

1 **State of Arkansas**

2 **79th General Assembly**

3 **Regular Session, 1993**

4 **By: Representatives M. Wilson, Watts, Wyrick and Young**

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For An Act To Be Entitled

8 "AN ACT TO PROVIDE LIGHT TRANSMISSION LEVELS FOR THE
9 TINTING OF MOTOR VEHICLE WINDOWS AND TO GIVE PERSONS
10 HAVING ALBINISM OR LUPUS AN EXEMPTION FROM RESTRICTIONS ON
11 TINTED WINDOWS ON MOTOR VEHICLES; AND FOR OTHER PURPOSES."

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Subtitle

14 "AN ACT TO PROVIDE LIGHT TRANSMISSION LEVELS FOR THE
15 TINTING OF MOTOR VEHICLE WINDOWS."

16

17 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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19 SECTION 1. (a) It shall be unlawful to operate a vehicle on the public
20 highways if after-market tinting material, together with striping material,
21 has been applied to any windows of the vehicle or if letters or logos larger
22 than one-fourth inch (1/4") have been applied to the windows of the vehicle.

23 (b) After-market tinting of vehicle windows shall be lawful only as
24 follows:

25 (1) Windshields. The glass immediately in front of operator may
26 have a strip of tinting material applied to the top edge, known in the
27 industry as an "eyebrow," but it may not extend downward more than five inches
28 (5") from the top center of the windshield.

29 (2) On all 1994 model vehicles and later model vehicles the side
30 windows and side wings located on the immediate right or left of the driver or
31 to the right or left immediately behind the driver may be covered with an
32 after-market tinting material which results in at least twenty-five percent
33 (25%) net light transmission; except that the side windows immediately behind
34 the driver on any truck, bus, trailer, motor home, or multiple-purpose
35 passenger vehicle may be covered with an after-market tinting material which

1 results in at least ten percent (10%) net light transmission.

2 (3) On all 1994 model vehicles and later model vehicles the
3 rearmost window may be covered with an after-market tinting material which
4 results in at least ten percent (10%) net light transmission.

5 (c) Any vehicle that is operated on Arkansas roads with after-market
6 tinting material on any glass shall have attached to the front glass
7 immediately to the operator_s left a label containing the name and phone
8 number of the company installing the tinting material and affirming that all
9 tinting on this vehicle conforms to the requirements of this section.

10 (d) The provisions of this section shall not apply to motorists
11 operating vehicles registered in other states that have enacted legislation
12 regulating the shading of windshields or windows of motor vehicles, who are
13 driving on Arkansas roads and highways.

14 (e)(1) A motorist shall be exempt from this section if the motorist is
15 diagnosed by a physician as having a disease or disorder, including but not
16 limited to albinism or lupus, for which the physician determines it is in the
17 best interest of the motorist to be exempt from the requirements of this
18 section. The motorist shall carry in his or her motor vehicle a physician_s
19 certification.

20 (2) The installation of tinted glass shall be exempt from this
21 section if the tinted glass is installed in the motor vehicle of a person
22 exempted under this subsection, as evidenced by a physician_s certification.

23 (f) The provisions of this section shall not be applicable to vehicles
24 or operators of vehicles used exclusively or primarily for the transportation
25 of dead human bodies.

26 (g) Any installer of motor vehicle glass tinting material who installs
27 any glass tinting in violation of this section or otherwise violates the
28 provisions of this section or any person operating any motor vehicle with
29 glass tinting or other after-market alteration of the glass in the vehicle
30 which is contrary to the provisions of this section shall be guilty of a
31 Class B misdemeanor.

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33 SECTION 2. The provisions of this act shall also apply to:

34 (1) all 1993 and older model vehicles which have not had after-market
35 tinting material applied in accordance with Act 563 of 1991 or Act 1043 of

1 1991; and

2 (2) at such time as the ownership of the same are transferred, all older
3 model vehicles which have had after-market tinting material applied in
4 accordance with Act 563 of 1991 or Act 1043 of 1991.

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6 SECTION 3. All provisions of this act of a general and permanent nature
7 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
8 Revision Commission shall incorporate the same in the Code.

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10 SECTION 4. If any provision of this act or the application thereof to
11 any person or circumstance is held invalid, such invalidity shall not affect
12 other provisions or applications of the act which can be given effect without
13 the invalid provision or application, and to this end the provisions of this
14 act are declared to be severable.

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16 SECTION 5. Arkansas Code Annotated §27-37-306 as amended by Act 563 of
17 1991 and Arkansas Code Annotated §27-37-306 as amended by Act 1043 of 1991 are
18 repealed, and all other laws and parts of laws in conflict with this act are
19 hereby repealed.

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21 SECTION 6. EMERGENCY. It is hereby found and determined by the General
22 Assembly of the State of Arkansas that the proper regulation of equipment on
23 motor vehicles is a proper and necessary function of state government, and the
24 loss of life and property, and the protection of law enforcement officers
25 enforcing our traffic laws creates an emergency. Therefore, an emergency is
26 hereby declared to exist and this act being necessary for the immediate
27 preservation of the public peace, health, and safety, shall be in full force
28 and effect from and after its passage and approval.

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/s/Mike Wilson, et al

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As Engrossed: 2/3/93 2/16/93 3/5/93

HB 1178

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