

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1134 Session of
1997

INTRODUCED BY MAITLAND, LYNCH, KENNEY, HENNESSEY, GODSHALL, LEH,
SATHER, HUTCHINSON, HESS, MILLER, ROHRER, ROBERTS AND
CORNELL, APRIL 2, 1997

REFERRED TO COMMITTEE ON TRANSPORTATION, APRIL 2, 1997

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, providing for the use of interior lights; and
3 further providing for the use of sun screening.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 75 of the Pennsylvania Consolidated
7 Statutes is amended by adding a section to read:

8 § 4309. Use of interior light.

9 The operator of a vehicle equipped with an interior light,
10 when stopped by a law enforcement officer during the period when
11 lighted lamps are required under section 4302 (relating to
12 periods for requiring lighted lamps), shall activate an interior
13 light of the vehicle in order to illuminate the operator's
14 compartment of the vehicle. Any person who purposely refuses to
15 comply with this section commits a summary offense.

16 Section 2. Section 4524(e) of Title 75 is amended to read:

17 § 4524. Windshield obstructions and wipers.

18 * * *

1 (e) Sun screening and other materials prohibited.--

2 [(1) No person shall drive any motor vehicle with any
3 sun screening device or other material which does not permit
4 a person to see or view the inside of the vehicle through the
5 windshield, side wing or side window of the vehicle.

6 (2) This subsection does not apply to:

7 (i) A vehicle which is equipped with tinted windows
8 of the type and specification that were installed by the
9 manufacturer of the vehicle or to any hearse, ambulance,
10 government vehicle or any other vehicle for which a currently
11 valid certificate of exemption has been issued in accordance
12 with regulations adopted by the department.

13 (ii) A vehicle which is equipped with tinted
14 windows, sun screening devices or other materials which
15 comply with all applicable Federal regulations and for
16 which a currently valid certificate of exemption for
17 medical reasons has been issued in accordance with
18 regulations adopted by the department.

19 (3) A certificate of exemption shall be issued by the
20 department for a vehicle which is:

21 (i) Registered in this Commonwealth on the effective
22 date of this subsection and is equipped with a sun
23 screening device or other material prohibited under
24 paragraph (1) on the effective date.

25 (ii) Equipped with tinted windows, sun screening
26 devices or other materials for a physical condition that
27 makes it necessary to equip the motor vehicle with sun
28 screening material which would be of a light
29 transmittance or luminous reflectance in violation of
30 this section.

1 (A) A certificate of exemption for medical
2 reasons shall be issued only if the owner or
3 registrant of the vehicle, or a person residing in
4 the household of the owner or registrant who
5 regularly drives or is driven in the vehicle, suffers
6 from a physical condition determined by the
7 department, in consultation with the Medical Advisory
8 Board, to justify the exemption.

9 (B) Any person requesting an exemption for
10 medical reasons shall have his physical condition
11 certified to the department by a licensed physician
12 or optometrist.

13 (4) A certificate of exemption issued under this
14 subsection shall be carried in the vehicle and displayed on
15 request of a police officer.

16 (5) Upon the sale or transfer of the vehicle to any
17 person who does not qualify under paragraph (2)(ii), the
18 exemption shall be null and void. Prior to the sale or
19 transfer of an exempt vehicle, it shall be the sole
20 responsibility of the owner or seller of a formerly exempt
21 vehicle to remove all sun screening or other materials from
22 the vehicle. At the time of the sale or transfer of a
23 formerly exempt vehicle, the owner shall remove and destroy
24 the certificate of exemption for physical reasons and provide
25 the purchaser with a notarized statement setting forth the
26 name and address of the owner or seller, the vehicle
27 identification number, year and model, and the business
28 entity and process used to remove the sun screening or other
29 material.]

30 (1) No person may operate on any public highway, road or

1 street a motor vehicle that is registered or required to be
2 registered in this Commonwealth that has a sun screening
3 device on the windshield, the front side wings and side
4 windows adjacent to the right and left of the driver and
5 windows adjacent to the rear of the driver that does not meet
6 the requirements of this subsection.

7 (2) Nothing in this section shall prohibit the use of
8 any product or materials along the top edge of the windshield
9 so long as such product and materials are transparent and do
10 not encroach upon the AS-1 portion of the windshield.

11 (3) The provisions of this subsection shall not apply to
12 the use of any aftermarket sunscreening device that
13 duplicates, to exact specifications, a sunscreening device
14 available from the manufacturer as an option.

15 (4) A sun screening device when used in conjunction with
16 the automotive safety glazing materials of the side wings or
17 side windows located at the immediate right and left of the
18 driver shall be a nonreflective type with reflectivity of not
19 more than 15% and have a light transmission of not less than
20 35%. A sun screening device when used in conjunction with the
21 automotive safety glazing materials on the rear side windows
22 and the rearmost windows shall be a nonreflective type with
23 reflectivity of not more than 15% and have a light
24 transmission of not less than 35%. If a sun screening device
25 is used on glazing behind the driver, one right and one left
26 outside rearview mirror is required.

27 (5) Each manufacturer shall:

28 (i) Certify to the department that a sun screening
29 device used by it is in compliance with the reflectivity
30 and transmittance requirements of this subsection.

1 (ii) Provide a label not to exceed one and one-half
2 square inches in size, with a means for the permanent and
3 legible installations between the sun screening material
4 and each glazing surface to which it is applied that
5 contains the manufacturer's name and its percentage of
6 light transmission.

7 (iii) Include instructions with the product or
8 material for proper installation, including the affixing
9 of the label specified in this subsection. The labeling
10 or marking must be placed in the left lower corner of
11 each glazing surface when facing the vehicle from the
12 outside.

13 (6) No person may:

14 (i) Offer for sale or for use any sun screening
15 product or material for motor vehicle use not in
16 compliance with this subsection.

17 (ii) Install any sun screening product or material
18 on vehicles intended for use on public roads without
19 permanently affixing the label specified in this
20 subsection.

21 (7) This subsection does not apply to a vehicle which is
22 equipped with tinted windows of the type and specification
23 that were installed by the manufacturer of the vehicle or to
24 any hearse, ambulance or government vehicle. The light
25 transmittance requirement of this subsection does not apply
26 to windows behind the driver on trucks, buses, trailers,
27 mobile homes and multipurpose passenger vehicles which are
28 constructed on a truck chassis or equipped by the
29 manufacturer with special features for occasional off-road
30 operations.

1 (8) A person who violates the provisions of this
2 subsection commits a summary offense.

3 (9) The department shall approve devices which police
4 officers may use to measure the degree of tinting of windows
5 for the purpose of enforcing compliance with this subsection.

6 (10) As used in this subsection:

7 "Bus." A motor vehicle with motive power, except a
8 trailer, designed for carrying more than ten persons.

9 "Light transmission." The ratio of the amount of total
10 light to pass through a product or material to the amount of
11 the total light falling on the product or material. A 7%
12 tolerance shall be allowed when checking the light
13 transmission for enforcement purposes.

14 "Luminous reflectants." The ratio of the amount of total
15 light that is reflected outward by the product or material to
16 the amount of the total light falling on the product or
17 material.

18 "Manufacturer." Any person engaged in the manufacturing
19 or assembling of sun screening products or materials designed
20 to be used in conjunction with vehicle glazing materials for
21 the purpose of reducing the effects of the sun.

22 "Motor homes." Vehicular units designed to provide
23 temporary living quarters built into and an integral part of
24 or permanently attached to a self-propelled motor vehicle
25 chassis.

26 "Multipurpose passenger vehicle." A motor vehicle with
27 motive power, except a trailer, designed to carry ten persons
28 or less which is constructed either on a truck chassis or
29 with special features for occasional off-road operation.

30 "Nonreflective." A product or material designed to

1 absorb light rather than to reflect it.

2 "Sun screening device." Film material or device that is
3 designed to be used in conjunction with motor vehicle safety
4 glazing materials for reducing the effect of the sun.

5 Section 3. This act shall take effect in 120 days.