithstanding 1 V.S.A. § 214, this section and Sec. 21 (certificate of  
15 title exemptions; 23 V.S.A. § 2012) shall take effect retroactively on January 1,  
16 2024.

17 (b) Secs. 13b and 13c (tinted windows (23 V.S.A. § 1125)) shall take effect  
18 on July 1, 2026.

19 (c) All other sections shall take effect on July 1, 2024.