Sponsored by:
Senator CHRISTOPHER "KIP" BATEMAN
District 16 (Hunterdon, Mercer, Middlesex and Somerset)

SYNOPSIS
Permits application of certain tinting materials on motor vehicle windows and windshields.

CURRENT VERSION OF TEXT
As introduced.
AN ACT concerning motor vehicle window tinting, amending and supplementing P.L.2003, c.21, and repealing P.L.1999, c.308.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

1. Section 1 of P.L.2003, c.21 (C.56:8-117) is amended to read as follows:
   1. It shall be an unlawful practice for a person engaged in the retail sale and installation of motor vehicle window tinting materials or film to:
      a. Sell any such material or film without first notifying the purchaser that the application of these materials or film to the windshield or the front windows to the left and right of the driver of any motor vehicle registered in the State is a violation of State law and regulation unless that material or film has a total light transmittance of not less than 70 percent and total light reflectance of not more than eight percent. The notice required under this paragraph shall be given by the conspicuous posting of a sign at the point where the window tinting materials or film are offered for sale. The sign shall state substantially the following:
         "NJ STATE LAW [PROHIBITS] REGULATES ADD-ON TINTING ON WINDSHIELDS AND FRONT SIDE WINDOWS"
      b. Install or apply any such material or film on or to the windshield or the windows to the left and right of the driver of any motor vehicle registered in the State unless the purchaser exhibits a certificate or card, issued pursuant to P.L.1999, c.308 (C.39:3-75.1 et seq.), authorizing the installation or application of the material or film on or to the windshield or front windows to the left and right of the driver of that car for medical reasons involving ophthalmic or dermatologic photosensitivity.
      (cf: P.L.2003, c.21, s.1)

2. (New section) The owner or lessee of a motor vehicle may have the windshield and windows of that vehicle covered by or treated with a product or material that increases its light reflectance or reduces its light transmittance; provided that product or material shall have a total light transmittance of not less than 70 percent and a total light reflectance of not more than eight percent.

As used in this section:

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.
“Light transmittance” means the ratio of the amount of total light, expressed in percentages, which is allowed to pass through a product or material including the glazing to the amount of total light falling on the product or material and the glazing.

“Light reflectance” means the ratio of the amount of total light, expressed in percentages, which is reflected outward by a product or material to the amount of total light falling on the product or material.

3. (New section) The director, pursuant to the “Administrative Procedure Act,” P.L.1968, c.410 (C.52:14B-1 et seq.), shall promulgate rules and regulations to effectuate the purposes of P.L. , c. (C. ) (pending before the Legislature as this bill). The rules and regulations may include, but not be limited to:

a. Standards and specifications governing the types of materials and products that may be applied to a motor vehicle windshield and windows under P.L. , c. (C. ) (pending before the Legislature as this bill). These standards and specifications shall include the color of the materials or products and other matters as the director shall deem appropriate and necessary. In establishing the standards and specifications, the director shall consider, to the greatest extent possible, the safety of law enforcement officers, who during the performance of their duties may find it necessary to inspect or otherwise observe the interior of a motor vehicle having a windshield and windows to which an approved material or product is applied.

b. Standards and specifications governing the installation and application of approved materials and products, including the affixation of an appropriate label, in a manner and form prescribed by the director, on each windshield and window to which an approved material or product is applied. The label may identify the name and the location of the installer and name of the manufacturer of the material or product applied.

c. The registration of persons in the business of installing or applying approved materials and products, including the establishment of a fee to cover the costs of that registration.

4. P.L.1999, c.308 (C.39:3-75.1 et seq.) is repealed.

5. This act shall take effect on the 180th day next following enactment.

STATEMENT

New Jersey law prohibits add-on tinting on windshields and front side windows of motor vehicles, with certain exceptions. Individuals who have a medical condition involving ophthalmic or
dermatological photosensitivity may apply to the Chief Administrator of the Motor Vehicle Commission (MVC) to have supplemental sun-screening materials or products applied to the windshield and front windows of their motor vehicles to protect them from the sun.

The bill repeals this law and stipulates, instead, that the owner or lessee of a motor vehicle may have the windshield and windows of that vehicle covered by or treated with a product or material that increases its light reflectance or reduces its light transmittance; provided that product or material shall have a total light transmittance of not less than 70 percent and a total light reflectance of not more than eight percent. Furthermore, the repealer in this bill removes New Jersey Motor Vehicle Commission jurisdiction over matters relating to motor vehicle window tinting.

Under the provisions of this bill, the Director of the Division of Consumer Affairs in the Department of Law and Public Safety may promulgate rules and regulations: (1) setting standards and specifications governing the types of materials and products that may be applied to a motor vehicle windshield and windows; (2) setting the standards and specifications governing the installation and application of approved materials and products; and (3) providing for the registration of persons who install or apply the approved materials and products.