



LEGISLATURE OF THE STATE OF IDAHO



Sixty-seventh Legislature

First Regular Session - 2023

IN THE \_\_\_\_\_

BILL NO. \_\_\_\_\_

BY \_\_\_\_\_

AN ACT

RELATING TO MOTOR VEHICLES; AMENDING SECTION 49-944, IDAHO CODE, TO REVISE PROVISIONS REGARDING STANDARDS FOR WINDSHIELDS AND WINDOWS OF MOTOR VEHICLES, TO REMOVE PROVISIONS REGARDING VIOLATIONS AND COMPLIANCE, AND TO MAKE TECHNICAL CORRECTIONS.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 49-944, Idaho Code, be, and the same is hereby amended to read as follows:

49-944. STANDARDS FOR WINDSHIELDS AND WINDOWS OF MOTOR VEHICLES -- PROHIBITED ACTS -- PENALTY. (1) It is unlawful for any person to place, install, affix, or apply any window tinting film or sunscreening device to the windows of any motor vehicle, except as follows:

(a) Nonreflective window tinting film or sunscreening devices shall not be applied to the windshield below the AS-1 line; if no AS-1 line is identifiable on the windshield, nonreflective window tinting film or sunscreening devices shall not be applied to the windshield below a line extending six (6) inches below and parallel to the ~~exposed windshield~~ roof line;

(b) Nonreflective window tinting film or sunscreening devices that have a light transmission of not less than thirty-five percent (35%) with a tolerance limit of plus or minus three percent (3%) and a luminous reflectance of no more than thirty-five percent (35%) with a tolerance limit of plus or minus three percent (3%) may be applied to the front side vents, front side windows to the immediate right and left of the driver, and the rear window;

(c) Nonreflective window tinting film or sunscreening devices that have a light transmission of not less than twenty percent (20%) with a tolerance limit of plus or minus three percent (3%) and a luminous reflectance of no more than thirty-five percent (35%) with a tolerance limit of plus or minus three percent (3%) may be applied to the side windows to the rear of the driver;

(d) Window tinting films or sunscreening devices are materials or devices ~~which that~~ are designed to be used in conjunction with approved ~~vehicle window~~ glazing materials for the purpose of reducing the effects of the sun;

(e) Light transmission is the ratio of the amount of total light, expressed in percentages, ~~which that~~ is allowed to pass through ~~the product or material~~ factory window glazing material and aftermarket window tint film or sunscreening devices to the amount of total light falling on the ~~product or material~~ outside of the window;

(f) Luminous reflectance is the ratio of the amount of total light, expressed in percentages, ~~which that~~ is reflected outward by the product

1 or material to the amount of total light falling on the product or mate-  
2 rial.

3 (2) No person shall operate on the public highways, sell, or offer to  
4 sell any motor vehicle with a windshield or windows ~~which that~~ are not in com-  
5 pliance with the provisions of this section or 49 CFR 571.1 through 571.500.

6 (3) ~~Persons who own a motor vehicle with a windshield or windows not in~~  
7 ~~compliance with the provisions of this section on June 30, 1992, shall not~~  
8 ~~be charged with a violation of the provisions of this section until January~~  
9 ~~1, 1993. Persons owning a motor vehicle with a windshield or windows not in~~  
10 ~~compliance with the provisions of this section on June 30, 1992, shall have~~  
11 ~~until January 1, 1993, to obtain a certificate from the Idaho state police~~  
12 ~~indicating that the person owned the motor vehicle containing a windshield~~  
13 ~~or windows not in compliance with the provisions of this section on or before~~  
14 ~~June 30, 1992. The certificate shall be carried in the vehicle. A person op-~~  
15 ~~erating a motor vehicle with a valid certificate as provided in this subsec-~~  
16 ~~tion shall not be deemed to be violating the provisions of this section on or~~  
17 ~~after January 1, 1993. The Idaho state police may promulgate rules in order~~  
18 ~~to implement the provisions of this section.~~

19 (4) Nonreflective window tinting film or sunscreening devices that  
20 have a light transmission of not less than seventy percent (70%) plus or mi-  
21 nus three percent (3%) for the front windshield and not less than twenty per-  
22 cent (20%) plus or minus three percent (3%) for the windows, with a luminous  
23 reflectance of no more than thirty-five percent (35%) plus or minus three  
24 percent (3%) in each instance, is permitted for a motor vehicle operated by,  
25 or carrying as a passenger, a person who possesses written verification from  
26 a licensed physician that the operator or passenger must be protected from  
27 exposure to sunlight or heat for medical reasons associated with past or cur-  
28 rent treatment; such written verification shall be carried in the vehicle.

29 (5) Nothing in this section shall be construed to make illegal the op-  
30 eration or sale of any motor vehicle, the windshield or windows of which are  
31 composed of, covered by, or treated with, any material, substance, system,  
32 or component with which the motor vehicle was sold when new or could have been  
33 equipped for sale when new as standard or optional equipment from the manu-  
34 facturer or authorized dealer under any United States government statute or  
35 regulation governing such sale at the time of manufacture.

36 (6) Any person convicted of a violation of the provisions of this sec-  
37 tion shall be guilty of an infraction.