

# HOUSE BILL REPORT

## SB 5881

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### As Reported by House Committee On: Transportation

**Title:** An act relating to the installation of safety glazing or film suncreening materials.

**Brief Description:** Addressing the installation of safety glazing or film suncreening materials.

**Sponsors:** Senators King, Hobbs, Takko, Wellman, Saldaña, Rivers, Holy and Keiser.

#### **Brief History:**

##### **Committee Activity:**

Transportation: 3/18/19, 4/3/19 [DPA].

#### **Brief Summary of Bill (As Amended by Committee)**

- Adds the element of knowledge to the existing offense of unlawful installation of safety glazing or film suncreening material. Removes provisions from the underlying bill requiring fixed fines for violations.
- Creates the separate offense of unlawful purchase or sale of safety glazing or film suncreening material installation services, with the knowledge that such installation is in violation of the standard in chapter 46.37 RCW. Specifies that the crime is a gross misdemeanor.

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### HOUSE COMMITTEE ON TRANSPORTATION

**Majority Report:** Do pass as amended. Signed by 26 members: Representatives Fey, Chair; Slatter, 2nd Vice Chair; Valdez, 2nd Vice Chair; Wylie, 1st Vice Chair; Barkis, Ranking Minority Member; Young, Assistant Ranking Minority Member; Boehnke, Chambers, Chapman, Doglio, Dufault, Entenman, Goehner, Gregerson, Irwin, Kloba, Lovick, Mead, Orcutt, Ortiz-Self, Paul, Pellicciotti, Ramos, Riccelli, Shewmake and Van Werven.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Eslick, McCaslin and Shea.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Minority Report:** Without recommendation. Signed by 1 member: Representative Walsh, Assistant Ranking Minority Member.

**Staff:** Beth Redfield (786-7140).

**Background:**

Under current law, motor vehicles must be equipped with safety glazing material that meets certain federal standards. Safety glazing material is material applied to windows that reduces substantially the likelihood of injury due to window breakage or penetration of the window by objects from exterior sources.

Generally, it is unlawful to apply film sunscreening or coloring material to the surface of the safety glazing material that reduces light transmittance to any degree. However, various exceptions exist in law. For example, a single sheet of film sunscreening may be applied to any window, except the windshield, if the film sunscreening has no more than a 35 percent total reflectance and a light transmission of at least 24 percent, where the vehicle is equipped with outside rearview mirrors on both the right and left. Additionally, certain specific exceptions apply to hearses, collector vehicles, limousines, ambulances, and other vehicles.

Persons or businesses tinting windows for profit who tint windows within restricted areas of the glazing system must supply a sticker to be affixed to the driver's door post, certifying that the glazing application meets legal standards for light transmission, reflectance, and placement requirements.

The following types of film sunscreening material are not permitted:

- mirror-finish products;
- red, gold, yellow, or black material; or
- material in liquid form that is brushed or sprayed on.

It is a traffic infraction to operate a vehicle on public highways if the vehicle is in violation of the film sunscreening or coloring material requirements.

It is a misdemeanor to unlawfully install safety glazing or film sunscreening materials. A misdemeanor carries a penalty of imprisonment in the county jail for not more than 90 days, or by a fine of not more than \$1,000, or by both imprisonment and fine.

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**Summary of Amended Bill:**

The existing misdemeanor crime of installation of unlawful vehicle window safety glazing or sunscreening material is modified to add the element of knowledge to the offense.

A person is guilty of unlawful purchase or sale of safety glazing or film sunscreening material installation services if he or she provides or receives compensation for the services with the knowledge that the compensation is for installing safety glazing or film

sunscreening material in violation of the standards in chapter 46.37 RCW. This new offense is a gross misdemeanor.

**Amended Bill Compared to Original Bill:**

The amended bill adds the element of knowledge to the existing misdemeanor crime of unlawful installation of safety glazing or film sunscreening material. It replaces references to "materials" with "material" to provide consistency throughout the section. The fixed fines for the existing misdemeanor offense are removed.

The amended bill creates the separate offense of unlawful purchase or sale of safety glazing or film sunscreening material installation services, which is committed when a person provides or receives compensation with the knowledge that such compensation is for the purpose of installing safety glazing or film sunscreening material in violation of the standard in chapter 46.37 RCW. It specifies that the crime is a gross misdemeanor.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.

**Staff Summary of Public Testimony:**

(In support) Last summer, on a nice day, the prime sponsor was driving behind a car and because of the dark windows could not tell whether there was a driver in the car. He pulled alongside and still could not tell whether there was a person in the car. A policeman pulling over that car at 1 a.m., walking up to the car, would not be able to see anything about what was happening in that car. This is a safety bill, our patrolmen are already put in enough jeopardy on a daily basis. As much safety as possible needs to be provided for the people trying to protect us. By adding to the penalty, there will be more interest in enforcing the law.

The Washington State Patrol appreciates that this bill has been brought forward. Approaching a car with dark windows, especially late at night, is quite uncomfortable.

(Opposed) None.

**Persons Testifying:** Senator King, prime sponsor; and Monica Alexander, Washington State Patrol.

**Persons Signed In To Testify But Not Testifying:** None.