

By: Representative Compretta

To: Transportation

HOUSE BILL NO. 949

1 AN ACT TO AMEND SECTION 63-7-59, MISSISSIPPI CODE OF 1972, TO
 2 DELETE THE REQUIREMENT THAT THE DEPARTMENT OF PUBLIC SAFETY ISSUE
 3 CERTIFICATES AND THAT MANUFACTURERS OF TINTED FILM OR DARKENING
 4 MATERIAL FOR PLACEMENT UPON MOTOR VEHICLE WINDOWS ISSUE LABELS
 5 CERTIFYING THAT THE WINDOWS OF MOTOR VEHICLES THAT HAVE BEEN
 6 TINTED OR DARKENED COMPLY WITH THE MAXIMUM ALLOWED PERCENTAGE OF
 7 LUMINOUS REFLECTANCE AND THE MINIMUM ALLOWED PERCENTAGE OF LIGHT
 8 TRANSMITTANCE; TO PROHIBIT MOTOR VEHICLE INSPECTION STATIONS FROM
 9 ISSUING A VEHICLE INSPECTION CERTIFICATE FOR ANY VEHICLE WITH A
 10 WINDSHIELD OR WINDOW THAT FAILS TO MEET SUCH MAXIMUM LUMINOUS
 11 REFLECTANCE PERCENTAGE OR MINIMUM LIGHT TRANSMITTANCE PERCENTAGE;
 12 TO REQUIRE TESTS FOR LUMINOUS REFLECTANCE AND LIGHT TRANSMITTANCE
 13 BE PERFORMED USING ONLY SPECIALLY MANUFACTURED CARDS APPROVED BY
 14 THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTION 63-13-9,
 15 MISSISSIPPI CODE OF 1972, IN CONFORMITY WITH THE PROVISIONS OF
 16 THIS ACT; AND FOR RELATED PURPOSES.

17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

18 SECTION 1. Section 63-7-59, Mississippi Code of 1972, is
 19 amended as follows:

20 63-7-59. (1) No person shall drive any motor vehicle
 21 required to be registered in this state upon the public roads,
 22 streets or highways in this state with any sign or poster, or with
 23 any glazing material which causes a mirrored effect, upon the
 24 front windshield, side wings or side or rear windows of such
 25 vehicle, other than a certificate or other paper required or
 26 authorized to be so displayed by law. No person shall drive any
 27 motor vehicle required to be registered in this state upon the
 28 public roads, streets or highways in this state with any tinted
 29 film, glazing material or darkening material of any kind on the
 30 windshield of a motor vehicle except material designed to replace
 31 or provide a sun shield in the uppermost area as authorized to be
 32 installed by manufacturers of vehicles under federal law.

33 (2) * * * No person shall drive any motor vehicle required
 34 to be registered in this state upon the public roads, streets or



35 highways in this state with any window so tinted or darkened, by
36 tinted film or otherwise, unless the window:

37 (a) Has a luminous reflectance not exceeding
38 twenty percent (20%); and

39 (b) Has a light transmittance of thirty-five
40 percent (35%) or more; or

41 (c) The person has been issued a certificate of
42 exemption for the vehicle issued by * * * the Department of Public
43 Safety as * * * provided in subsection (3) of this section.

44 (3) Notwithstanding the provisions of subsections (1) and
45 (2) of this section, it shall be lawful for any person who has
46 been diagnosed by a licensed physician in this state as having a
47 physical condition or disease which is seriously aggravated by
48 minimum exposure to sunlight to place or have placed upon the
49 windshield or windows of any motor vehicle which he owns or
50 operates or within which he regularly travels as a passenger
51 tinted film or other darkening material which would otherwise be
52 in violation of this section. However, any such vehicle, in order
53 to be exempt under this subsection, shall have prominently
54 displayed on the vehicle dashboard a certificate of medical
55 exemption on a form prepared by the Commissioner of Public Safety
56 and signed by the person on whose behalf the certificate is
57 issued. The special certificate authorized by this subsection (3)
58 shall be issued free of charge to the applicants through the
59 offices of the tax collectors of the counties. Each applicant
60 shall present to the issuing official (a) an affidavit signed
61 personally by the applicant and signed and attested by a physician
62 which states the applicant's physical condition or disease which
63 entitles him to an exemption under this subsection, and (b) proof
64 of ownership of the motor vehicle by the applicant, or a signed
65 affidavit by the owner of a motor vehicle operated for the use of
66 the applicant, for which he is obtaining the certificate.



67 (4) The windshield on every motor vehicle shall be equipped
68 with a device for cleaning rain, snow or other moisture from the
69 windshield, which device shall be so constructed as to be
70 controlled or operated by the driver of the vehicle.

71 * * *

72 (5) * * * No person shall install any tinted film, darkening
73 material, glazing material or any other material upon the
74 windshield or any window of a motor vehicle which, after the
75 installation thereof, would result in such vehicle being in
76 violation of subsection (1) or (2) of this section if driven on
77 the public roads, streets or highways of this state * * *.

78 (6) No motor vehicle inspection certificate shall be
79 issued * * * for a vehicle on which the windshield or any window
80 of the vehicle has been darkened by the installation of tinted
81 film or by other means, in violation of this section, or which
82 windshield or any window of the vehicle does not comply with the
83 light transmittance requirements of subsection (2) of this
84 section, unless a certificate of exemption has been issued for the
85 vehicle under subsection (3) of this section.

86 (7) It shall be unlawful for any * * * motor vehicle
87 inspection station, or any employee thereof, to knowingly issue a
88 motor vehicle inspection certificate for a vehicle in violation of
89 this section.

90 (8) Motor vehicles * * * shall be tested for compliance with
91 the light transmittance requirements of this section only with
92 specially manufactured cards designed for such purpose and
93 approved by the Department of Public Safety. * * *

94 (9) Any person violating subsection (5) or (7) of this
95 section, upon conviction, shall be punished by a fine of not more
96 than One Thousand Dollars (\$1,000.00), or imprisonment in the
97 county jail for not more than three (3) months, or by both such
98 fine and imprisonment.



99 (10) Any violation of this section other than a violation as
100 described in subsection (9) of this section shall be punishable
101 upon conviction as provided in Section 63-9-11.

102 (11) Violations of this section shall be enforced only by
103 law enforcement officers of the Mississippi Department of Public
104 Safety and municipal law enforcement officers of municipalities
105 having a population of two thousand (2,000) or more on the public
106 roads, streets and highways under their jurisdiction.

107 (12) The Department of Public Safety shall initiate a public
108 awareness program designed to inform and educate persons of the
109 provisions of this section. Funds for such public awareness
110 program shall be available through the office of the Governor's
111 representative for highway safety programs.

112 SECTION 2. Section 63-13-9, Mississippi Code of 1972, is
113 amended as follows:

114 63-13-9. Such inspections shall be made of every such
115 vehicle, and such certificates shall be obtained with respect to
116 the mechanism, lights, tires, brakes, windshield and windows as
117 prescribed under Section 63-7-59, and equipment as shall be
118 designated by the motor vehicle inspection department by rules and
119 regulations.

120 No vehicle equipped with a liquefied petroleum or natural gas
121 carburetion system may be issued a certificate under this chapter
122 unless the vehicle shall have first been inspected and approved by
123 an inspector or qualified installer authorized by the State
124 Liquefied Compressed Gas Board to inspect and approve the
125 installation of such systems, and unless such approval is
126 exhibited to the person making the actual inspection under this
127 chapter.

128 The Commissioner of Public Safety may suspend the
129 registration of any vehicle which he determines is in such unsafe
130 condition as to constitute a menace to safety and which, after



131 notice and demand, is not equipped as required in this chapter and
132 for which a required certificate has not been obtained.

133 SECTION 3. This act shall take effect and be in force from
134 and after July 1, 2001.

