

# STATE OF NEW YORK

4151

2017-2018 Regular Sessions

## IN SENATE

February 3, 2017

Introduced by Sen. MARCHIONE -- read twice and ordered printed, and when printed to be committed to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to providing exceptions to the prohibition on tinted windows in automobiles

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph (c) of subdivision 12-a of section 375 of the  
2 vehicle and traffic law, as amended by chapter 135 of the laws of 1994,  
3 is amended to read as follows:

4 (c) Any person required for medical reasons to be shielded from the  
5 direct rays of the sun and/or any person operating a motor vehicle  
6 belonging to such person or in which such person is an habitual passen-  
7 ger shall be exempt from the provisions of subparagraphs one and two of  
8 paragraph (b) of this subdivision provided the commissioner has granted  
9 an exemption and notice of such exemption is affixed to the vehicle as  
10 directed by the commissioner. An exemption may be requested for the  
11 following conditions using a form approved by the commissioner: (i)  
12 Porphyria; (ii) Xeroderma Pigmentosa; (iii) Severe Drug Photo-Sensitivi-  
13 ty; and (iv) albinism. The applicant for such exemption must provide a  
14 physician's statement with the reason for the exemption, the name of the  
15 individual with a medically necessary condition operating or transported  
16 in the vehicle, the specific condition involved, and the minimum level  
17 of light transmission required. The commissioner shall only authorize  
18 exemptions where the medical condition certified by the physician is  
19 contained on a list of medical conditions prepared by the commissioner  
20 of health pursuant to subdivision sixteen of section two hundred six of  
21 the public health law. If such [~~such~~] exemption is granted, the commis-  
22 sioner shall make a record thereof and shall distribute a sufficiently  
23 noticeable sticker to the applicant to be attached to any window so  
24 shielded or altered pursuant to such exemption.

25 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

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