

By: Representative Arnold

To: Public Health and Human Services; Judiciary B

HOUSE BILL NO. 1390

1 AN ACT TO AMEND SECTION 63-7-59, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE WINDOW TINT REGULATIONS TO CHANGE THE PERCENTAGE OF
3 LIGHT TRANSMISSION FOR THE MEDICAL EXEMPTION; AND FOR RELATED
4 PURPOSES.

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

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

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



19 or provide a sun shield in the uppermost area as authorized to be
20 installed by manufacturers of vehicles under federal law.

21 (2) * * * No person shall drive any motor vehicle required
22 to be registered in this state upon the public roads, streets or
23 highways in this state with any window tinted or darkened, by
24 tinted film or otherwise, unless:

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

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

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 (4) Notwithstanding the provisions of subsection (2) of this
53 section, it shall be lawful for any person who has been diagnosed
54 by a physician licensed to practice medicine in the State of
55 Mississippi as having a physical condition or disease that is
56 seriously aggravated by minimum exposure to sunlight to place or
57 have placed upon the windshield or windows of any motor vehicle
58 which he owns or operates or within which he regularly travels as
59 a passenger tinted film or other darkening material that * * * has
60 a light transmittance of no less than fifteen percent (15%).

61 However, any vehicle, in order to be exempt under this subsection
62 (4), shall have prominently displayed on the vehicle dashboard a
63 certificate of medical exemption on a form prepared by the
64 Commissioner of Public Safety and signed by the person on whose
65 behalf the certificate is issued. The special certificate
66 authorized by this subsection (4) shall be issued free of charge
67 to the applicants through the offices of the tax collectors of the
68 counties. Each applicant shall present to the issuing official:



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

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

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

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



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

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

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



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

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

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

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

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



143 **SECTION 2.** This act shall take effect and be in force from
144 and after July 1, 2022.

