

House Bill 20 (AS PASSED HOUSE AND SENATE)

By: Representatives Hill of the 21<sup>st</sup>, Scheid of the 22<sup>nd</sup>, Byrd of the 20<sup>th</sup>, and Lindsey of the 54<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 repeal and reenact certain  
3 provisions regarding window tint restrictions; to provide for definitions; to regulate the  
4 application or affixing of light transmission reducing material or glazing; to provide for  
5 criminal penalties; to provide for powers, duties, and authority of the Department of Motor  
6 Vehicle Safety; to provide for related matters; to provide for an effective date; to repeal  
7 conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

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

15 "40-8-73.1.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

30 (A) A multipurpose passenger vehicle;

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

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

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

37 (7) Any law enforcement vehicle.

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

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

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

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

15 **SECTION 2.**

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

18 **SECTION 3.**

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