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:

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

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

(1) the front windshield of which is composed of, covered by or treated with any material which has a light transmittance of less than seventy percent unless such materials are limited to the uppermost six inches of the windshield; or

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

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

(4) the rear window of which is composed of, covered by or treated with any material which has a light transmittance of less than [~~seventy~~] **fifty** percent. A rear window may have a light transmittance of less than [~~seventy~~] **fifty** percent if the vehicle is equipped with side mirrors on 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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a clear and full view of the road and condition of traffic behind such vehicle.

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

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

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

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