

WINDOW TINTING AMENDMENTS

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: Don E. Bush

AN ACT RELATING TO MOTOR VEHICLES; AMENDING CERTAIN MOTOR VEHICLE WINDSHIELD AND WINDOW TINTING PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

41-6-149, as last amended by Chapter 39, Laws of Utah 1994

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **41-6-149** is amended to read:

41-6-149. Windshields and windows -- Obstructions reducing visibility -- Wipers --

Prohibitions.

(1) Except as provided in Subsections (2) and (3), a person may not operate a motor vehicle with:

(a) a windshield that allows less than 70% light transmittance;

(b) a front side window that allows less than 43% light transmittance;

(c) any window, other than the windshield or a front side window, that allows less than 28% light transmittance;

(d) any windshield or window that is composed of, covered by, or treated with any material or component that presents a metallic or mirrored appearance; or

(e) any sign, poster, or other nontransparent material on the windshield, sidewings, side or rear windows of the motor vehicle other than a certificate or other paper required to be so displayed by law.

(2) Nontransparent materials may be used:

(a) along the top edge of the windshield in an area not to exceed three inches to right or left of center of the windshield if the materials do not extend downward more than four inches from the top edge of the windshield; or

(b) in the lower left-hand corner of the rear window provided they do not extend more than three inches to the right of the left edge or more than four inches above the bottom edge of the window.

(3) A windshield or other window is considered to comply with the requirements of Subsection (1) if the windshield or other window meets the federal statutes and regulations for motor vehicle window composition, covering, light transmittance, and treatment [~~at the time the windshield or other window is manufactured if the amount of light the windshield or other window transmits is not altered after manufacture~~].

(4) Except for material on the windshield or rear window used in compliance with Subsection (2), a motor vehicle with tinting on any window shall be equipped with rear-view mirrors mounted on the left side and on the right side of the motor vehicle to reflect to the driver a view of the highway to the rear of the motor vehicle.

(5) (a) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield. The device shall be constructed to be operated by the driver.

(b) Every windshield wiper on a motor vehicle shall be maintained in good working order.

(6) (a) A person may not have for sale, sell, offer for sale, install, cover, or treat a windshield or window in violation of this section.

(b) A person who violates this section is guilty of a class C misdemeanor.

(7) Notwithstanding this section, any person subject to the federal Motor Vehicle Safety Standards, including motor vehicle manufacturers, distributors, dealers, importers, and repair businesses, shall comply with the federal standards on motor vehicle window tinting.

Section 2. Effective date.

If approved by two-thirds of all the members elected to each house, this act takes effect upon approval by the governor, or the day following the constitutional time limit of Utah Constitution Article VII, Section 8, without the governor's signature, or in the case of a veto, the date of veto override.