

By: Representatives Massengill, Steverson

To: Transportation

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1535

1 AN ACT TO AMEND SECTION 63-7-59, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE LAWS REGARDING WINDOW TINT TO REMOVE THE MEDICAL
3 EXEMPTION; TO DELETE EXCLUSIVITY OF ENFORCEMENT BY CERTAIN LAW
4 ENFORCEMENT AND DELETE THE POPULATION THRESHOLD ON WHICH MUNICIPAL
5 LAW ENFORCEMENT OFFICERS SHALL ENFORCE THE VIOLATIONS OF MOTOR
6 VEHICLE WINDOW TINT LAWS; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** 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 * * *

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

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

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



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

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

52 * * *

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

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



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

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

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



95 (* * *8) It shall be unlawful for any person to alter or
96 reproduce any label * * * approved by the Commissioner of Public
97 Safety under this section for the purpose of misleading law
98 enforcement officers or motor vehicle inspection stations, or to
99 knowingly use any approved label * * * except as authorized by
100 this section.

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

106 (* * *10) Any violation of this section other than a
107 violation of subsection (6), (7) * * * or (8) * * * of this
108 section shall be punishable upon conviction as provided in Section
109 63-7-7.

110 (* * *11) Violations of this section shall be
111 enforced * * * by law enforcement officers of the Mississippi
112 Department of Public Safety and municipal law enforcement
113 officers * * * on the public roads, streets and highways under
114 their jurisdiction.

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



120 **SECTION 2.** This act shall take effect and be in force from
121 and after July 1, 2019.

