Representative Karianne Lisonbee proposes the following substitute bill:

1 **MOTOR VEHICLE SAFETY INSPECTION MODIFICATIONS**

2 2024 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Karianne Lisonbee**

5 Senate Sponsor: Daniel McCay

6

7 **LONG TITLE**

8 **General Description:**

9 This bill amends provisions relating to window tinting.

10 **Highlighted Provisions:**

11 This bill:

12 ▸ enacts a provision allowing a peace officer to stop a vehicle for improper side

13 window tinting only if the peace officer has stopped the vehicle for a violation of

14 another offense; and

15 ▸ prohibits the revocation or suspension of an individual's vehicle registration or

16 driver license for a window tinting violation.

17 **Money Appropriated in this Bill:**

18 None

19 **Other Special Clauses:**

20 None

21 **Utah Code Sections Affected:**

22 AMENDS:

23 **41-6a-1635**, as last amended by Laws of Utah 2022, Chapter 183

24

25 *Be it enacted by the Legislature of the state of Utah:*

26   Section 1. Section **41-6a-1635** is amended to read:

27   **41-6a-1635. Windshields and windows -- Tinting -- Obstructions reducing**

28 **visibility -- Wipers -- Prohibitions.**

29   (1) Except as provided in Subsections (2), (3), and (4) a person may not operate a

30 motor vehicle with:

31   (a) a windshield that allows less than 70% light transmittance;

32   (b) a front side window that allows less than 35% light transmittance, with no more

33 than a 5% variance observed by a peace officer metering the light transmittance;

34   (c) any windshield or window that is composed of, covered by, or treated with any

35 material or component that presents a metallic or mirrored appearance;

36   (d) any sign, poster, or other nontransparent material on the windshield or side

37 windows of the motor vehicle except:

38   (i) a certificate or other paper required to be so displayed by law; or

39   (ii) the vehicle's identification number displayed or etched in accordance with rules

40 made by the department under Section 41-6a-1601; or

41   (e) any debris, frost, or other substance that materially obstructs the operator's view.

42   (2) (a) A person may not operate a motor vehicle with an object or device hanging or

43 mounted in a manner that materially obstructs the operator's view.

44   (b) A person shall ensure that an object or device hanging or mounted in compliance

45 with Subsection (2)(a) is used in accordance with this chapter.

46   (3) Nontransparent materials may be used:

47   (a) along the top edge of the windshield if the materials do not extend downward more

48 than four inches from the top edge of the windshield or beyond the AS-1 line whichever is

49 lowest;

50   (b) in the lower left-hand corner of the windshield provided they do not extend more

51 than three inches to the right of the left edge or more than four inches above the bottom edge of

52 the windshield; or

53   (c) on the rear windows including rear side windows located behind the vehicle

54 operator.

55   (4) A windshield or other window is considered to comply with the requirements of

56 Subsection (1) if the windshield or other window meets the federal statutes and regulations for

57 motor vehicle window composition, covering, light transmittance, and treatment.

58   (5) Except for material used on the windshield in compliance with Subsections (3)(a)

59 and (b), a motor vehicle with tinting or nontransparent material on any window shall be

60 equipped with rear-view mirrors mounted on the left side and on the right side of the motor

61 vehicle to reflect to the driver a view of the highway to the rear of the motor vehicle.

62   (6) (a) (i) The windshield on a motor vehicle shall be equipped with a device for

63 cleaning rain, snow, or other moisture from the windshield.

64   (ii) The device shall be constructed to be operated by the operator of the motor vehicle.

65   (b) A windshield wiper on a motor vehicle shall be maintained in good working order.

66   (7) A person may not have for sale, sell, offer for sale, install, cover, or treat a

67 windshield or window in violation of this section.

68   (8) Notwithstanding this section, any person subject to the federal Motor Vehicle

69 Safety Standards, including motor vehicle manufacturers, distributors, dealers, importers, and

70 repair businesses, shall comply with the federal standards on motor vehicle window tinting.

71   (9) A violation of this section is an infraction.

72   Ĥ➔ [(10) A peace officer may only enforce Subsection (1)(b) when the peace officer has

73 detained the operator of a motor vehicle for a suspected violation of another section in Title 41,

74 Motor Vehicles, or for another offense.] ←Ĥ

75   Ĥ➔ [(11)] (10) ←Ĥ The Motor Vehicle Division or Driver License Division may not revoke

75a or

76 suspend an individual's vehicle registration or driver license for a violation or multiple

77 violations of Subsection (1)(a) or (b).

78   Section 2. **Effective date.**

79   This bill takes effect on May 1, 2024.