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

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

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

63-7-59. (1) No person shall drive any motor vehicle
required to be registered in this state upon the public roads,
streets or highways in this state with any sign or poster, or with
any glazing material which causes a mirrored effect, upon the
front windshield, side wings or side or rear windows of such
vehicle, other than a certificate or other paper required or
authorized to be so displayed by law. No person shall drive any
motor vehicle required to be registered in this state upon the
public roads, streets or highways in this state with any tinted
film, glazing material or darkening material of any kind on the
windshield of a motor vehicle except material designed to replace
or provide a sun shield in the uppermost area as authorized to be
installed by manufacturers of vehicles under federal law.
(2) * * * No person shall drive any motor vehicle required
to be registered in this state upon the public roads, streets or
highways in this state with any window so tinted or darkened, by
tinted film or otherwise, * * * unless the window:
* * *
(a) Has a luminous reflectance not exceeding twenty
percent (20%); and
(b) Has a light transmittance of thirty-five percent
(35%) or more; or
(c) The person has been issued a certificate of
exemption for the vehicle issued by * * * the Department of Public
Safety, as * * * provided in subsection (3) of this section.
(3) Notwithstanding the provisions of subsections (1) and
(2) of this section, it shall be lawful for any person who has
been diagnosed by a licensed physician in this state as having a
physical condition or disease which is seriously aggravated by
minimum exposure to sunlight to place or have placed upon the
windshield or windows of any motor vehicle which he owns or
operates or within which he regularly travels as a passenger
tinted film or other darkening material which would otherwise be
in violation of this section. However, any such vehicle, in order
to be exempt under this subsection, shall have prominently
displayed on the vehicle dashboard a certificate of medical
exemption on a form prepared by the Commissioner of Public Safety
and signed by the person on whose behalf the certificate is
issued. The special certificate authorized by this subsection (3)
shall be issued free of charge to the applicants through the
offices of the tax collectors of the counties. Each applicant
shall present to the issuing official (a) an affidavit signed
personally by the applicant and signed and attested by a physician
which states the applicant's physical condition or disease which
entitles him to an exemption under this subsection, and (b) proof
of ownership of the motor vehicle by the applicant, or a signed
affidavit by the owner of a motor vehicle operated for the use of
the applicant, for which he is obtaining the certificate.

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

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

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

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

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

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

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

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

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

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

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

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

The Commissioner of Public Safety may suspend the
registration of any vehicle which he determines is in such unsafe
condition as to constitute a menace to safety and which, after notice and demand, is not equipped as required in this chapter and for which a required certificate has not been obtained.

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