

SECOND REGULAR SESSION

# SENATE BILL NO. 895

90TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR STAPLES.

Read 1st time January 24, 2000, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

4076S.011

## AN ACT

To repeal section 307.173, RSMo Supp. 1999, relating to window tinting of motor vehicles, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 307.173, RSMo Supp. 1999, is repealed and one new section enacted in lieu thereof, to be known as section 307.173, to read as follows:

307.173. 1. [Except as provided in subsections 2 and 6 of this section, no person shall operate any motor vehicle registered in this state on any public highway or street of this state with any manufactured vision-reducing material applied to any portion of the motor vehicle's windshield, sidewings, or windows located immediately to the left and right of the driver which reduces visibility from within or without the motor vehicle. This section shall not prohibit labels, stickers, decalcomania, or informational signs on motor vehicles or the application of tinted or solar screening material to recreational vehicles as defined in section 700.010, RSMo, provided that such material does not interfere with the driver's normal view of the road. This section shall not prohibit factory installed tinted glass, the equivalent replacement thereof or tinting material applied to the upper portion of the motor vehicle's windshield which is normally tinted by the manufacturer of motor vehicle safety glass.] **Except as provided in subsections 2 and 6 of this section, no person shall operate a motor vehicle registered in this state on a public highway or street of this state with manufactured vision-reducing material applied to the vehicle's windshield, sidewings or windows located immediately to the left and right of the driver which reduces visibility inside or outside of the vehicle, if the sun**

**EXPLANATION--Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

**screening material has a light transmission of thirty-five percent or less, plus or minus three percent, and a luminous reflectance of thirty-five percent or more, plus or minus three percent. Except as provided in subsections 2 and 6 of this section, no person shall install on a motor vehicle registered in this state manufactured vision-reducing material applied to the vehicle's windshield, sidewings or windows located immediately to the left and right of the driver which reduces visibility inside or outside of the vehicle, if the sun screening material has a light transmission of thirty-five percent or less, plus or minus three percent, and a luminous reflectance of thirty-five percent or more, plus or minus three percent.**

2. [A permit to operate a motor vehicle with a front sidewing vent or window that has a sun screening device, in conjunction with safety glazing material, that has a light transmission of thirty-five percent or more plus or minus three percent and a luminous reflectance of thirty-five percent or less plus or minus three percent may be issued by the department of public safety to a person having a physical disorder requiring the use of such vision-reducing material. If, according to the permittee's physician, the physical disorder requires the use of a sun screening device which permits less light transmission and luminous reflectance than allowed under the requirements of this subsection, the limits of this subsection may be altered for that permittee in accordance with the physician's prescription.] **The department of public safety may issue a permit to operate a motor vehicle with a windshield, sidewing or window that has a sun screening device permitting less light transmission and more luminous reflectance than allowed pursuant to subsection 1 of this section. A person is eligible for such a permit if, according to the person's physician, the person has a physical disorder which requires the use of such a sun screening device. The permit shall alter the limits of subsection 1 of this section pursuant to the physician's prescription.** The director of the department of public safety shall promulgate rules and regulations for the issuance of [the permit] **such permits.** [The permit] **Such permits** shall allow operation of the vehicle by immediate family members who are husband, wife and sons or daughters, **and** who reside in the household.

3. A motor vehicle in violation of this section shall not be approved during any motor vehicle safety inspection required pursuant to sections 307.350 to 307.390.

4. No rule or portion of a rule promulgated [under the authority of] **pursuant to** this chapter shall become effective unless it has been promulgated pursuant to the provisions of [section 536.024] **chapter 536**, RSMo.

5. Any person who violates the provisions of this section is guilty of a class C misdemeanor.

6. Any vehicle licensed with a historical license plate shall be exempt from the requirements of this section.

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