

By: Representatives Massengill, Steverson

To: Transportation

HOUSE BILL NO. 1535
(As Passed the House)

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

27 (a) The windshield of the vehicle has affixed to it a
28 label as provided under subsection (6) of this section certifying
29 that all the windows of the vehicle have a light transmittance of
30 twenty-eight percent (28%) or more; or

31 (b) The owner or operator of the vehicle has a
32 certificate of medical exemption issued under subsection (4) of
33 this section.

34 (3) The prohibitions of subsection (2) of this section shall
35 not apply to:

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

43 (b) Any window behind the front two (2) side windows,
44 including the rear window, of any pickup truck, van, motor home,
45 recreational vehicle, sport utility vehicle or multipurpose



46 vehicle that has been tinted or darkened after factory delivery to
47 the extent that the light transmittance of the window meets the
48 minimum light transmittance requirements authorized to be
49 installed for that window and for that vehicle under federal law
50 or regulations before factory delivery; or

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

54 (4) Notwithstanding the provisions of subsection (2) of this
55 section, it shall be lawful for any person who has been diagnosed
56 by a physician licensed to practice medicine in the State of
57 Mississippi as having a physical condition or disease that is
58 seriously aggravated by minimum exposure to sunlight to place or
59 have placed upon the windshield or windows of any motor vehicle
60 which he owns or operates or within which he regularly travels as
61 a passenger tinted film or other darkening material that would
62 otherwise be in violation of this section. However, any vehicle,
63 in order to be exempt under this subsection (4), shall have
64 prominently displayed on the vehicle dashboard a certificate of
65 medical exemption on a form prepared by the Commissioner of Public
66 Safety and signed by the person on whose behalf the certificate is
67 issued. The special certificate authorized by this subsection (4)
68 shall be issued free of charge to the applicants through the
69 offices of the tax collectors of the counties. Each applicant
70 shall present to the issuing official:



71 (a) An affidavit signed personally by the applicant and
72 signed and attested by a physician which states the applicant's
73 physical condition or disease which entitles him to an exemption
74 under this subsection (4); and

75 (b) Proof of ownership of the motor vehicle by the
76 applicant, or a signed affidavit by the owner of a motor vehicle
77 operated for the use of the applicant, for which he is obtaining
78 the certificate.

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

83 (6) The Department of Public Safety shall issue labels to
84 official tint inspection stations for affixing to the windshield
85 of every motor vehicle required to be inspected in this state with
86 a window therein which has been tinted or darkened with any tinted
87 film or other darkening material after factory delivery. The
88 label shall be affixed to the lower left corner of the windshield,
89 shall be legible from outside the vehicle, and shall indicate the
90 label registration number, a certification of compliance with
91 Mississippi law, and such other information as the Commissioner of
92 Public Safety deems appropriate. The labels shall be of a type
93 which is pressure-sensitive, self-destructive upon removal, and no
94 larger than one (1) inch square in size. Before affixing the
95 label, the inspection station shall conduct a test to determine



96 that the window complies with the light transmittance requirements
97 prescribed under subsection (2) of this section. The test shall
98 be conducted using such methods or devices as may be approved and
99 certified not less often than annually by the Department of Public
100 Safety. For conducting such tests, tint inspection stations shall
101 charge and collect a fee of Five Dollars (\$5.00). Two Dollars
102 (\$2.00) of the fee shall be retained by the inspection station,
103 and Three Dollars (\$3.00) of the fee shall be remitted to the
104 Department of Public Safety and may be expended, upon legislative
105 appropriation, for the operational expenses of the department. No
106 fee shall be charged unless a test is actually performed under
107 this subsection (6). The presence of a label upon the windshield
108 of a motor vehicle shall indicate that the person who affixed the
109 label certifies that the windows of the vehicle meet the
110 restrictions of subsection (2) of this section as to light
111 transmittance.

112 (7) No person shall install any tinted film, darkening
113 material, glazing material or any other material upon the
114 windshield or any window of a motor vehicle which, after the
115 installation thereof, would result in such vehicle being in
116 violation of subsection (2) of this section.

117 (8) No label shall be issued for a vehicle on which the
118 windshield or any window of the vehicle has been darkened by the
119 installation of tinted film or by other means, except as
120 authorized under this section.



121 (9) It shall be unlawful for any person to alter or
122 reproduce any label or certificate of medical exemption approved
123 by the Commissioner of Public Safety under this section for the
124 purpose of misleading law enforcement officers or motor vehicle
125 inspection stations, or to knowingly use any approved label or
126 certificate except as authorized by this section.

127 (10) Any person violating subsection (7), (8) or (9) of this
128 section, upon conviction, shall be punished by a fine of not more
129 than One Thousand Dollars (\$1,000.00), or imprisonment in the
130 county jail for not more than three (3) months, or by both such
131 fine and imprisonment.

132 (11) Any violation of this section other than a violation of
133 subsection (7), (8) or (9) of this section shall be punishable
134 upon conviction as provided in Section 63-7-7.

135 (12) Violations of this section shall be enforced * * * by
136 law enforcement officers of the Mississippi Department of Public
137 Safety and municipal law enforcement officers * * * on the public
138 roads, streets and highways under their jurisdiction.

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

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

