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Senator Hollis French

Capitol Room 417
465-3892
465-6595 fax



MEMORANDUM

Date: 2/27/2009
To: Senator Bettye Davis
From: Senator Hollis French 
RE: Motor Vehicle Window Tinting CS

During the Senate Transportation meeting held on February 24, 2009 the committee considered Senate Bill 51. You raised concerns about the availability of window tinting for people who need to use such products for medical reasons.

The attached CS makes several changes on page 2 of the legislation:

The first clarifies, on page 2 lines 4-5, that a person can install window tinting that varies from the requirements outlined in the first part of the bill in certain instances. The special circumstances are taken from the window tinting regulations, where the exception currently exists for medical reasons.

The second change, on page 2 lines 13-14, requires that the medical reasons are certified by a physician and provided to the installer at the time of installation.

In addition, a few minor wording adjustments, for grammar reasons, were made on page 2 lines 6-18. None of these changed the substance of the legislation.

I hope this CS addresses your concerns. If you need any further information or have additional concerns, please contact my office at 465-3892.

Attachments

26-LS0323\R
Luckhaupt
2/26/09

CS FOR SENATE BILL NO. 51()
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY

Offered:
Referred:

Sponsor(s): SENATOR FRENCH

A BILL
FOR AN ACT ENTITLED

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

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

*** Section 1.** AS 28.35 is amended by adding a new section to article 3 to read:

Sec. 28.35.271. Installation of window tinting. (a) A person commits the offense of improper installation of window tinting if the person in this state installs window tinting on a motor vehicle

(1) on the front windshield of the vehicle; notwithstanding this paragraph, a person may install a strip of tinting material that is applied to the top edge of the windshield that does not extend downward more than five inches from the top of the glass;

(2) on the driver and front passenger side windows that does not allow at least 70 percent light transmittance;

(3) on the rear door windows, quarter glasses, and back glasses that does not allow at least 40 percent light transmittance;

(4) that is not green, gray, bronze, or neutral smoke in color, or a

1 nonmirrored sun reflective auto film; or

2 (5) for compensation and does not install a window tint hologram that
3 identifies the installer and certifies that the window tinting complies with this section.

4 (b) Notwithstanding (a) of this section, a person may install window tinting
5 that varies from the requirements of this section in

6 (1) limousines and passenger buses used to transport persons for hire,
7 motor homes, and vehicles identified by the vehicle manufacturer as multipurpose if
8 the tinting material complies with standards set by the department in regulation;

9 (2) the windows of a vehicle that permits less light transmittance than
10 that specified in (a) of this section if a driver or a passenger who frequently travels in
11 the vehicle is required for medical reasons to be shielded from the direct rays of the
12 sun if

13 (A) the medical reasons are certified by a physician licensed to
14 practice in this state and provided to the installer at the time of installation;

15 (B) the medical reasons are recertified annually by a physician
16 licensed to practice in this state; and

17 (C) the certification is carried in the vehicle; and

18 (3) law enforcement vehicles.

19 (c) In this section, "light transmittance" means the ratio, expressed as a
20 percentage, of the amount of total light that is allowed to pass through a window,
21 including glazing, to the amount of total light falling on the window.

22 (d) Improper installation of window tinting is an infraction.

SENATE COMMITTEE REPORT
First Committee of Referral

DATE: 1/21/09

FURTHER: Judiciary

Date of 5-Day Notice: _____
 (in accordance with Uniform Rule 23)

DATE TURNED
 IN TO OFFICE: 3/3/09

Transportation Committee considered SENATE BILL NO. 51

SB 51 MOTOR VEHICLE WINDOW TINTING

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

and recommends:

- be replaced with SCS or CS SB51 (TRA) _____
- adopt previous SCS or CS _____
- attached amendment(s)
- adopt _____ Letter of Intent
- further referral to _____ Committee

SENATE BILL:	
<input checked="" type="checkbox"/>	Same Title
<input type="checkbox"/>	New Title
<hr/>	
HOUSE BILL:	
<input type="checkbox"/>	Same Title
<input type="checkbox"/>	Technical Title Change
<input type="checkbox"/>	New Title w/ SCR # _____

NEW FISCAL NOTE(S):

Department	Date	Fiscal	Indet	Zero	FN#
DPS	3/3/09	0		<input checked="" type="checkbox"/>	

PREVIOUS FISCAL NOTE(S):

Department	Date	Fiscal	Indet	Zero	FN#

APPROPRIATION - no fiscal note

SIGNATURES AND RECOMMENDATIONS	PRINTED LAST NAME	DO PASS	DO NOT PASS	NO REC	AMEND
<i>Bruce Davis</i>	DAVIS				X
<i>K. Meyer</i>	MEYER			X	
<i>OC Paskvan</i>	PASKVAN				X
CHAIR: <i>Albert Kookesh</i>	KOOKESH	X			

WINDOW TINT

ALASKA / FEDERAL LAW

ALASKA LAW

- Front windshield 5” strip of tint
- Front driver and passengers side windows must allow 70% Visible Light Transmission (VLT).
- All other rear windows must allow 40% VLT, (some exemptions).
- Special use vehicles must comply with 49 C.F.R. 571.205 (Federal Law)

FEDERAL LAW

- The Federal DOT specifies a minimum of 70% VLT for window tinting on the windshield and the windows to the immediate left and right of the driver.
- The Federal DOT does not specify any VLT requirements for any other windows

OTHER JURISDICTIONS

- At least 13 other States have similar, or more restrictive laws.
- 90% of Canadian provinces have a similar or more restrictive laws.
- 5 States allow 50% VLT (front sides)
- 31 States range from 20%-40% VLT (front sides)
- General rule, the hotter the climate, the greater window tint allowed.

For Consideration

- Driving with tinted windows at night is the same as driving with sunglasses on.
- Sunglasses are regulated by the Food and Drug Administration (FDA) as medical devices.
- Per the American National Standards Institute (ANSI) Cosmetic sunglasses must let through at least 40% of the visible light (not recommended for wear at night).
- Most people choose General Purpose sunglasses in the 15 to 25% VLT range.
- Some want Alaska's Tinted window law to allow tints that only allow 30% of VLT.

<http://www.vision1to1.com/EN/HomePage.asp?BGColor=3&Category=21&Article=97>

Common filter colors

- light gray, which transmits **35 to 43%** of visible light.
- dark gray, which transmits **14 to 25%** of visible light
- light brown or tan, which transmits **27 to 29%** of visible light
- dark brown, which transmits **18 to 27%** of visible light
- yellow, which transmits **68 to 71%** of visible light
- amber, a high-definition filter that inhibits blue light
- neutral gray or brown, for indoor or computer use, transmitting **60% of visible light**

Do tinted windows really
cause problems?

Police Officer Shot To Death After Car Chase

(March 24, 2007)--A Dallas police officer was shot and killed Friday after a car chase in which the suspect's car ended up nose to nose with the squad car, a police spokesman said.

Senior Corporal Mark Timothy Nix, 33, was declared dead at Parkland Memorial Hospital. He had been on the force nearly seven years and was a veteran of the first Gulf War. The car chase ended in a West Dallas neighborhood when the suspect lost control of his car.

The police car and the suspect's car ended up front bumper to front bumper.

A police spokesman says the suspect opened fire, shooting from inside his car.

The chase began around 5 p.m. after officers spotted the man, initially believed to be a **suspect in a killing** committed earlier this week, driving down the street, the spokesman said.

Police spokesman Vernon Hale said the car's dark, tinted windows initially prevented officers from knowing how many people were inside.

Texas Law allows 65% tint / 35% VLT - Front D/P

“The red and gray Chevrolet Caprice with customized rims, driven by Mr. Ruiz, had nearly blacked-out tinted windows, and the officers could see neither the race of the driver – the suspects in the Wednesday morning slaying were black – nor how many people were in the car”.

With his other hand, he yanked out his expandable baton, known as an asp, and began hammering on the window trying to break it.

The Caprice's window barely budged, held together by the heavy tint. He managed no more than a small hole when a shot came from inside the car. Police later found his baton and sidearm laying beside the car.

Mr. Ruiz fired at least one round from an assault rifle, which may have at some point jammed. The bullet pierced Senior Cpl. Nix's neck near his clavicle. He dropped to the ground. He did not fire his weapon.

Examples of other problems

- Chicago - Police officers unable to see clearly through a tinted window mistakenly shot a passenger they thought had a gun (cell phone). *Mayor vowed to ban all tinted windows.*
- Numerous examples of criminals who were not identified because witnesses could not see the driver through tinted windows.
- Collisions with motor vehicles and pedestrians blamed on poor visibility due to tinted windows.

- The National Highway Traffic Safety Administration has noted that tinted windows can hamper police in determining whether a vehicle's occupants are wearing seat belts or have their children properly protected in car seats.
- Heavy tints may also prevent other motorists from viewing the road ahead by looking through the cabins of cars in front of them - something many drivers do, especially when roads are congested.
- Tinted windows can impair a driver's vision, particularly at night, making it difficult to see pedestrians and bicyclists, for example.

TINT EXAMPLES

Taken from the Tint industry and photographs
of actual vehicles in Alaska



Nissan Maxima

70% VLT
(Light / Legal)

30% VLT
(medium)

5% VLT
(Heavy /Limo)

Note: pictures taken on a sunny day (see shadows), far harder to see inside during periods of low light



Ford Explorer - Front DR/PS 75% VLT Rear doors/windows 20% VLT (stock).



Dodge Durango - Front DR/PS 80% VLT Rear doors/windows
20% VLT (stock).



Toyota Avalon - Front DR/PS 70% VLT (stock), Rear doors 35% VLT, Rear Window 20% VLT (aftermarket).

Reasons not to change current law

- Our current standard assures that Alaskan vehicles are in compliance with the tinted window laws in most States and Canadian provinces.
- Increased visibility for the driver.
- Increased safety for pedestrians.
- Increased safety for Law Enforcement officers.

Reasons to support SB51

- Protects the public from unethical installers who would tint a vehicle, knowing that the installation is illegal.
- Will reduce the number of citations issued to motorists.
- Will increase safety on our highways.

You can always wear sunglasses on a sunny day, but can't take off window tint at night.

THANK YOU
ANY QUESTIONS?

**THE FOLLOWING PAGES
WERE TREATED AS A UNIT
IN THE ORIGINAL FILE**

SB 51

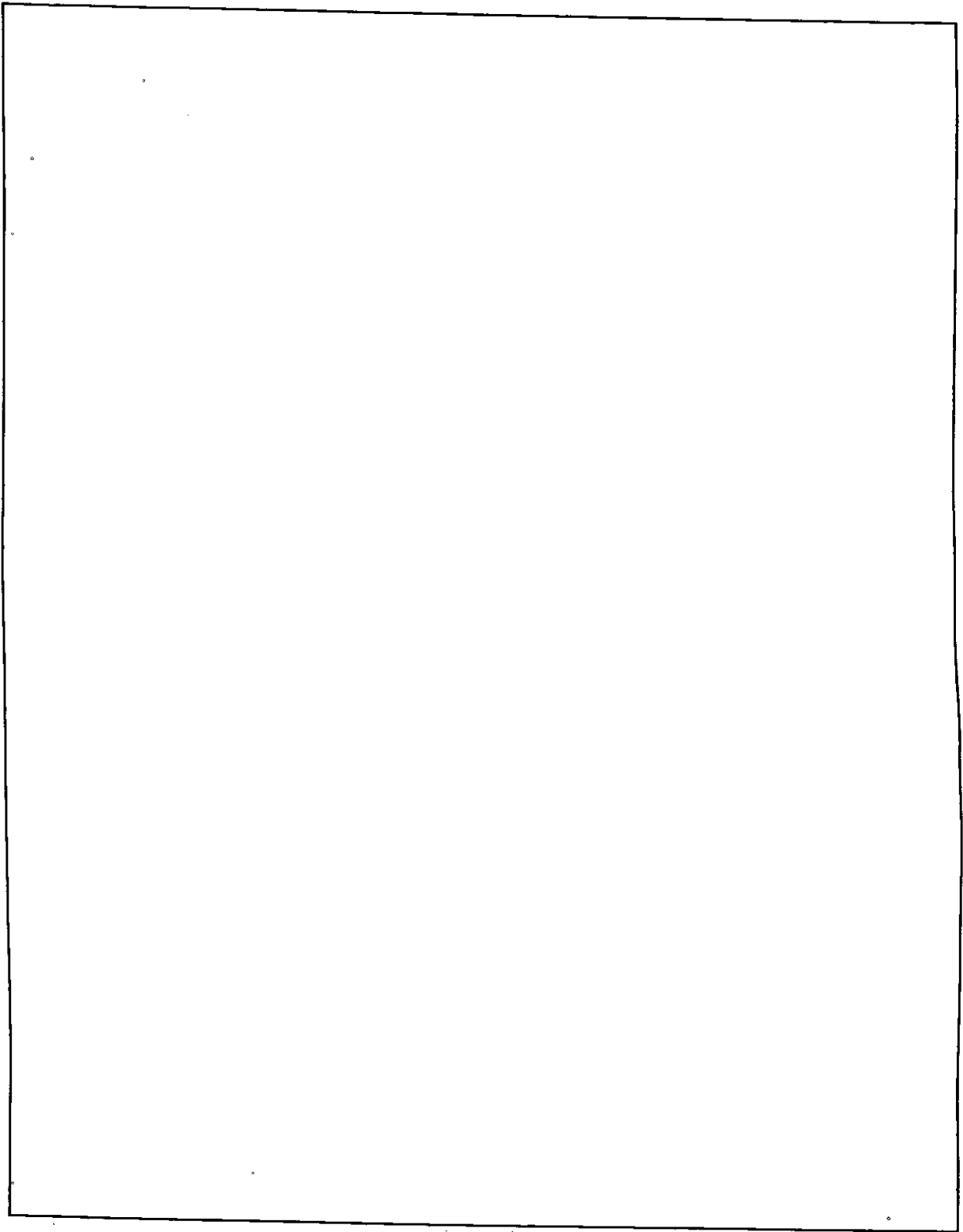
Revision

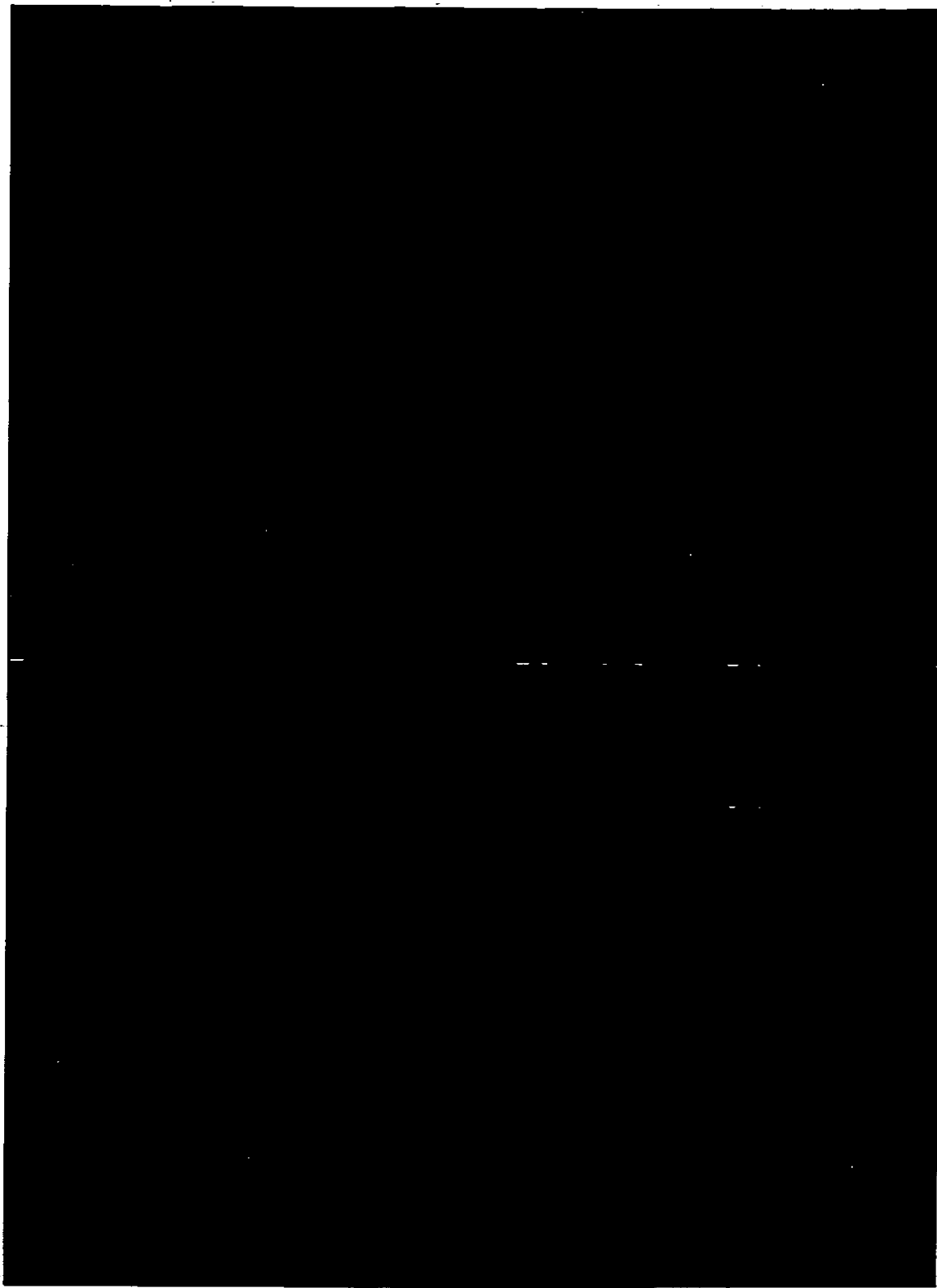
Proposed by

Bob Boswood, President

Auto Trim Design of Fairbanks Inc.







5%
"Dark"
window film



of Fairbanks, Inc.
2550 South Cushman Street
Fairbanks, Alaska 99701
Phone (907) 456-8400 Fax (907) 456-8406

1. SB51 as written will not accomplish goals of the sponsors, which is to eliminate the installation of unsafe dark 5% window films on passenger vehicles. The source of this dark tinting is not by reputable installers, it is almost always a black market installation or "fly by night" tint operation. Since there are already laws in place that make it illegal to drive cars on Alaska's roads with dark tint applied, SB51 in its current form only serves to foster and enhance black markets in the State of Alaska.

2. SB51 as written will cause lost jobs and lost profits for several small businesses in Alaska. These losses will have disastrous effects for such businesses during this time of economic downturn. It seems almost insane to create more unemployment and loss of tax base due to discriminatory legislation when there are safe compromises that will circumvent these presumably unintended consequences.

3. 45 other states recognize as safe and legal, window film light transmittance restrictions that still allow tint installers a saleable commodity, while adding safety and cosmetic value to the consumer's vehicle.

4. An amended SB51 could do a better job accomplishing the sponsor's goals, as well as allowing the automotive tint industry in the state of AK to continue to provide profits and jobs for Alaskans as follows:

A) Allowing industry standard 35% light transmittance window film to be installed on all windows (except windshield) of passenger vehicles is a safe and saleable commodity. The inward and outward visibility of 35% medium window film is very good for the driver as well as law enforcement officers and other drivers and or pedestrians approaching the vehicle. Additionally, this film provides health benefits in the form of reduced skin cancer risks, heat, and glare associated risks while driving or parked, increased safety against flying glass in the event of an accident, and cosmetic value.

B) Amended SB51 should consider additional penalties to discourage the installation of dark 5% window film. Perhaps not renewing business licenses of convicted offenders or private vehicle registrations of multiple offenders?

5. One further observation concerning the safety of police officers approaching the still illegal 5% dark tinted vehicles. It seems prudent to me that the officer would ask the operator of the vehicle over his/her bullhorn to roll down the windows or turn on the dome light prior to approaching the vehicle, thus allowing the officer to see inside the vehicle.

Thank You for your time and consideration,

Bob Boswood, President
Auto Trim Design of Fairbanks inc.

Bullet points for SB51 modification

- 1) As written, SB51 will change allowable automotive window tint percentages from regulatory to statutory law which allows for changes during review of this bill.
- 2) As written SB51 will not accomplish the goals of the sponsor.
- 3) As written SB51 will cause lost jobs and business closures in the State of Alaska during a time of economic crisis.
- 4) Forty four states have less restrictive tint laws than Alaska.
- 5) Ten of those states have relaxed their tint laws since 2000.
- 6) Aligning Alaska's tint laws with the majority of the United States will make Alaska more friendly for our military transplants and others who relocate here.
- 7) Our closest neighbor states, Washington, Oregon, Idaho, Montana are among those 44 states with less restrictive tint laws.
- 8) May through mid Aug, Alaska has more daylight then any other State in the union.
- 9) 35% Medium tint does not represent a risk to Law Enforcement, pedestrians, bikers, or other motorists. There is no statistical evidence to support any opposition of this point.
- 10) 35% Medium tint provides safety and health benefits.
- 11) 35% Medium tint can provide jobs for Alaskans and profits for Alaskan businesses.
- 12) 35% Medium tint brings Alaska in line with the vast majority tint laws of other States in the Union.
- 13) 35% Medium tint enhances the cosmetics of most vehicles and is of value to the consumer.

SENATE BILL NO. 51
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SIXTH LEGISLATURE - FIRST SESSION

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4 Sec. 28.35.271. Installation of window tinting. (a) A person commits the
5 offense of improper installation of window tinting if the person in this state installs
6 window tinting on a motor vehicle

7 (1) on the front windshield of the vehicle; notwithstanding this
8 paragraph, a person may install a strip of tinting material that is applied to the top edge
9 of the windshield that does not extend downward more than five inches from the top
10 of the glass;

11 (2) window film on the driver and front passenger side windows that does not allow
12 at least 35 percent light transmittance;

13 (3) window film on the rear door windows, quarter glasses, and back glasses that
14 does not allow at least 35 percent light transmittance;

15 (4) that is not green, gray, bronze, or neutral smoke in color, or a

SB0051A -1- SB 51
New Text Underlined [DELETED TEXT BRACKETED]

1 nonmirrored sun reflective auto film; or

2 (5) for compensation and does not install a window tint hologram that
3 identifies the installer and certifies that the window tinting complies with this section.

4 (b) Notwithstanding (a) of this section,

5 (1) limousines and passenger buses used to transport persons for hire,
6 motor homes, and vehicles identified by the vehicle manufacturer as multipurpose
7 may have tinting material that complies with standards set by the department in
8 regulation;

9 (2) the windows of a vehicle may have tinting material that permits
10 less light transmittance than that specified in (a) of this section if a driver or a
11 passenger who frequently travels in the vehicle is required for medical reasons to be
12 shielded from the direct rays of the sun and

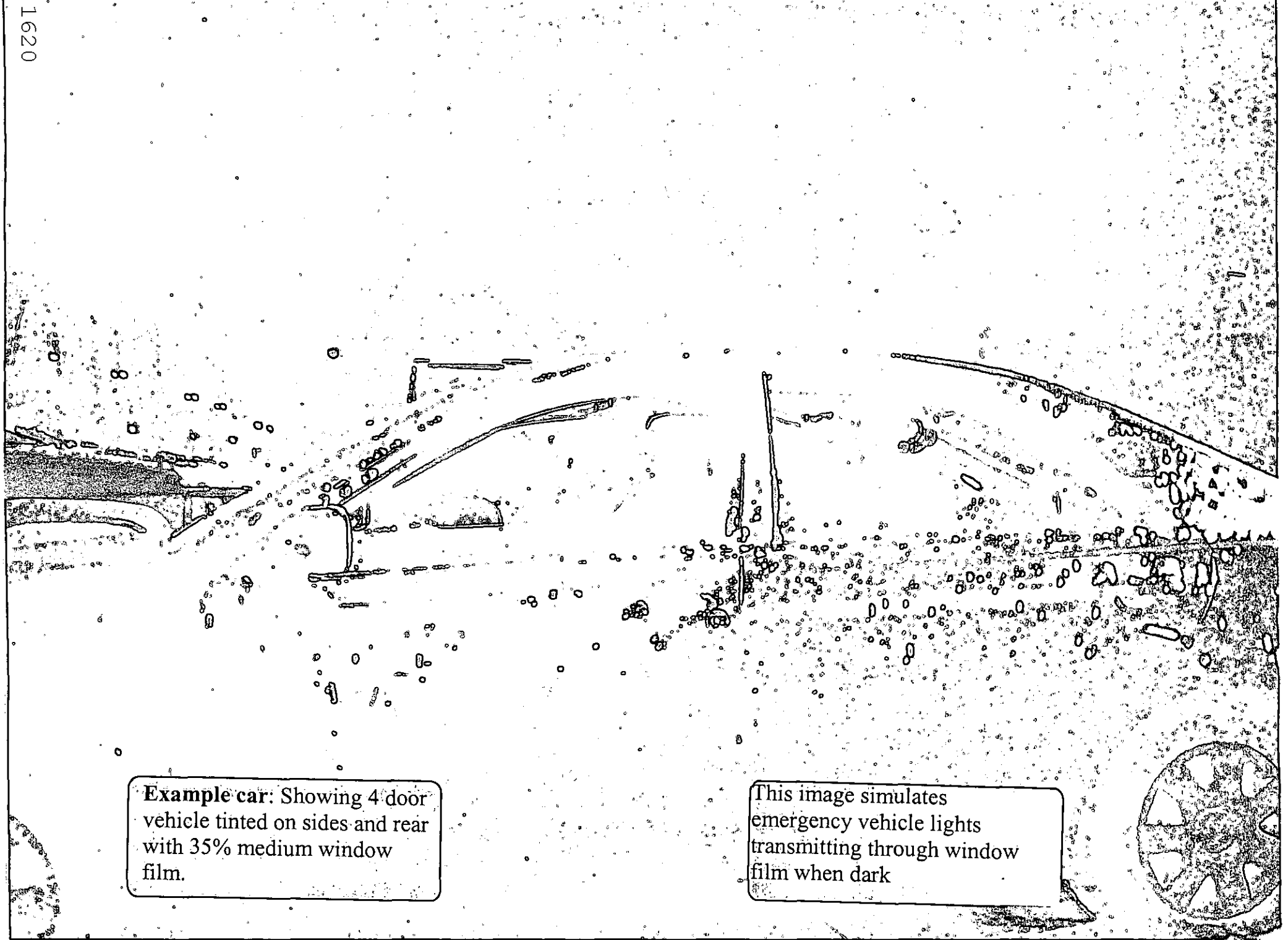
13 (A) the medical reasons are certified annually by a physician
14 licensed to practice in this state; and

15 (B) the certification is carried in the vehicle;

16 (3) law enforcement vehicles may have tinting material that varies
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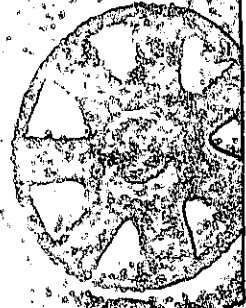
18 (c) In this section, "light transmittance" means the ratio, expressed as a
19 percentage, of the amount of total light that is allowed to pass through a window,
20 including glazing, to the amount of total light falling on the window.

21 (d) Improper installation of window tinting is an infraction.



Example car: Showing 4 door vehicle tinted on sides and rear with 35% medium window film.

This image simulates emergency vehicle lights transmitting through window film when dark



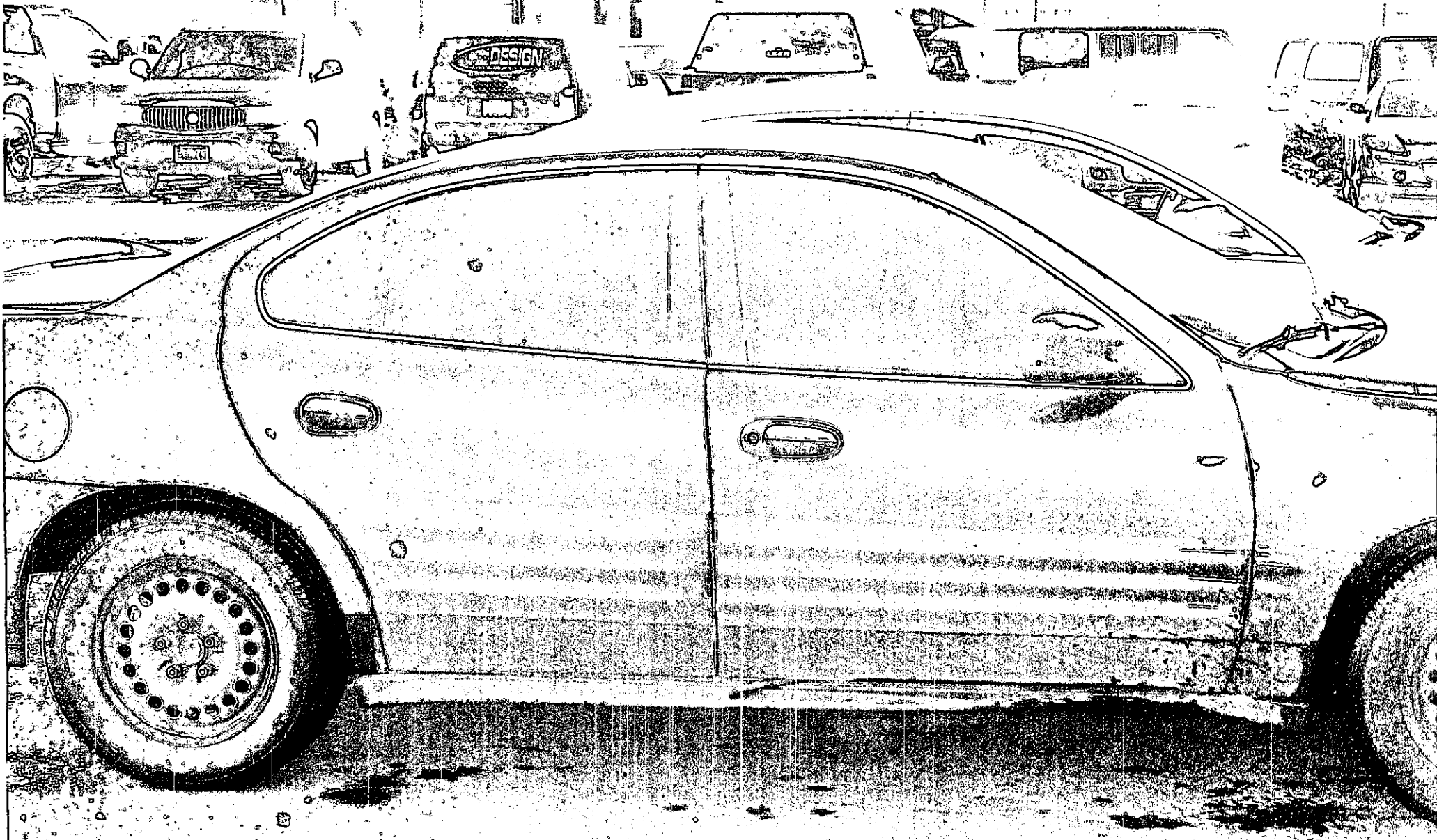


Example car: Showing 4 door vehicle tinted on sides and rear with 35% medium window film.

This image simulates emergency vehicle lights transmitting through window film when dark



This image shows same
vehicle in the daylight.



Unsafe vehicle tinted with 5% dark film on sides and rear. SB51 will not stop this from happening.

A

STATE WINDOW TINTING RULES & LAWS

7/19/07 Updated			% OF VISIBLE LIGHT TRANSMISSION						% OF REFLECTIVITY		RESTRICTED COLORS				
ST	YEAR	TYPE	WIND-SHIELD	F.SIDE	B.SIDE	REAR	REAR	F.SIDE	B.SIDE	ALL GLASS	L&R.MIRR.	CERTIF.	STCKR/LOC	MEDICAL	
ENACTED				(car)	(MPV)	(car)	(MPV)	(SEE LEGEND)		(SEE LEGEND)	REQ.	REQ.			
AL	96	NET	6"	32	32	ANY	32	ANY	20	20	N/S	NO	YES	SPEC / ALL	YES
AZ	94	NET	AS1	33	ANY	ANY	ANY	ANY	35	35	R, A	YES	NO	NO	YES
AR	93	NET	5"	25	25	10	10	10	NR	NR	N/S	NO	NO	SPEC / DRIVER	YES
CA	98	NET	4"	70	ANY	ANY	ANY	ANY	MNIR	MNIR	R, A, B	YES	NO	NO	YES
CO	95	NET	4"	NO	ANY	ANY	ANY	ANY	NMMA	NMMA	R, A	NO	NO	NO	NO
CO	95	NET	4"	27	27	27	27	27	NMMA	NMMA	R, A	YES	NO	RECOMMEND	NO
CT	94	NET	AS1	35	35	ANY	ANY	ANY	21	27	N/S	YES	YES	SPEC/ALL	NO
DE	92	NET	AS1	70	ANY	ANY	ANY	ANY	NR	NR	N/S	YES	NO	SPEC / DRIVER	YES
FL	91	NET	AS1	28	15	8	15	6	25	35	ALL	YES	NO	SPEC / DOOR	YES
GA	2005	NET	6"	32	32	ANY	32	ANY	20	20	R, A	NO	NO	NO	YES
HI	89	NET	4"	35	35	ANY	35	ANY	NR	NR	N/S	YES	NO	NO	NO
IA	83	NET	AS1	70	ANY	ANY	ANY	ANY	NE	NE	N/S	NO	NO	NO	YES
ID	92	FILM	AS1	35	20	ANY	35	ANY	35	35	N/S	YES	NO	NO	YES
IL	98	NET	6"	NO	ANY	ANY	ANY	ANY	MBNR	MBNR	N/S	YES	NO	NO	YES
IN	2003	VAGUE	AS1	30	30	VAGUE	30	VAGUE	25	25	N/S	NO	YES	NO	YES
KS	87	NET	AS1	35	35	35	35	35	MBNR	MBNR	R, A, Y	YES	NO	RECOMMEND	NO
KY	94	FILM	AS1	35	18	8	18	8	25	25	N/S	NO	YES	SPEC/DOOR	NO
LA	93	NET	AS1	40	25	ANY	12	ANY	20	20	N/S	NO	YES	SPEC / DRIVER	YES
MA	85	NET	6"	35	35	35	35	35	35	35	N/S	YES	NO	RECOMMEND	YES
ME	1993	FILM	4"	50	50	ANY	50	ANY	MBNR	MBNR	N/S	YES	YES	NO	YES
MD	95	NET	5"	35	35	ANY	35	ANY	NONE	NONE	R, A, Y	YES	YES	SPEC/ALL	YES
MI	2000	NET	4"	4"	ANY	ANY	ANY	ANY	35	35	N/S	NO	NO	NO	YES
MN	85	VAGUE	NO	50	50	ANY	50	ANY	20	20	N/S	NO	NO	SPEC/DRIVER	YES
MO	2002	NET	AS1	35	ANY	ANY	ANY	ANY	35	85	N/S	YES	NO	NO	YES
MS	2006	NET	AS1	28	28	ANY	28	ANY	20	20	N/S	NO	YES	SPEC / ALL	YES
MT	91	FILM	AS1	35	20	ANY	20	ANY	35	35	N/S	NO	NO	RECOMMEND	YES
NC	2004	NET	AS1	35	35	ANY	35	ANY	20	20	R, A, Y	YES	NO	NO	YES
ND	2003	NET	70	50	ANY	ANY	ANY	ANY	NR	NR	N/S	YES	NO	NO	NO
NE	2006	NET	AS1 OR 5"	35	20	35	20	35	35	35	R, A, Y	VAGUE	NO	NO	YES
NJ	2003	NET	NO	NO	ANY	ANY	ANY	ANY	NMMA	NMMA	N/S	YES	NO	NO	YES
NM	97	NET	AS1 OR 5"	20	20	ANY	20	ANY	NONE	NONE	R, A, Y	YES	YES	SPEC / ALL	YES
NV	93	NET	AS1	35	ANY	ANY	ANY	ANY	NONE	NONE	N/S	YES	YES	NO	YES
OH	2004	NET	70	50	ANY	ANY	ANY	ANY	MNIR	MNIR	R, Y	YES	YES	SPEC/ALL	YES
OK	2005	NET	AS1 OR 5"	25	25	ANY	25	ANY	25	25	N/S	YES	YES	NO	YES
OR	2003	NET	6"	35	35	ANY	35	ANY	13	13	R, G, A, Y, BK	YES	YES	NO	YES
SC**	82	NET	AS1	27	27	ANY	27	ANY	MBNR	MBNR	R, A, Y	YES	YES	SPEC / ALL	YES
SD	89	NET	AS1	35	20	NR	20	NR	NR	NR	N/S	NO	YES	SPEC / ALL	YES
TN	90	NET	AS1	35	35	ANY	35	ANY	NR	NR	N/S	NO	NO	SPEC / ALL	YES
TX	2003	NET	AS1 OR 5"	25	25	ANY	ANY	ANY	25	25	R, B, A	YES	YES	SPEC / DRIVER	YES
UT	2005	NET	AS1	43	ANY	ANY	ANY	ANY	NMMA	NMMA	N/S	YES	NO	NO	YES
VT	84	NET	AS1	NO	ANY	ANY	ANY	ANY	NR	NR	N/S	YES	NO	NO	NO
VA	99	NET	AS1	50	35	ANY	35	ANY	20	20	R, A, Y	YES	NO	NONE	YES
WA	83	FILM	6"	35	35	ANY	35	ANY	35	35	R, Y, G, BK	YES	YES	SPEC / DRIVER	YES
WI	96	NET	AS1	50	35	35	35	35	MBNR	MBNR	N/S	YES	NO	NO	YES
WV	81	NET	5"	35	35	ANY	35	ANY	20	20	R, A, Y	YES	YES	SPEC / ALL	YES
WY	96	NET	AS1 OR 5"	28	28	ANY	28	ANY	20	20	N/S	YES	NO	NO	YES

This information is prepared for IWFA members by the Legislative Committee and consultants and represents our understanding of the law, regulations and rules of the states published in it. If you are an IWFA member and you have questions on these interpretations, call the IWFA office. In all cases, refer to your local authority for current laws, rules or regulations. Your current state law is the final authority.

* Medical Exemption Day Time Only **Pick-Up Trucks are not considered MPVs ***Above AS1 only
 ***V--exemption for vans and pickups (50%) with SUV replacement at factory level only

LEGENDS:

NET = VLT% refers to the combined LT of film and glass.
 Reflectivity: NR = NOT REGULATED, NE = NOT EXCESSIVE (NOT SPECIFIC), MBNR = MUST BE NON - REFLECTIVE (NOT SPECIFIC),
 MNIR = MUST NOT INCREASE REFLECTIVITY, NMMA = NO METALLIC OR MIRRORRED APPEARANCE, NONE = NO REFERENCE
 TO REFLECTIVITY IN THE CURRENT LAW.
 Colors: R = RED, A = AMBER, Y = YELLOW, B = BLUE, G = Gold, BK = BLACK, N/S = NOT SPECIFIED.

INTERNATIONAL WINDOW FILM ASSOCIATION

P.O. Box 3871
 Martinsville, VA 24116-8871
 Phone (276) 636-4982 • Fax (276) 636-4983 • E-mail: admin@iwfa.com
www.iwfa.com

Senate Bipartisan Working Group

Alaska's State Senate Majority Caucus
Today is Feb. 5th :: 73 First Session Days Left

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Senator Gary Stevens, Senate President



Senator Johnny Ellis, Majority Leader

Available Data for SB51

SB51

[SENATOR HOLLIS FRENCH](#)

[Statement PDF](#)

BILL LOOKUP:

SB.51

SPONSORED

BILLS:

Sponsor Statement

Senate Bill 51: "Motor Vehicle Window Tinting"

Illegally tinted motor vehicle windows create numerous safety concerns in Alaskan communities across the state. For peace officers, dark tints can completely block an outside view of a driver and passengers, hiding potential threats and essentially "blindfolding" officers conducting traffic stops. For pedestrians, bikers and motorcyclists, illegal window tinting prevents eye contact with a driver, which is the most effective way to confirm that a driver has seen them as they share the roads.

Alaska law, like all other states in the country, currently limits how dark window tinting can be on vehicles operated on roads in the state. Alaska differs from some other states, however, in that it doesn't currently penalize the professional businesses that make a profit installing illegal window tinting. This bill makes it an infraction to install illegal window tinting.

On top of posing a safety hazard to pedestrians and peace officers, tinting windows illegally can also be a costly endeavor for consumers. After paying hundreds of dollars for a custom tint job, a citation for driving with illegal window tinting runs at \$150. While a first citation is often a correctible offense, removing professional window tinting requires a second visit to a tinting business, since the product is difficult to pull off windows. While the consumer is out hundreds of dollars, a tinting business makes even more money.

In Anchorage alone, over 1,200 citations were given out for illegal tinting during 2006. Senate Bill 51 is an act that will protect peace officers, pedestrians and consumers, and I urge your support.

[SENATOR HOLLIS FRENCH](#)

SENATE BILL NO. 51

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SIXTH LEGISLATURE - FIRST SESSION

BY SENATOR FRENCH

Introduced: 1/21/09

Referred: Transportation, Judiciary

A BILL

FOR AN ACT ENTITLED

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

2 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

3 * Section 1, AS 28.35 is amended by adding a new section to article 3 to read:

4 Sec. 28.35.271. Installation of window tinting. (a) A person commits the
5 offense of improper installation of window tinting if the person in this state installs
6 window tinting on a motor vehicle

7 (1) on the front windshield of the vehicle; notwithstanding this
8 paragraph, a person may install a strip of tinting material that is applied to the top edge
9 of the windshield that does not extend downward more than five inches from the top
10 of the glass;

11 (2) on the driver and front passenger side windows that does not allow
12 at least 70 percent light transmittance;

13 (3) on the rear door windows, quarter glasses, and back glasses that
14 does not allow at least 40 percent light transmittance;

15 (4) that is not green, gray, bronze, or neutral smoke in color, or a

1 nonmirrored sun reflective auto film; or

2 (5) for compensation and does not install a window tint hologram that
3 identifies the installer and certifies that the window tinting complies with this section.

4 (b) Notwithstanding (a) of this section,

5 (1) limousines and passenger buses used to transport persons for hire,
6 motor homes, and vehicles identified by the vehicle manufacturer as multipurpose
7 may have tinting material that complies with standards set by the department in
8 regulation;

9 (2) the windows of a vehicle may have tinting material that permits
10 less light transmittance than that specified in (a) of this section if a driver or a
11 passenger who frequently travels in the vehicle is required for medical reasons to be
12 shielded from the direct rays of the sun and

13 (A) the medical reasons are certified annually by a physician
14 licensed to practice in this state; and

15 (B) the certification is carried in the vehicle;

16 (3) law enforcement vehicles may have tinting material that varies
17 from the requirements of this section.

18 (c) In this section, "light transmittance" means the ratio, expressed as a
19 percentage, of the amount of total light that is allowed to pass through a window,
20 including glazing, to the amount of total light falling on the window.

21 (d) Improper installation of window tinting is an infraction.