
A BILL FOR AN ACT

RELATING TO TRANSPORTATION.

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

1 SECTION 1. The legislature finds that vitiligo is a
2 serious skin condition, which causes a lack of pigmentation in
3 the skin and can cause individuals afflicted with the disease to
4 be sensitive to ultraviolet rays. The condition causes patches
5 of skin to lose their pigmentation when the pigment-producing
6 cells, or melanocytes, are attacked and destroyed, affecting the
7 skin and leaving white patches. It is believed that vitiligo is
8 an autoimmune disorder in which white blood cells direct the
9 destruction of the melanocytes.

10 This disease affects an estimated one per cent of the
11 world's population, including two to five million people in the
12 United States. Individuals with vitiligo must protect their
13 skin, especially areas of depigmentation, against excessive sun
14 exposure by wearing protective clothing, applying sunscreen
15 daily, and avoiding prolonged sun exposure. The simple,
16 everyday task of driving long distances which many take for
17 granted as a harmless part of life, may subject individuals with
18 vitiligo to potentially damaging sun exposure.



1 Besides vitiligo, there are other skin conditions that
2 affect people's skin pigmentation, causing them to be more
3 vulnerable to sun exposure during all of their activities,
4 including driving in an automobile. Examples of other disorders
5 are albinism and pigmentation loss due to skin damage from
6 ulcers, blisters, burns, infections and other conditions.

7 The health hazards that people with serious skin conditions
8 face could be mitigated by the use of appropriately tinted
9 automobile windows. Current levels of light transmittance
10 through tinting allowed by law may not provide adequate
11 protection for those individuals with vitiligo, albinism, and
12 other skin conditions. Providing exceptions to the current
13 statutory requirements would benefit these individuals without
14 compromising vehicular safety or the conduct of traffic law
15 enforcement.

16 The purpose of this Act is to allow motor vehicles
17 registered to individuals with serious skin conditions such as
18 vitiligo and albinism to be exempted from Hawaii's window
19 tinting law.

20 SECTION 2. Section 291-21.5, Hawaii Revised Statutes, is
21 amended by amending subsection (d) to read as follows:



- 1 "(d) This section shall not apply to:
- 2 (1) Rearview mirrors;
- 3 (2) Adjustable nontransparent sun visors which are mounted
- 4 forward of the side windows and are not attached to
- 5 the glazing material;
- 6 (3) Signs, stickers, or other materials which are
- 7 displayed in a seven-inch square in the lower corner
- 8 of the windshield farthest removed from the driver or
- 9 signs, stickers, or other materials which are
- 10 displayed in a five-inch square in the lower corner of
- 11 the windshield nearest the driver;
- 12 (4) Rear trunk lid handle or hinges;
- 13 (5) Window wipers and window wiper motors;
- 14 (6) Transparent sun screening film materials which are
- 15 installed, affixed, or applied along the top edge of
- 16 the windshield so long as such materials do not
- 17 encroach upon the AS-1 portion of the windshield as
- 18 provided by the Federal Motor Vehicle Safety Standards
- 19 205 or no lower than four inches below the top of the
- 20 windshield, when measured from the middle point of the
- 21 bottom edge of the top windshield moulding if no AS-1



- 1 markings can be found in the left or right upper
2 margin of the windshield;
- 3 (7) Sun screening devices for front side wing vents and
4 windows which, when used in conjunction with the
5 glazing material have a light transmittance of no less
6 than thirty-five per cent plus or minus six per cent;
- 7 (8) Sun screening devices for side windows necessary for
8 driving visibility which are to the rear of the driver
9 and for rear windows necessary for driving visibility
10 which, when used in conjunction with the glazing
11 material, have a light transmittance of no less than
12 thirty-five per cent plus or minus six per cent;
- 13 (9) Side windows which are to the rear of the driver and
14 rear windows on vans, minivans, trucks, or buses;
15 provided that the vehicles are equipped with rearview
16 mirrors on both sides;
- 17 (10) Privacy drapes, curtains, or blinds, or any
18 combination, installed on the interior of motor
19 homes[-]; and
- 20 (11) Motor vehicles registered to a person with a serious
21 skin condition that affects the pigmentation of that
22 person's skin and for whom exposure to ultraviolet



1 rays would pose a danger to the person's health, or
2 registered to an immediate family member of that
3 person; provided that the sun screening devices
4 installed in these motor vehicles, when used in
5 conjunction with the glazing material, have a light
6 transmittance of no less than per cent plus or
7 minus six per cent; provided further that the person
8 shall provide documentation from the person's doctor
9 stating that decreasing the ultraviolet ray
10 transmittance through the windows of the motor vehicle
11 will protect the health of the person. Only one motor
12 vehicle per registered owner may be granted an
13 exemption provided by this paragraph. If the
14 registered owner is an immediate family member of a
15 person afflicted with the serious skin condition, the
16 motor vehicle granted the exemption under this
17 paragraph may only be used while the person with the
18 serious skin condition is in the vehicle.

19 As used in this paragraph, "immediate family
20 member" means the spouse, any child, hanai child,
21 parent, grandparent, brother, sister, and the spouses
22 of such persons related to a person with a skin



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1 condition that affects the pigmentation of the skin
 2 and for whom ultraviolet rays would pose a danger to
 3 the individual's health."

4 SECTION 3. Statutory material to be repealed is bracketed
 5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.

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Report Title:

Motor vehicles; window tinting; sunscreens

Description:

Allows motor vehicles registered to individuals with serious skin conditions to obtain darker window sun-screening devices than currently allowed by law.

