

A BILL TO BE ENTITLED  
AN ACT

To amend Article 1 of Chapter 8 of Title 40 of the Official Code of Georgia Annotated, relating to equipment of motor vehicles generally, so as to repeal and reenact certain provisions regarding window tint restrictions; to provide for definitions; to regulate the application or affixing of light transmission reducing material or glazing; to provide for criminal penalties; to provide for powers, duties, and authority of the Department of Motor Vehicle Safety; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**SECTION 1.**

Article 1 of Chapter 8 of Title 40 of the Official Code of Georgia Annotated, relating to equipment of motor vehicles generally, is amended by repealing Code Section 40-8-73.1, relating to material affixed to front windshields or front door windows which obstruct vision into vehicle, in its entirety and inserting in its place a new Code Section 40-8-73.1 to read as follows:

"40-8-73.1.

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

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

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

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

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

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

(b) Except as provided in this Code section, it shall be unlawful for any person to operate a motor vehicle in this state:

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

(2) Which has material and glazing applied or affixed to the rear windshield or the side or door windows, which material and glazing when so applied or affixed reduce light transmission through the windshield or window to less than 32 percent, plus or minus 3 percent, or increase light reflectance to more than 20 percent.

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

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

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

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

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

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

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

(A) A multipurpose passenger vehicle;

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

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

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

(7) Any law enforcement vehicle.

(d) The Department of Motor Vehicle Safety may, upon application from a person required for medical reasons to be shielded from the direct rays of the sun and only if such application is supported by written attestation of such fact from a person licensed to practice medicine under Chapter 34 of Title 43, issue an exemption from the provisions of this Code section for any motor vehicle owned by such person or in which such person is a habitual passenger. The exemption shall be issued with such conditions and limitations as may be prescribed by the Department of Motor Vehicle Safety.

(e) No person shall install any material upon the windshields or windows of any motor vehicle, the installation of which would result in a reduction of light transmission or an increase in light reflectance in violation of subsection (b) of this Code section.

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

(g) Any person who violates subsection (b) or (e) of this Code section shall be guilty of a misdemeanor."

## **SECTION 2.**

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

## **SECTION 3.**

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