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ENGROSSED SENATE BILL 5581

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State of Washington

61st Legislature

2009 Regular Session

By Senators Delvin, Marr, and Shin; by request of Washington State Patrol

Read first time 01/27/09. Referred to Committee on Transportation.

1 AN ACT Relating to suncreening devices; amending RCW 46.37.430;  
2 and adding a new section to chapter 46.04 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.37.430 and 2007 c 168 s 1 are each amended to read  
5 as follows:

6 (1)(a) No person may sell any ((new)) motor vehicle as specified in  
7 this title, nor may any ((new)) motor vehicle as specified in this  
8 title be registered unless such vehicle is equipped with safety glazing  
9 material of a type that meets or exceeds federal standards(~~(, or if~~  
10 ~~there are none, standards approved by the Washington state patrol)~~)  
11 under 49 C.F.R. Sec. 571.205.

12 (b) The foregoing provisions apply to all passenger-type motor  
13 vehicles, including passenger buses and school buses, but in respect to  
14 trucks, including truck tractors, the requirements as to safety glazing  
15 material apply to all glazing material used in doors, windows, and  
16 windshields in the drivers' compartments of such vehicles except as  
17 provided by subsection (4) of this section.

18 (c) The safety glazing material that is manufactured and installed  
19 in accordance with federal standards shall not be etched or otherwise

1 permanently altered if the safety glazing material is installed in the  
2 windshield or any other window located in the motor vehicle passenger  
3 compartment, except for the etching of the vehicle identification  
4 number if:

5 (i) The maximum height of the letters or numbers do not exceed one-  
6 half inch; and

7 (ii) The etched vehicle identification number is not located in a  
8 position that interferes with the vision of any occupant of the motor  
9 vehicle.

10 (2) ~~((The term))~~ For the purposes of this section:

11 (a) "Light transmission" means the ratio of the amount of total  
12 visible light, expressed in percentages, that is allowed to pass  
13 through the sunscreening or coloring material to the amount of total  
14 visible light falling on the motor vehicle window.

15 (b) "Net film screening" means the total sunscreening or coloring  
16 material applied to the window that includes both the material applied  
17 by the manufacturer during the safety glazing and any film sunscreening  
18 or coloring material applied after the vehicle is manufactured.

19 (c) "Reflectance" means the ratio of the amount of total light,  
20 expressed in percentages, that is reflected outward by the sunscreening  
21 or coloring material to the amount of total light falling on the motor  
22 vehicle window.

23 (d) "Safety glazing materials" means glazing materials so  
24 constructed, treated, or combined with other materials as to reduce  
25 substantially, in comparison with ordinary sheet glass or plate glass,  
26 the likelihood of injury to persons by objects from exterior sources or  
27 by these safety glazing materials when they may be cracked or broken.

28 (3) The director of licensing shall not register any motor vehicle  
29 which is subject to the provisions of this section unless it is  
30 equipped with an approved type of safety glazing material, and he or  
31 she shall suspend the registration of any motor vehicle so subject to  
32 this section which the director finds is not so equipped until it is  
33 made to conform to the requirements of this section.

34 (4) No person may sell or offer for sale, nor may any person  
35 operate a motor vehicle registered in this state which is equipped  
36 with, any camper manufactured after May 23, 1969, unless such camper is  
37 equipped with safety glazing material of a type conforming to rules

1 adopted (~~by the state patrol~~) under 49 C.F.R. Sec. 571.205 wherever  
2 glazing materials are used in outside windows and doors.

3 (5) No film sunscreening or coloring material that reduces light  
4 transmittance to any degree may be applied to the surface of the safety  
5 glazing material in a motor vehicle unless it meets the following  
6 standards for such material:

7 (a) The maximum level of net film sunscreening (~~material~~) to be  
8 applied to any window, except the windshield, shall have a total  
9 reflectance of thirty-five percent or less, (~~plus or minus three~~  
10 ~~percent,~~) and a light transmission of (~~thirty-five~~) twenty-four  
11 percent or more, (~~plus or minus three percent, when measured against~~  
12 ~~clear glass resulting in a minimum of twenty-four percent light~~  
13 ~~transmission on AS-2 glazing~~) where the vehicle is equipped with  
14 outside rearview mirrors on both the right and left. Installation of  
15 more than a single sheet of film sunscreening material to any window is  
16 prohibited. (~~The same maximum levels of film sunscreen material may~~  
17 ~~be applied to windows to the immediate right and left of the driver~~  
18 ~~on~~)

19 (b) Hearses, collector vehicles, limousines and passenger buses  
20 used to transport persons for compensation, ambulances, rescue squad  
21 vehicles, any other emergency medical vehicle licensed under RCW  
22 18.73.130 that is used to transport patients, and any vehicle(s)  
23 identified by the manufacturer as (multi-use, multipurpose, or other  
24 similar designation. All windows to the rear of the driver on such  
25 vehieles) a truck, motor home, or multipurpose passenger vehicle as  
26 defined in 49 C.F.R. Sec. 571.3, may have net film sunscreening  
27 (~~material~~) applied on any window to the rear of the driver that has  
28 less than (~~thirty-five~~) twenty-four percent light transmittance, if  
29 the light reflectance is thirty-five percent or less and the vehicle is  
30 equipped with outside rearview mirrors on both the right and left.

31 (c) A person or business tinting windows for profit who tints  
32 windows within restricted areas of the glazing system shall supply a  
33 sticker to be affixed to the driver's door post, in the area adjacent  
34 to the manufacturer's identification tag. Installation of this sticker  
35 certifies that the glazing application meets this chapter's standards  
36 for light transmission, reflectance, and placement requirements.  
37 Stickers must be no smaller than three-quarters of an inch by one and  
38 one-half inches, and no larger than two inches by two and one-half

1 inches. The stickers must be of sufficient quality to endure exposure  
2 to harsh climate conditions. The business name and state tax  
3 identification number of the installer must be clearly visible on the  
4 sticker.

5 ~~((b))~~ (d) A greater degree of light reduction is permitted on all  
6 windows and the top six inches of windshields of a vehicle operated by  
7 or carrying as a passenger a person who possesses a written  
8 verification from a licensed physician that the operator or passenger  
9 must be protected from exposure to sunlight for physical or medical  
10 reasons.

11 ~~((c)-Windshield-application-))~~ (e) A greater degree of light  
12 reduction is permitted ~~((on the top six inch area of a vehicle's))~~  
13 along the top edge of the windshield as long as the product is  
14 transparent and does not extend into the AS-1 portion of the windshield  
15 or extend more than six inches from the top of the windshield. Clear  
16 film sunscreening material that reduces or eliminates ultraviolet light  
17 may be applied to windshields.

18 ~~((d))~~ (f) When film sunscreening material is applied to any  
19 window except the windshield, outside mirrors on both the left and  
20 right sides shall be located so as to reflect to the driver a view of  
21 the roadway, through each mirror, a distance of at least two hundred  
22 feet to the rear of the vehicle.

23 ~~((e))~~ (g) The following types of film sunscreening material are  
24 not permitted:

- 25 (i) Mirror finish products;
- 26 (ii) Red, gold, yellow, or black material; or
- 27 (iii) Film sunscreening material that is in liquid preapplication  
28 form and brushed or sprayed on.

29 ~~((Nothing in this section prohibits))~~

30 (6) Subsection (5) of this section does not prohibit:

31 (a) The use of shaded or heat-absorbing safety glazing material in  
32 which the shading or heat-absorbing characteristics have been applied  
33 at the time of manufacture of the safety glazing material and which  
34 meet federal standards ~~((and the standards of the state patrol))~~ for  
35 such safety glazing materials.

36 ~~((6))~~ (b) The use and placement of federal, state, or local  
37 certificates or decals on any window as required by applicable laws or

1 regulations. However, any such certificate or decal must be of a size  
2 and placed on the motor vehicle so as not to impair the ability of the  
3 driver to safely operate the motor vehicle.

4 (c) Sunscreening devices to be applied to any window behind the  
5 driver provided that the devices reduce the driver's area of vision  
6 uniformly and by no more than fifty percent, as measured on a  
7 horizontal plane. If sunscreening devices are applied to the rear  
8 window, the vehicle must be equipped with outside rearview mirrors on  
9 both the left and right.

10 (d) Recreational products, such as toys, cartoon characters,  
11 stuffed animals, signs, and any other vision-reducing article or  
12 material to be applied to or placed in windows behind the driver  
13 provided that they do not interfere, in their size or position, with  
14 the driver's ability to see other vehicles, persons, or objects.

15 (7) It is a traffic infraction for any person to operate a vehicle  
16 for use on the public highways of this state, if the vehicle is  
17 equipped with film sunscreening or coloring material in violation of  
18 this section.

19 ((+7)) (8) Owners of vehicles with film sunscreening material  
20 applied to windows to the rear of the driver, prior to June 7, 1990,  
21 must comply with the requirements of this section and RCW 46.37.435 by  
22 July 1, 1993.

23 ((+8)) (9) The side and rear windows of law enforcement vehicles  
24 are exempt from the requirements of subsection (5) of this section.  
25 However, when law enforcement vehicles are sold to private individuals  
26 the film sunscreening or coloring material must comply with the  
27 requirements of subsection (5) of this section or documentation must be  
28 provided to the buyer stating that the vehicle windows must comply with  
29 the requirements of subsection (5) of this section before operation of  
30 the vehicle.

31 NEW SECTION. Sec. 2. A new section is added to chapter 46.04 RCW  
32 to read as follows:

33 "Collector vehicle" means any motor vehicle that is more than  
34 thirty years old.

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