

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 908 Session of 2009

INTRODUCED BY M. SMITH, BRENNAN, CALTAGIRONE, HARHAI, HENNESSEY, HESS, KORTZ, MAHONEY, PHILLIPS, QUINN, ROHRER, SIPTROTH, VULAKOVICH, WALKO AND YOUNGBLOOD, MARCH 12, 2009

REFERRED TO COMMITTEE ON TRANSPORTATION, MARCH 12, 2009

AN ACT

1 Amending Title 75 (Vehicles) of the Pennsylvania Consolidated
2 Statutes, further providing for prohibitions relating to sun
3 screening and other materials.

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

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

8 § 4524. Windshield obstructions and wipers.

9 * * *

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

11 (1) No person shall drive any motor vehicle with any sun
12 screening device or other material which does not permit a
13 person to see or view the inside of the vehicle through the
14 windshield, side wing or side window of the vehicle.

15 (2) This subsection does not apply to:

16 (i) A vehicle which is equipped with tinted windows
17 of the type and specification that were installed by the
18 manufacturer of the vehicle or to any hearse, ambulance,

1 government vehicle or any other vehicle for which a
2 currently valid certificate of exemption has been issued
3 in accordance with regulations adopted by the department.

4 (ii) A vehicle which is equipped with tinted
5 windows, sun screening devices or other materials which
6 comply with all applicable Federal regulations and for
7 which a currently valid certificate of exemption for
8 medical reasons has been issued in accordance with
9 regulations adopted by the department.

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

12 (i) Registered in this Commonwealth on the effective
13 date of this subsection and is equipped with a sun
14 screening device or other material prohibited under
15 paragraph (1) on the effective date.

16 (ii) Equipped with tinted windows, sun screening
17 devices or other materials for a physical condition that
18 makes it necessary to equip the motor vehicle with sun
19 screening material which would be of a light
20 transmittance or luminous reflectance in violation of
21 this section. The following apply:

22 (A) [A] (I) Except as set forth in subclause
23 (II), a certificate of exemption for medical
24 reasons shall be issued only if the owner or
25 registrant of the vehicle, or a person residing
26 in the household of the owner or registrant who
27 regularly drives or is driven in the vehicle,
28 suffers from a physical condition determined by
29 the department, in consultation with the Medical
30 Advisory Board, to justify the exemption.

1 (II) If the person suffers from the physical
2 condition oculocutaneous albinism, the department
3 shall issue a certificate of exemption due to
4 medical reasons, provided the condition is
5 certified in accordance with clause (B). An
6 exemption under this subclause shall permit the
7 use of a sun screening device of a nonreflective
8 type with reflectivity of not more than 15% used
9 in conjunction with the automotive safety glazing
10 materials on the front side wings and side
11 windows adjacent to the right and left of the
12 driver.

13 (B) Any person requesting an exemption for
14 medical reasons shall have his physical condition
15 certified to the department by a licensed physician
16 or optometrist.

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

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

1 identification number, year and model, and the business
2 entity and process used to remove the sun screening or other
3 material.

4 * * *

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