

House Bill 1244

By: Representative Parham of the 94<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 1 of Chapter 8 of Title 40 of the Official Code of Georgia Annotated,  
2 relating to equipment of motor vehicles generally, so as to apply window tint restrictions to  
3 nonresidents; to provide for an effective date; to repeal conflicting laws; and for other  
4 purposes.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

6 **SECTION 1.**

7 Article 1 of Chapter 8 of Title 40 of the Official Code of Georgia Annotated, relating to  
8 equipment of motor vehicles generally, is amended by striking Code Section 40-8-73.1,  
9 relating to material affixed to front windshields or front door windows which obstruct vision  
10 into vehicle, in its entirety and inserting in lieu thereof the following:

11 "40-8-73.1.

12 (a) As used in this Code section, the term:

13 (1) 'Light reflectance' means the ratio of the amount of total light that is reflected  
14 outward by a product or material to the amount of total light falling on the product or  
15 material.

16 (2) 'Light transmission' means the ratio of the amount of total light, expressed in  
17 percentages, which is allowed to pass through a surface to the amount of light falling on  
18 the surface.

19 (3) 'Manufacturer' means a person who produces or assembles a vehicle glass-coating  
20 material or who fabricates, laminates, or tempers a safety-glazing material, which  
21 material reduces light transmission.

22 (4) 'Material' means any transparent product or substance which reduces light  
23 transmission.

24 (5) 'Multipurpose passenger vehicle' means a motor vehicle designed to carry ten persons  
25 or less which is constructed on a truck chassis or with special features for occasional  
26 off-road operation.

1 (b) Except as provided in this Code section, ~~from and after January 1, 1990~~, it shall be  
 2 unlawful for any ~~resident~~ person to operate a motor vehicle in this state:

3 (1) Which has material and glazing applied or affixed to the front windshield, which  
 4 material and glazing when so applied or affixed reduce light transmission through the  
 5 windshield; or

6 (2) Which has material and glazing applied or affixed to the rear windshield or the side  
 7 or door windows, which material and glazing when so applied or affixed reduce light  
 8 transmission through the windshield or window to less than 32 percent or increase light  
 9 reflectance to more than 20 percent.

10 (c) The provisions of subsection (b) of this Code section shall not apply to:

11 (1) Adjustable sun visors which are mounted forward of the side windows and are not  
 12 attached to the glass;

13 (2) Signs, stickers, or other matter which is displayed in a seven-inch square in the lower  
 14 corner of the windshield farthest removed from the driver or signs, stickers, or other  
 15 matter which is displayed in a five-inch square in the lower corner of the windshield  
 16 nearest the driver;

17 (3) Direction, destination, or termination signs upon a passenger common carrier motor  
 18 vehicle if the signs do not interfere with the driver's clear view of approaching traffic;

19 (4) Any transparent item which is not red or amber in color which is placed on the  
 20 uppermost six inches of the windshield;

21 (5) Any federal, state, or local sticker or certificate which is required by law to be placed  
 22 on any windshield or window;

23 (6) The rear windshield or the side or door windows, except those windows to the right  
 24 and left of the driver of:

25 (A) A multipurpose passenger vehicle;

26 (B) A school bus, any other bus used for public transportation, and any bus or van  
 27 owned or leased by any religious or any nonprofit organization duly incorporated under  
 28 the laws of this state;

29 (C) Any limousine owned or leased by a public or private entity; or

30 (D) Any other vehicle, the windows or windshields of which have been tinted or  
 31 darkened before factory delivery or permitted by federal law or regulation; or

32 (7) ~~Any motor vehicle not registered in this state; or~~

33 ~~(8) Any law enforcement vehicle.~~

34 (d) The Department of Motor Vehicle Safety may, upon application from a person required  
 35 for medical reasons to be shielded from the direct rays of the sun and only if such  
 36 application is supported by written attestation of such fact from a person licensed to  
 37 practice medicine under Chapter 34 of Title 43, issue an exemption from the provisions of

1 this Code section for any motor vehicle owned by such person or in which such person is  
 2 a habitual passenger. The exemption shall be issued with such conditions and limitations  
 3 as may be prescribed by the Department of Motor Vehicle Safety.

4 (e) ~~From and after January 1, 1990, each~~ Each manufacturer of material designed to be  
 5 affixed or applied to the windows or windshields of a motor vehicle shall, before shipping  
 6 such material into this state, apply to the commissioner of public safety for approval and  
 7 registration of its material and the label for identification and certification of compliance.  
 8 No material shall be approved by the commissioner unless the manufacturer demonstrates  
 9 that such material, when applied or affixed to a window, shall not reduce light transmission  
 10 or increase light reflectance in violation of subsection (b) of this Code section. The  
 11 manufacturer of any material shipped into this state ~~on or after January 1, 1990,~~ shall  
 12 provide labels of a size and type approved by the commissioner, written instructions for the  
 13 placement of such labels, and a notice that the improper installation of material to a  
 14 window or windshield or the failure to display a label as provided in this subsection is a  
 15 violation of state law. It shall be unlawful for any person to alter or reproduce any label  
 16 approved by the commissioner or to knowingly use any approved label except as  
 17 authorized by this Code section.

18 (f) ~~From and after January 1, 1990, any~~ Any motor vehicle which has material and glazing  
 19 applied or affixed to the windows or rear windshield of such vehicle, which material and  
 20 glazing have reduced the light transmission through such window or windshield or  
 21 increased the light reflectance of such window or windshield, shall display a label visible  
 22 from the outside of such vehicle indicating that such windows and windshield are in  
 23 compliance with the light transmission and light reflectance requirements as provided in  
 24 subsection (b) of this Code section. ~~From and after January 1, 1990, no~~ No person shall  
 25 install any material upon the windshields or windows of any motor vehicle, the installation  
 26 of which would result in a reduction of light transmission or an increase in light reflectance  
 27 in violation of subsection (b) of this Code section.

28 (g) The Department of ~~Public Safety~~ Motor Vehicle Safety is authorized to promulgate  
 29 such rules and regulations as may be necessary to carry out the provisions of this Code  
 30 section.

31 (h) Any person who violates subsection (b), (e), or (f) of this Code section shall be guilty  
 32 of a misdemeanor."

## 33 SECTION 2.

34 This Act shall become effective upon its approval by the Governor or upon its becoming law  
 35 without such approval.

1

**SECTION 3.**

2 All laws and parts of laws in conflict with this Act are repealed.