

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2665 Session of
2004

INTRODUCED BY PRESTON, BOYD, CRAHALLA, CRUZ, DeLUCA, DENLINGER,
DONATUCCI, FICHTER, FRANKEL, HORSEY, JAMES, KIRKLAND,
LEDERER, MARKOSEK, PALLONE, PISTELLA, READSHAW, SAYLOR,
SCAVELLO, SCRIMENTI, STERN, J. TAYLOR, THOMAS, WALKO,
WASHINGTON, WEBER, WRIGHT AND YOUNGBLOOD, JUNE 7, 2004

REFERRED TO COMMITTEE ON TRANSPORTATION, JUNE 7, 2004

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for requirements, prohibitions
3 and penalties relating to windshield tinting or sun
4 screening.

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

7 Section 1. Section 4524(e) of Title 75 of the Pennsylvania
8 Consolidated Statutes is amended to read:

9 § 4524. Windshield obstructions and wipers.

10 * * *

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

12 (1) [No person shall drive any motor vehicle with any
13 sun screening device or other material which does not permit
14 a person to see or view the inside of the vehicle through the
15 windshield, side wing or side window of the vehicle.] No
16 person shall operate any motor vehicle with any sun screening
17 device or other material which does not allow at least 70%

1 light transmittance through the front windshield, side wing,
2 side window or rear window of the vehicle.

3 (2) This subsection does not apply to:

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

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

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

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

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

28 (A) A certificate of exemption for medical
29 reasons shall be issued only if the owner or
30 registrant of the vehicle, or a person residing in

1 the household of the owner or registrant who
2 regularly drives or is driven in the vehicle, suffers
3 from a physical condition determined by the
4 department, in consultation with the Medical Advisory
5 Board, to justify the exemption.

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

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

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

27 (6) A person who operates a vehicle having sun screening
28 or tinting material on its windshield, side wing, side window
29 or rear window in violation of this section commits a summary
30 offense and shall, upon conviction, be sentenced to pay a

1 fine of \$100 for the first offense, a fine of \$200 for the
2 second offense and a registration plate suspension for 30
3 days for the third offense.

4 * * *

5 Section 2. This act shall take effect in 60 days.