

SECOND REGULAR SESSION

SENATE BILL NO. 750

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RUPP.

Read 1st time January 12, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

3447S.011

AN ACT

To repeal section 307.173, RSMo, and to enact in lieu thereof one new section relating to tinted windows.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 307.173, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 307.173, to read as follows:

307.173. 1. Any person may operate a motor vehicle with front sidewing
2 vents or windows located immediately to the left and right of the driver that have
3 a sun screening device, in conjunction with safety glazing material, that has a
4 light transmission of thirty-five percent or more plus or minus three percent and
5 a luminous reflectance of thirty-five percent or less plus or minus three
6 percent. Except as provided in subsection 5 of this section, any sun-screening
7 device applied to front sidewing vents or windows located immediately to the left
8 and right of the driver in excess of the requirements of this section shall be
9 prohibited without a permit pursuant to a physician's prescription as described
10 below. A permit to operate a motor vehicle with front sidewing vents or windows
11 located immediately to the left and right of the driver that have a sun-screening
12 device, in conjunction with safety glazing material, which permits less light
13 transmission and luminous reflectance than allowed under the requirements of
14 this subsection, may be issued by the department of public safety to a person
15 having a serious medical condition which requires the use of a sun-screening
16 device if the permittee's physician prescribes its use. The director of the
17 department of public safety shall promulgate rules and regulations for the
18 issuance of the permit. The permit shall allow operation of the vehicle by any
19 titleholder or relative within the second degree by consanguinity or affinity,

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 which shall mean a spouse, each grandparent, parent, brother, sister, niece,
21 nephew, aunt, uncle, child, and grandchild of a person, who resides in the
22 household. Except as provided in subsection 2 of this section, all sun-screening
23 devices applied to the windshield of a motor vehicle are prohibited.

24 2. This section shall not prohibit labels, stickers, decalcomania, or
25 informational signs on motor vehicles or the application of tinted or solar
26 screening material to recreational vehicles as defined in section 700.010, RSMo,
27 provided that such material does not interfere with the driver's normal view of
28 the road. This section shall not prohibit factory-installed tinted glass, the
29 equivalent replacement thereof or tinting material applied to the upper portion
30 of the motor vehicle's windshield which is normally tinted by the manufacturer
31 of motor vehicle safety glass.

32 3. **No motor vehicle dealer, as defined in section 301.550, shall**
33 **sell or lease a new or used motor vehicle that does not comply with the**
34 **provisions of this section. The motor vehicle dealer shall certify, on a**
35 **form prescribed by the director, that every motor vehicle sold by the**
36 **motor vehicle dealer complies with this section at the time of the**
37 **sale. The motor vehicle dealer shall issue the purchaser of the motor**
38 **vehicle a copy of the certification at the time of the sale and shall keep**
39 **one copy for the motor vehicle dealer's records.**

40 4. Any rule or portion of a rule, as that term is defined in section 536.010,
41 RSMo, that is created under the authority delegated in this section shall become
42 effective only if it complies with and is subject to all of the provisions of chapter
43 536, RSMo, and, if applicable, section 536.028, RSMo. This section and chapter
44 536, RSMo, are nonseverable and if any of the powers vested with the general
45 assembly pursuant to chapter 536, RSMo, to review, to delay the effective date
46 or to disapprove and annul a rule are subsequently held unconstitutional, then
47 the grant of rulemaking authority and any rule proposed or adopted after August
48 28, 2001, shall be invalid and void.

49 [4.] 5. Any person who violates the provisions of this section is guilty of
50 an infraction.

51 [5.] 6. Any vehicle licensed with a historical license plate shall be exempt
52 from the requirements of this section.

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