

ASSEMBLY, No. 327

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen PASCHELL and ROMANO

1 AN ACT concerning motor vehicles, amending R.S.39:3-74 and
2 supplementing chapter 3 of Title 39 of the Revised Statutes.

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

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7 1. R.S.39:3-74 is amended to read as follows:

8 39:3-74. Every motor vehicle having a windshield shall be
9 equipped with at least one device in good working order for cleaning
10 rain, snow or other moisture from the windshield so as to provide clear
11 vision for the driver, and all such devices shall be so constructed and
12 installed as to be operated or controlled by the driver.

13 **[No]** Except as otherwise provided by law, no person shall drive
14 any motor vehicle with any sign, poster, sticker or other
15 non-transparent material upon the front windshield, wings, deflectors,
16 side shields, corner lights adjoining windshield or front side windows
17 of such vehicle other than a certificate or other article required to be
18 so displayed by statute or by regulations of the **[commissioner]**
19 director.

20 No person shall drive any vehicle so constructed, equipped or
21 loaded as to unduly interfere with the driver's vision to the front and
22 to the sides.

23 (cf: R.S.39:3-74)

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25 2. (New section) a. No person shall drive upon a highway or
26 roadway any motor vehicle with a window or windshield composed of,
27 covered by, or treated with a product which would increase its
28 reflectance or reduce its light transmittance, except as provided by
29 law.

30 b. No person shall drive upon a highway or roadway any motor
31 vehicle with a window which is to the side or rear of the driver and
32 which is composed of, covered by or treated with a material which has

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

Matter underlined thus is new matter.

1 the effect of obscuring the driver's view, unless the vehicle is equipped
2 with an exterior mirror on each side of the vehicle

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4 3. (New section) a. Film materials may be applied to the windows
5 of motor vehicles only as hereinafter provided:

6 (1) Film material may not be applied to the front windshield of any
7 motor vehicle or to the windows on either side of the driver; and

8 (2) Film materials may be applied to the windows not subject to the
9 provisions of paragraph (1) of this subsection if the film material when
10 tested with the window has a total light reflectance of not more than
11 20% and light transmittance of at least 70%.

12 b. Perforated sun screening materials may be applied to windows
13 other than the front windshield and windows on either side of the
14 driver if the material when tested on the window has a total light
15 reflectance of not more than 20% and light transmittance of at least
16 70%.

17 c. Louvered materials may be installed on windows other than the
18 front windshield and windows to either side of the driver if the
19 installation of the material does not reduce the driver's visibility by
20 more than 50% through the window.

21 d. Mirrored materials shall not be applied to any window or the
22 windshield of a motor vehicle.

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24 4. (New section) Any person who sells, offers to sell, or installs
25 on a motor vehicle window a material which does not conform to the
26 provisions of section 3 of this act shall be fined not less than \$200 or
27 more than \$500 for each offense.

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29 5. (New section) The director, in a manner he shall determine,
30 shall notify persons licensed to operate a motor vehicle in this State of
31 the provisions of this act.

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33 6. (New section) The director, pursuant to the provisions of the
34 "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-1 et
35 seq.), shall promulgate rules and regulations to effectuate the purposes
36 of this act.

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38 7. This act shall take effect on the first day of the fourth month
39 following enactment, except that sections 5 and 6 shall take effect
40 immediately.

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STATEMENT

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45 This bill establishes standards for the types and kinds of tinting and
46 sun screening materials that may be applied to motor vehicle windows.

1 Among the products and types of materials regulated under the bill are
2 film, perforated sun screening, louvered and mirrored materials.

3 The regulatory scheme set forth in the bill is designed to protect
4 New Jersey's law enforcement officers and to eliminate a potential
5 driving hazard.

6 Deeply tinted and shaded windshields and windows hinder the
7 ability of law enforcement officers to observe the actions of occupants
8 of stopped motor vehicles and can, therefore, pose great danger to
9 officers by masking potentially life-threatening situations. The same
10 materials can also lessen a driver's vision to such a degree that they
11 may contribute to traffic accidents.

12 Under the provisions of this bill, it would be illegal to apply any
13 filmed tinting material to a motor vehicle's windshield or to the
14 windows to either side of the driver. A tinted material, one which has
15 a total light reflectance of not more than 20% and light transmittance
16 of 70%, would be permissible on the windows behind the driver. The
17 use of mirrored materials is prohibited.

18 Any person who sells, offers to sell, or installs a product which
19 violates the provisions of this bill would be subject to a fine of not less
20 than \$200 or more than \$500 for each violation.

21 Motor vehicle operators violating the provisions of the bill would
22 be subject to the penalties provided under R.S.39:3-86.

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27 Regulates materials that may be used on motor vehicle windows and
28 windshields.