

STATE OF NEW YORK

1654--B

2021-2022 Regular Sessions

IN ASSEMBLY

January 11, 2021

Introduced by M. of A. PERRY -- read once and referred to the Committee on Transportation -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- again reported from said committee with amendments, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the vehicle and traffic law, in relation to the level of acceptable light transmittance of automobile window tint and film

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

1 Section 1. Paragraphs (b) and (d) of subdivision 12-a of section 375
2 of the vehicle and traffic law, paragraph (b) as amended and paragraph
3 (d) as added by chapter 155 of the laws of 1991, are amended to read as
4 follows:

5 (b) No person shall operate any motor vehicle upon any public highway,
6 road or street:

7 (1) the front windshield of which is composed of, covered by or treat-
8 ed with any material which has a light transmittance of less than seven-
9 ty percent unless such materials are limited to the uppermost six inches
10 of the windshield; or

11 (2) the sidewings or side windows of which on either side forward of
12 or adjacent to the operator's seat are composed of, covered by or treat-
13 ed with any material which has a light transmittance of less than
14 [~~seventy~~] fifty percent; or

15 (3) if it is classified as a station wagon, sedan, hardtop, coupe,
16 hatchback or convertible and any rear side window has a light transmit-
17 tance of less than [~~seventy~~] fifty percent; or

18 (4) the rear window of which is composed of, covered by or treated
19 with any material which has a light transmittance of less than [~~seventy~~]
20 fifty percent. A rear window may have a light transmittance of less than
21 [~~seventy~~] fifty percent if the vehicle is equipped with side mirrors on
22 both sides of the vehicle so adjusted that the driver thereof shall have

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

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1 a clear and full view of the road and condition of traffic behind such
2 vehicle.

3 (d) The commissioner may test any window for a person who has been
4 charged with violating this subdivision. Such measurements made by the
5 commissioner, or his designee, shall be given a tolerance of plus or
6 minus seven percent. If such window is found to be in conformity with
7 this subdivision, a small label attesting to the conformity shall be
8 affixed to the window tested.

9 § 2. Subparagraph (a) of paragraph 1 of subdivision (c) of section 301
10 of the vehicle and traffic law, as amended by chapter 444 of the laws of
11 2016, is amended to read as follows:

12 (a) A safety inspection shall be made with respect to the brakes;
13 steering mechanism; wheel alignment; lights, including but not limited
14 to the lights which are designed and placed on a vehicle for the purpose
15 of illuminating the vehicle's license plates; odometer; tire pressure;
16 seat safety belts; shoulder harness safety belts; [~~any window which is~~
17 windows to determine whether they are composed of, covered by or treated
18 with any material which has a light transmittance [~~of less than seventy~~
19 ~~percent~~] in violation of the percentages established pursuant to section
20 three hundred seventy-five of this title and such other mechanisms and
21 equipment as shall be determined by the commissioner to be necessary for
22 proper and safe operations. Such inspection shall also be made with
23 respect to vehicle identification number. Upon inspection, the mileage
24 appearing on the odometer shall be recorded upon the inspection sticker.

25 § 3. This act shall take effect on the sixtieth day after it shall
26 have become a law. Effective immediately the addition, amendment and/or
27 repeal of any rule or regulation necessary for the implementation of
28 this act on its effective date are authorized to be made and completed
29 on or before such date.