

ALASKA STATE LEGISLATURE
SENATE TRANSPORTATION STANDING COMMITTEE

March 6, 2007

1:33 p.m.

MEMBERS PRESENT

Senator Albert Kookesh, Chair
Senator John Cowdery, Vice Chair
Senator Bill Wielechowski
Senator Gary Wilken

MEMBERS ABSENT

Senator Donny Olson

OTHER LEGISLATORS PRESENT

Senator Hollis French

COMMITTEE CALENDAR

SENATE BILL NO. 78

"An Act relating to the installation of window tinting in automobiles."

MOVED SB 78 OUT OF COMMITTEE

PREVIOUS COMMITTEE ACTION

BILL: SB 78

SHORT TITLE: MOTOR VEHICLE WINDOW TINTING

SPONSOR(s): SENATOR(s) FRENCH

02/09/07	(S)	READ THE FIRST TIME - REFERRALS
02/09/07	(S)	TRA, JUD
03/06/07	(H)	TRA AT 1:30 PM CAPITOL 17

WITNESS REGISTER

Margaret Auth, representing herself
Anchorage, AK

POSITION STATEMENT: In support of SB 78

Rodney Dial, Lieutenant
Alaska State Troopers
Ketchikan, AK

POSITION STATEMENT: In support of SB 78

ACTION NARRATIVE

CHAIR ALBERT KOOKESH called the Senate Transportation Standing Committee meeting to order at [1:33:25 PM](#). Present at the call to order were Senators Wielechowski, Wilken, Cowdery, and Chair Kookesh.

SB 78-MOTOR VEHICLE WINDOW TINTING

CHAIR KOOKESH announced the only bill before the committee today is SB 78.

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SENATOR FRENCH, sponsor of SB 78, explained that the bill addresses concerns from one of his community councils about window tinting which obscures occupants and prevents pedestrians and other drivers from making eye contact. The police don't have the time or wherewithal to effectively enforce window tinting regulations on an individual car basis, so SB 78 puts the burden of enforcement of proper tinting on window tinting facilities. The bill sets the penalty for over-tinting at a maximum of \$500 and 90 days in jail, and the mere presence of the bill as law will make most of the tinting problems disappear; most window-tinters are unaware of current laws, and do not knowingly over-tint windows.

He added that the police feel that they need to be able to see what's going on in a car they've pulled over.

[1:36:32 PM](#)

SENATOR COWDERY said that his home contains mirrored glass, and asked if that sort of glass is considered tinted glass and can be installed in cars.

SENATOR FRENCH said that he didn't know, but thinks it is illegal in cars.

SENATOR COWDERY asked if owners of cars can do their own tinting, and if the bill will penalize just businesses who tint cars.

SENATOR FRENCH said that the aim of the bill is businesses that perform such tinting.

SENATOR COWDERY asked if businesses could sell tinting supplies to customers.

SENATOR FRENCH replied that the bill isn't the way to fix every problem, but he thinks it provides the most bang for the buck.

SENATOR COWDERY asked if other states have similar tinting laws.

SENATOR FRENCH said that he would research that for Senator Cowdery.

SENATOR WIELECHOWSKI asked if there's a current civil penalty for illegal window tinting.

SENATOR FRENCH replied that there is a \$150 fine which is correctable if the owner can prove that the tinting has been removed.

SENATOR WIELECHOWSKI asked if only the owner is fined and not the installer.

SENATOR FRENCH replied that the ticket is issued to the driver.

SENATOR WIELECHOWSKI asked for the number of people who have been fined under current law.

SENATOR FRENCH said that he would have to research the topic.

SENATOR WIELECHOWSKI commented that if the installer of a car is unknown, the bill essentially provides an exemption.

SENATOR FRENCH said that the operation of a tinted car remains illegal, and officers can cite drivers for improper tinting.

SENATOR WIELECHOWSKI asked if the bill only applies to tinting installers, and not car owners.

SENATOR FRENCH said that was correct.

SENATOR WIELECHOWSKI said that under SB 78, if someone is pulled over with tinted windows there's no recourse that can be taken.

SENATOR FRENCH replied that the owner can be penalized according to current law.

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SENATOR WILKEN said that former Senator Steve Frank put the tinting law on the books, and explained that there are different degrees of tinting for car windows. He said that tinting is a safety hazard not only for traffic police but for other drivers as well who cannot interact visually.

SENATOR FRENCH said that he agreed.

SENATOR COWDERY related a personal story about window tinting, and asked if there is a grandfather clause in the bill for cars with windows tinted by the manufacturer.

SENATOR FRENCH replied that car manufacturers generally follow regulations for window tinting and such cars should not be affected by the bill.

SENATOR COWDERY related another personal story about window tinting.

[1:43:34 PM](#)

MARGARET AUTH, representing herself, said that she is delighted with SB 78 because as a pedestrian and bicyclist she cannot make eye contact with drivers with tinted windows and it creates dangerous situations on the road. She added that kids and older people who take longer to cross roads are in even more danger, and also that unfamiliar cars and drivers in a neighborhood should be able to be identified by locals. She then related a personal story about window tinting.

[1:47:03 PM](#)

RODNEY DIAL, Lieutenant with the Alaska State Troopers (AST), said that the AST supports the bill which will reduce the number of citations on a yearly basis by reaching the root of the problem; he added that removal of tinting usually results in damage to cars.

[1:48:20 PM](#)

SENATOR WIELECHOWSKI asked if the bill would be equally effective if the installers were not criminalized but simply fined.

MR. DIAL said that he hadn't considered that, but that some penalty besides a fine would insure proper tinting use.

1:49:51 PM

SENATOR COWDERY moved to report SB 78 from committee with individual recommendations and attached fiscal note(s). There being no objection, the motion carried.

CHAIR KOOKESH, seeing no further business to come before the committee, adjourned the meeting at 1:50:21 PM.