

MEMO



DEC 13 2010

Senate of Pennsylvania

December 10, 2010

TO: ALL SENATORS

FROM: Stewart J. Greenleaf

Stewart

SUBJECT: Cosponsorship -- **Window tinting as an unfair trade practice**

I am reintroducing **Senate Bill 188**, amending the Unfair Trade Practices and Consumer Protection Law (1968 Act 387), to make it an unfair trade practice to contract with a consumer to make alterations to a motor vehicle, including window tinting, without disclosing to the consumer that the alterations will put the motor vehicle in violation of the State motor vehicle safety inspection law.

As a general rule, light transmittance through all vehicle windows must be greater than 70%. Companies that provide window tinting sometimes tint the windows of an automobile to a level that is in violation of Pennsylvania law. The Bureau of Consumer Protection in the Office of Attorney General issued a consumer advisory to motorists who wish to tint their automobile windows. The advisory states: "Businesses that tint car windows may charge hundreds of dollars for their services and never tell you that your new windows do not conform to the Pennsylvania Vehicle Code. Some window tint retailers try to defraud consumers by offering illegal tint levels of 50, 20, or even 10% light transmittance levels."

While the Attorney General has considered the installation of non-conforming window tinting as a violation of the unfair trade practices law, the definition of "unfair methods of competition" and "unfair or deceptive acts or practices" does not specifically include alterations or modifications made to a motor vehicle, including window tinting, that will put the motor vehicle in violation of the State motor vehicle safety inspection law and regulations.

My legislation will provide protection to unsuspecting motorists. Many young drivers have their vehicles detailed without giving any consideration to whether the modifications will put their vehicle out of compliance with safety standards.

The bill will be redrafted this session as an amendment to the Vehicle Code, Title 75 of the Pennsylvania Consolidated Statutes, and include a new provision requiring that window tinting be included as part of the State vehicle safety inspection process. The window tinting law is also important because of the need for police officers to view the inside of cars during traffic stops. Motorists in cars with illegal tinting may be trying to conceal weapons behind the tinted glass.

If you would like to cosponsor this legislation, please contact Pat Snively of my office by e-mailing her at psnively@pasen.gov.