

HOUSE BILL 1235

R6

3lr3007

By: **Delegate McDermott**

Introduced and read first time: February 8, 2013

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Law Enforcement Vehicles – Tinted Windows**

3 FOR the purpose of exempting a vehicle used by a law enforcement agency from a
4 prohibition against affixing certain tinting materials to a vehicle's windows; and
5 generally relating to law enforcement.

6 BY repealing and reenacting, with amendments,
7 Article – Transportation
8 Section 22–406(i)
9 Annotated Code of Maryland
10 (2012 Replacement Volume)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
12 MARYLAND, That the Laws of Maryland read as follows:

13 **Article – Transportation**

14 22–406.

15 (i) (1) Except as provided in paragraph (4) of this subsection, a person
16 may not operate a vehicle registered under § 13–912, § 13–913, § 13–917, or § 13–937
17 of this article on a highway in this State if:

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

22 (ii) In the case of a vehicle registered under § 13–913, § 13–917,
23 or § 13–937 of this article, there is affixed to any window to the immediate right or left

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 of the driver any window tinting materials added after manufacture of the vehicle that
2 do not allow a light transmittance through the window of at least 35%.

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

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

11 (4) (i) A person who must be protected from the sun for medical
12 reasons is exempt from the provisions of paragraph (1) of this subsection if the owner
13 has, in the vehicle at the time the vehicle is stopped by a police officer, a written
14 certification that details the owner's medical need for tinted windows, from a
15 physician licensed to practice medicine in the State.

16 (ii) This subsection does not apply to tinting materials that:

17 1. Are affixed in such a manner so as to be easily
18 removed; and

19 2. Are being used to protect a child less than 10 years of
20 age from the sun.

21 (iii) Nothing in this subsection may be construed to:

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

25 2. Alter or restrict the authority of the Administrator to
26 adopt regulations regarding vehicle windows, except with respect to the light
27 transmittance requirements specified in this section.

28 **(IV) THIS SUBSECTION DOES NOT APPLY TO A VEHICLE USED**
29 **BY A LAW ENFORCEMENT AGENCY.**

30 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
31 October 1, 2013.