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# A BILL FOR AN ACT

RELATING TO WINDSHIELD TINTING.

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

1           SECTION 1. The legislature finds that darker tints on car  
2 windows have a measurable impact on reducing heat trapped in a  
3 car's interior. The legislature additionally finds that the  
4 current light transmittance limit of thirty-five per cent for  
5 glazing on car windows is inadequate to address the increased  
6 temperatures caused by climate change.

7           The purpose of this Act is to:

- 8           (1) Prohibit a person from installing, mounting, adhering,  
9           affixing, or using any sun screening device in  
10           conjunction with the glazing material of a motor  
11           vehicle with mirrored, metallic, red, yellow, amber,  
12           or blue tint;
- 13           (2) Require all drivers and passengers of motor vehicles  
14           with applied tint to fully roll down their windows  
15           when stopped by a law enforcement officer at a traffic  
16           stop;



- 1 (3) Lower the minimum light transmittance levels for sun
- 2 screening devices on certain motor vehicles;
- 3 (4) Exempt side windows to the rear of the driver and rear
- 4 windows on sedans from sun screening device
- 5 requirements; and
- 6 (5) Increase the minimum and maximum fines for violating
- 7 sun screening device requirements.

8 SECTION 2. Section 291-21.5, Hawaii Revised Statutes, is  
 9 amended to read as follows:

10 **"§291-21.5 Regulation of motor vehicle sun screening**  
 11 **devices; penalty.** (a) No person shall operate, permit the  
 12 operation of, cause to be operated, or park any motor vehicle on  
 13 a public highway if the glazing material of the motor vehicle:

- 14 (1) Does not meet the requirements of the Federal Motor
- 15 Vehicle Safety Standards 205 in effect at the time of
- 16 its manufacture; or
- 17 (2) Is used in conjunction with sun screening devices not
- 18 exempted from this section by subsection (d) hereof.

19 (b) No person shall install, mount, adhere, affix, or use  
 20 any sun screening device or combination of devices in



1 conjunction with the glazing material of a motor vehicle

2 [~~which~~]:

3       (1) That does not meet the requirements of the Federal  
4       Motor Vehicle Safety Standards 205 in effect at the  
5       time of the glazing material's manufacture except as  
6       provided in this section~~[-]~~; and

7       (2) With mirrored, metallic, red, yellow, amber, or blue  
8       tint.

9       Any person who violates this section shall be liable for  
10      the removal of any sun screening device applied contrary to this  
11      section.

12      (c) A safety inspection required under section 286-25  
13      shall include a test to ensure that the glazing material and any  
14      sun screening devices meet the requirements specified in this  
15      section.

16      (d) Notwithstanding subsection (e), all drivers and  
17      passengers of motor vehicles with applied tint shall fully roll  
18      down their windows when stopped by a law enforcement officer at  
19      a traffic stop.

20      ~~(d)~~ (e) This section shall not apply to:

21      (1) Rearview mirrors;



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



- 1           (7) Sun screening devices for front side wing vents and  
2           windows [~~which,~~] that, when used in conjunction with  
3           the glazing material, have a light transmittance of no  
4           less than thirty-five per cent plus or minus six per  
5           cent;
- 6           (8) Sun screening devices for side windows necessary for  
7           driving visibility [~~which~~] that are to the rear of the  
8           driver and for rear windows on sedans, vans, minivans,  
9           trucks, and buses necessary for driving visibility  
10          [~~which,~~] that, when used in conjunction with the  
11          glazing material, have a light transmittance of no  
12          less than [~~thirty-five~~] twenty per cent plus or minus  
13          six per cent;
- 14          (9) Side windows [~~which~~] that are to the rear of the  
15          driver and rear windows on sedans, vans, minivans,  
16          trucks, or buses; provided that the vehicles are  
17          equipped with rearview mirrors on both sides;
- 18          (10) Privacy drapes, curtains, or blinds, or any  
19          combination, installed on the interior of motor homes;  
20          or



1 (11) Transparent sun screening materials, when applied to  
2 the AS-1 portion of the windshield, [~~which meets~~] that  
3 meet the requirements of Federal Motor Vehicle Safety  
4 Standard 205.

5 [~~(e)~~] (f) Any person who violates this section shall be  
6 fined:

7 (1) [~~Not~~] No less than [~~\$250~~] \$300 [~~or~~] and no more than  
8 [~~\$500~~] \$550 for each separate offense if the person is  
9 the owner of the motor vehicle [~~which~~] that is in  
10 violation; and

11 (2) [~~Not~~] No less than [~~\$500 or~~] \$700 and no more than  
12 [~~\$1,000~~] \$1,200 for each separate offense if the  
13 person or business entity is the installer of any sun  
14 screening device [~~which~~] that does not meet the  
15 requirements of this section. The installer shall  
16 also reinstall sun protective devices which comply  
17 with this section, free of charge, or reimburse the  
18 motor vehicle owner for the cost of installing sun  
19 protective devices by another installer which comply  
20 with this section.



1 The receipt from the installer in the possession of the person  
2 in the motor vehicle at the time of the issuance of the citation  
3 shall be prima facie evidence of the identity of the installer.  
4 The installer shall issue a certificate to the vehicle owner at  
5 the time the sunscreen device is installed certifying that the  
6 device complies with law. The certificate shall be stored in  
7 the motor vehicle at all times."

8 SECTION 3. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Motor Vehicles; Window Glazing; Levels; Sun Screening Devices;  
Fines

**Description:**

Prohibits a person from installing, mounting, adhering, affixing, or using any sun screening device in conjunction with the glazing material of a motor vehicle with mirrored, metallic, red, yellow, amber, or blue tint. Requires all drivers and passengers of motor vehicles with applied tint to fully roll down their windows when stopped by a law enforcement officer at a traffic stop. Lowers the minimum light transmittance levels for sun screening devices on certain motor vehicles. Exempts side windows to the rear of the driver and rear windows on sedans from sun screening device requirements. Increase the minimum and maximum fines for violating sun screening device requirements. Effective 7/1/3000. (HD2)

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