

By: Senator(s) Williams

To: Judiciary, Division B

SENATE BILL NO. 2583

1 AN ACT TO AMEND SECTION 63-7-59, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE COUNTY LAW ENFORCEMENT OFFICERS TO ENFORCE MOTOR VEHICLE
3 WINDOW TINT VIOLATIONS; AND FOR RELATED PURPOSES.

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

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

7 63-7-59. (1) No person shall drive any motor vehicle
8 required to be registered in this state upon the public roads,
9 streets or highways in this state with any sign or poster, or with
10 any glazing material which causes a mirrored effect, upon the
11 front windshield, side wings or side or rear windows of the
12 vehicle, other than a certificate or other paper required or
13 authorized to be so displayed by law. No person shall drive any
14 motor vehicle required to be registered in this state upon the
15 public roads, streets or highways in this state with any tinted
16 film, glazing material or darkening material of any kind on the
17 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) From and after July 1, 2006, 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 tinted or darkened, by tinted film or otherwise, unless:

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

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

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

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

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



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

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

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

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



93 that the window complies with the light transmittance requirements
94 prescribed under subsection (2) of this section. * * * The
95 presence of a label upon the windshield of a motor vehicle shall
96 indicate that the person who affixed the label certifies that the
97 windows of the vehicle meet the restrictions of subsection (2) of
98 this section as to light transmittance.

99 (7) No person shall install any tinted film, darkening
100 material, glazing material or any other material upon the
101 windshield or any window of a motor vehicle which, after the
102 installation thereof, would result in such vehicle being in
103 violation of subsection (2) of this section.

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

108 (9) It shall be unlawful for any person to alter or
109 reproduce any label or certificate of medical exemption approved
110 by the Commissioner of Public Safety under this section for the
111 purpose of misleading law enforcement officers or motor vehicle
112 inspection stations, or to knowingly use any approved label or
113 certificate except as authorized by this section.

114 (10) Any person violating subsection (7), (8) or (9) of this
115 section, upon conviction, shall be punished by a fine of not more
116 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.

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

(12) Violations of this section shall be enforced only by law enforcement officers of the Mississippi Department of Public Safety, county law enforcement officers, 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. Motor vehicles which do not have labels affixed pursuant to subsection (6) of this section shall be tested for compliance with the light transmittance requirement of this section by law enforcement officers of the Department of Public Safety. Such tests shall be conducted using such methods or devices as may be approved and certified not less often than annually by the department.

(13) 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. This act shall take effect and be in force from and after July 1, 2021.

