

By: Representative Holland

To: Judiciary B

HOUSE BILL NO. 27

1 AN ACT TO ENACT THE "LAW ENFORCEMENT PROTECTION ACT OF 2018";  
2 TO AMEND SECTION 63-7-59, MISSISSIPPI CODE OF 1972, TO ELIMINATE  
3 THE CERTIFICATE FOR MEDICAL EXEMPTION AS AN EXCEPTION TO THE  
4 WINDOW TINT LAW; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** This act shall be known as and may be cited as  
7 the "Law Enforcement Protection Act of 2018."

8 **SECTION 2.** Section 63-7-59, Mississippi Code of 1972, is  
9 amended as follows:

10 63-7-59. (1) No person shall drive any motor vehicle  
11 required to be registered in this state upon the public roads,  
12 streets or highways in this state with any sign or poster, or with  
13 any glazing material which causes a mirrored effect, upon the  
14 front windshield, side wings or side or rear windows of the  
15 vehicle, other than a certificate or other paper required or  
16 authorized to be so displayed by law. No person shall drive any  
17 motor vehicle required to be registered in this state upon the  
18 public roads, streets or highways in this state with any tinted  
19 film, glazing material or darkening material of any kind on the



20 windshield of a motor vehicle except material designed to replace  
21 or provide a sun shield in the uppermost area as authorized to be  
22 installed by manufacturers of vehicles under federal law.

23 (2) From and after July 1, 2006, no person shall drive any  
24 motor vehicle required to be registered in this state upon the  
25 public roads, streets or highways in this state with any window  
26 tinted or darkened, by tinted film or otherwise, unless \* \* \* the  
27 windshield of the vehicle has affixed to it a label as provided  
28 under subsection \* \* \* (5) of this section certifying that all the  
29 windows of the vehicle have a light transmittance of twenty-eight  
30 percent (28%) or more \* \* \*.

31 (3) The prohibitions of subsection (2) of this section shall  
32 not apply to:

33 (a) School buses, other buses used for public  
34 transportation, any bus or van owned or leased by a nonprofit  
35 organization duly incorporated under the laws of this state or any  
36 funeral home services vehicle, any limousine owned or leased by a  
37 private or public entity, or any government-owned law enforcement  
38 or fire department vehicle or any volunteer fire department  
39 vehicle;

40 (b) Any window behind the front two (2) side windows,  
41 including the rear window, of any pickup truck, van, motor home,  
42 recreational vehicle, sport utility vehicle or multipurpose  
43 vehicle that has been tinted or darkened after factory delivery to  
44 the extent that the light transmittance of the window meets the



45 minimum light transmittance requirements authorized to be  
46 installed for that window and for that vehicle under federal law  
47 or regulations before factory delivery; or

48 (c) Any other motor vehicle the windows of which have  
49 been tinted or darkened before factory delivery as permitted by  
50 federal law or federal regulations.

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

55 ( \* \* \* 5) The Department of Public Safety shall issue labels  
56 to official tint inspection stations for affixing to the  
57 windshield of every motor vehicle required to be inspected in this  
58 state with a window therein which has been tinted or darkened with  
59 any tinted film or other darkening material after factory  
60 delivery. The label shall be affixed to the lower left corner of  
61 the windshield, shall be legible from outside the vehicle, and  
62 shall indicate the label registration number, a certification of  
63 compliance with Mississippi law, and such other information as the  
64 Commissioner of Public Safety deems appropriate. The labels shall  
65 be of a type which is pressure-sensitive, self-destructive upon  
66 removal, and no larger than one (1) inch square in size. Before  
67 affixing the label, the inspection station shall conduct a test to  
68 determine that the window complies with the light transmittance  
69 requirements prescribed under subsection (2) of this section. The



70 test shall be conducted using such methods or devices as may be  
71 approved and certified not less often than annually by the  
72 Department of Public Safety. For conducting such tests, tint  
73 inspection stations shall charge and collect a fee of Five Dollars  
74 (\$5.00). Two Dollars (\$2.00) of the fee shall be retained by the  
75 inspection station, and Three Dollars (\$3.00) of the fee shall be  
76 remitted to the Department of Public Safety and may be expended,  
77 upon legislative appropriation, for the operational expenses of  
78 the department. No fee shall be charged unless a test is actually  
79 performed under this subsection \* \* \* (5). The presence of a  
80 label upon the windshield of a motor vehicle shall indicate that  
81 the person who affixed the label certifies that the windows of the  
82 vehicle meet the restrictions of subsection (2) of this section as  
83 to light transmittance.

84 ( \* \* \* 6) No person shall install any tinted film, darkening  
85 material, glazing material or any other material upon the  
86 windshield or any window of a motor vehicle which, after the  
87 installation thereof, would result in such vehicle being in  
88 violation of subsection (2) of this section.

89 ( \* \* \* 7) No label shall be issued for a vehicle on which  
90 the windshield or any window of the vehicle has been darkened by  
91 the installation of tinted film or by other means, except as  
92 authorized under this section.

93 ( \* \* \* 8) It shall be unlawful for any person to alter or  
94 reproduce any label or certificate of medical exemption approved



95 by the Commissioner of Public Safety under this section for the  
96 purpose of misleading law enforcement officers or motor vehicle  
97 inspection stations, or to knowingly use any approved label \* \* \*  
98 except as authorized by this section.

99 ( \* \* \*9) Any person violating subsection (6), (7) \* \* \* or  
100 (8) \* \* \* of this section, upon conviction, shall be punished by a  
101 fine of not more than One Thousand Dollars (\$1,000.00), or  
102 imprisonment in the county jail for not more than three (3)  
103 months, or by both such fine and imprisonment.

104 ( \* \* \*10) Any violation of this section other than a  
105 violation of subsection (6), (7) \* \* \* or (8) \* \* \* of this  
106 section shall be punishable upon conviction as provided in Section  
107 63-7-7.

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

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



119           **SECTION 3.** This act shall take effect and be in force from  
120 and after July 1, 2018.

