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House BILL NO. 180

INTRODUCED BY

Clark Foster Brainard Malvine McKee

BY REQUEST OF THE DEPARTMENT OF JUSTICE

A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE LAW RELATING TO MOTOR VEHICLE WINDOW TINTING; AND AMENDING SECTION 61-9-405, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 61-9-405, MCA, is amended to read:

"61-9-405. Windshields to be unobstructed and equipped with wipers -- window tinting and sunscreening -- restrictions -- exemptions. (1) A person may not drive a motor vehicle with any sign, poster, or other nontransparent material upon the front windshield, side wings, or side or rear windows of the vehicle that obstructs the driver's clear view of the highway or any intersecting highway.

(2) The windshield on each motor vehicle must be equipped with a device for clearing rain, snow, or other moisture from the windshield.

(3) Each windshield wiper upon a motor vehicle must be maintained in good working order.

(4) A person may not operate a motor vehicle that is required to be registered in this state upon a highway if:

(a) the windshield has any suncreening material that is not clear and transparent below the AS-1 line or if it has a sunscreening material that is red, yellow, or amber in color above the AS-1 line;

(b) the front side windows have any sunscreening or other transparent material that has a luminous reflectance of more than 35% or has light transmission of less than ~~35%~~ 24%;

(c) the rear window or side windows behind the front seat have sunscreening or other transparent material that has a luminous reflectance of more than 35% or has light transmission of less than ~~20%~~ 14%, except for the rear window or side windows behind the front seat on a multipurpose vehicle, van, or bus; or

(d) the windows of a camper, motor home, pickup cover, slide-in camper, or other motor vehicle do not meet the standards for safety glazing material specified by federal law in 49 CFR 571.205.

(5) As used in 61-9-428, 61-9-429, and this section, the following definitions apply:

1 (a) "Camper" means a structure designed to be mounted in the cargo area of a truck or attached
2 to an incomplete vehicle for the purpose of providing shelter for persons.

3 (b) "Glass-plastic glazing material" means a laminate of one or more layers of glass and one or
4 more layers of plastic in which a plastic surface of the glazing faces inward when the glazing is installed
5 in a vehicle.

6 (c) "Light transmission" means the ratio of the amount of total light, expressed in percentages, that
7 is allowed to pass through the sunscreening or transparent material to the amount of total light falling on
8 the motor vehicle window.

9 (d) "Luminous reflectance" means the ratio of the amount of total light, expressed in percentages,
10 that is reflected outward by the sunscreening or transparent material to the amount of total light falling on
11 the motor vehicle window.

12 (e) "Motor home" means a multipurpose passenger vehicle that provides living accommodations.

13 (f) "Multipurpose vehicle" means a motor vehicle designed to carry 10 or fewer passengers that
14 is constructed on a truck chassis or with special features for occasional off-road use.

15 (g) "Pickup cover" means a camper having a roof and sides but without a floor designed to be
16 mounted on and removable from the cargo area of a pickup truck by the user.

17 (h) "Slide-in camper" means a camper having a roof, floor, and sides designed to be mounted on
18 and removable from the cargo area of a truck by the user.

19 (i) "Sunscreening material" means a film, material, tint, or device applied to motor vehicle windows
20 for the purpose of reducing the effects of the sun.

21 (6) Except as provided in subsection (7), subsection (4) applies to all vehicles that are equipped
22 with tinted windows, including windows with less than 100% light transmission to which additional
23 sunscreening material has been applied.

24 ~~(6)(7)~~ Subsection (4) does not apply to a multipurpose vehicle that is equipped with tinted windows
25 of the type and specifications that were installed by the manufacturer of the vehicle or to any hearse,
26 ambulance, government vehicle, or any other vehicle to which a currently valid certificate of waiver is
27 affixed as specified under 61-9-428. A certificate of waiver must be issued by the department for a vehicle
28 that ~~is~~ was registered in this state on October 1, 1991, and ~~is~~ was equipped with a sunscreening device
29 or other material prohibited under subsection (4) on October 1, 1991."

30 -END-

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 2 INTRODUCED BY Clay Foster Brainerd Malvern McKee
 3 BY REQUEST OF THE DEPARTMENT OF JUSTICE
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5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE LAW RELATING TO MOTOR VEHICLE
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 13 or other nontransparent material upon the front windshield, side wings, or side or rear windows of the
 14 vehicle that obstructs the driver's clear view of the highway or any intersecting highway.

15 (2) The windshield on each motor vehicle must be equipped with a device for clearing rain, snow,
 16 or other moisture from the windshield.

17 (3) Each windshield wiper upon a motor vehicle must be maintained in good working order.

18 (4) A person may not operate a motor vehicle that is required to be registered in this state upon
 19 a highway if:

20 (a) the windshield has any sunscreening material that is not clear and transparent below the AS-1
 21 line or if it has a sunscreening material that is red, yellow, or amber in color above the AS-1 line;

22 (b) the front side windows have any sunscreening or other transparent material that has a luminous
 23 reflectance of more than 35% or has light transmission of less than ~~35%~~ 24%;

24 (c) the rear window or side windows behind the front seat have sunscreening or other transparent
 25 material that has a luminous reflectance of more than 35% or has light transmission of less than ~~20%~~ 14%,
 26 except for the rear window or side windows behind the front seat on a multipurpose vehicle, van, or bus;
 27 or

28 (d) the windows of a camper, motor home, pickup cover, slide-in camper, or other motor vehicle
 29 do not meet the standards for safety glazing material specified by federal law in 49 CFR 571.205.

30 (5) As used in 61-9-428, 61-9-429, and this section, the following definitions apply:

1 (a) "Camper" means a structure designed to be mounted in the cargo area of a truck or attached
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3 (b) "Glass-plastic glazing material" means a laminate of one or more layers of glass and one or
4 more layers of plastic in which a plastic surface of the glazing faces inward when the glazing is installed
5 in a vehicle.

6 (c) "Light transmission" means the ratio of the amount of total light, expressed in percentages, that
7 is allowed to pass through the sunscreening or transparent material to the amount of total light falling on
8 the motor vehicle window.

9 (d) "Luminous reflectance" means the ratio of the amount of total light, expressed in percentages,
10 that is reflected outward by the sunscreening or transparent material to the amount of total light falling on
11 the motor vehicle window.

12 (e) "Motor home" means a multipurpose passenger vehicle that provides living accommodations.

13 (f) "Multipurpose vehicle" means a motor vehicle designed to carry 10 or fewer passengers that
14 is constructed on a truck chassis or with special features for occasional off-road use.

15 (g) "Pickup cover" means a camper having a roof and sides but without a floor designed to be
16 mounted on and removable from the cargo area of a pickup truck by the user.

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18 and removable from the cargo area of a truck by the user.

19 (i) "Sunscreening material" means a film, material, tint, or device applied to motor vehicle windows
20 for the purpose of reducing the effects of the sun.

21 (6) Except as provided in subsection (7), subsection (4) applies to all vehicles that are equipped
22 with tinted windows, including windows with less than 100% light transmission to which additional
23 sunscreening material has been applied.

24 ~~(6)~~(7) Subsection (4) does not apply to a multipurpose vehicle that is equipped with tinted windows
25 of the type and specifications that were installed by the manufacturer of the vehicle or to any hearse,
26 ambulance, government vehicle, or any other vehicle to which a currently valid certificate of waiver is
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(2) The windshield on each motor vehicle must be equipped with a device for clearing rain, snow, or other moisture from the windshield.

(3) Each windshield wiper upon a motor vehicle must be maintained in good working order.

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or

(d) the windows of a camper, motor home, pickup cover, slide-in camper, or other motor vehicle do not meet the standards for safety glazing material specified by federal law in 49 CFR 571.205.

(5) As used in 61-9-428, 61-9-429, and this section, the following definitions apply:

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3 (b) "Glass-plastic glazing material" means a laminate of one or more layers of glass and one or
4 more layers of plastic in which a plastic surface of the glazing faces inward when the glazing is installed
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13 (f) "Multipurpose vehicle" means a motor vehicle designed to carry 10 or fewer passengers that
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3 BY REQUEST OF THE DEPARTMENT OF JUSTICE

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