

STATE OF OKLAHOMA

2nd Session of the 55th Legislature (2016)

HOUSE BILL 2698

By: Enns

AS INTRODUCED

An Act relating to motor vehicles; amending 47 O.S. 2011, Section 12-422, which relates to restrictions on car window coating materials; clarifying language; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 47 O.S. 2011, Section 12-422, is amended to read as follows:

Section 12-422. A. As used in this section:

1. "Glass coating material" or "sunscreening devices" means materials, films, applications or devices which are used in conjunction with approved vehicle glazing materials for the purpose of reducing the effects of sun, but shall ~~not include~~ exclude materials, films, applications, or devices with a mirrored or mirror-like finish;

2. "Light transmission" means the percentage of total light which is allowed to pass through a window;

1 3. "Luminous reflectance" means the ratio of the amount of
2 total light, expressed in percentages, which is reflected outward by
3 the glass coating material or sunscreening device to the amount of
4 total light falling on the glass coating material;

5 4. "Manufacturer" means:

6 a. a person who engages in the manufacturing or
7 assembling of sunscreening devices, or

8 b. a person who fabricates, laminates, or tempers glazing
9 materials, incorporating the capacity to reflect or to
10 reduce the transmittance of light during the
11 manufacturing process; and

12 5. "Window" means the windshield, side or rear glass of a motor
13 vehicle, including any glazing material, glass coating or
14 sunscreening device.

15 B. It is unlawful, except as provided by this section, for a
16 person to sell, install, or to operate a motor vehicle with any
17 object or material:

18 1. Placed, displayed, installed, affixed, or applied upon the
19 windshield or side or rear windows; or

20 2. So placed, displayed, installed, affixed, or applied in or
21 upon the motor vehicle so as to obstruct or reduce a driver's clear
22 view through the windshield or side or rear windows.

23 C. It is unlawful for any person to place, install, affix, or
24 apply any transparent material upon the windshield or side or rear

1 windows of any motor vehicle if such material alters the color or
2 reduces the light transmittance of such windshield or side or rear
3 windows except as provided in this section.

4 D. This section shall not apply to:

5 1. Side or back windows that have a substance or material in
6 conjunction with glazing material that has a light transmission of
7 at least twenty-five percent (25%) and a luminous reflectance of at
8 most twenty-five percent (25%);

9 2. Front side wing vents and windows that have a substance or
10 material not attached in conjunction with glazing material which is
11 used by a vehicle operator on a moving vehicle during daylight
12 hours;

13 3. Rearview mirrors;

14 4. Adjustable nontransparent sun visors which are mounted
15 forward of the side windows and are not attached to the glass;

16 5. Signs, stickers, or other materials which are displayed in a
17 forty-nine-square-inch area in the lower corner of the windshield
18 farthest removed from the driver or signs, stickers, or other
19 materials which are displayed in a forty-nine-square-inch area in
20 the lower corner of the windshield nearest the driver;

21 6. Direction, designation, or termination signs on buses, if
22 the signs do not interfere with the driver's clear view of
23 approaching traffic;

24 7. Rear window wiper motors;

1 8. Rear window defrosters or defoggers;

2 9. Rear truck lid handle or hinges;

3 10. Side windows to the rear of the driver or back windows that
4 have a substance or material in conjunction with glazing material
5 that has a light transmission of at least ten percent (10%) and a
6 luminous reflectance of at most twenty-five percent (25%) on all
7 vehicles manufactured prior to 1996 year models, if the motor
8 vehicle is equipped with outside mirrors on both left and right hand
9 sides of the vehicle that are so located as to reflect to the driver
10 a view of the highway through each mirror for a distance of at least
11 two hundred (200) feet to the rear of the motor vehicle;

12 11. Transparent material which is installed, affixed, or
13 applied to the topmost portion of the windshield if:

14 a. it does not extend downward beyond the AS-1 line or
15 more than five (5) inches from the top of the
16 windshield, whichever is closer to the top of the
17 windshield, and

18 b. the material is not red or amber in color;

19 12. All windows to the rear of the driver's seat in a vehicle
20 licensed as a bus, as defined by Section 1-105 of this title, or a
21 taxicab, as defined by Section 1-174 of this title;

22 13. Vehicles not subject to registration in the State of
23 Oklahoma;

24 14. Implements of husbandry as defined by this title; and

1 15. Law enforcement vehicles which are owned by the state or a
2 political subdivision of the state.

3 E. This section shall not prohibit the use and placement of
4 federal, state, or political subdivision certificates on any window
5 as are required by applicable laws.

6 F. Louvered materials, when installed as designed, shall not
7 reduce the area of the driver's visibility below fifty percent (50%)
8 as measured on a horizontal plane. When such materials are used in
9 conjunction with the rear window, the measurement shall be made
10 based upon the driver's view from inside the rearview mirror.

11 G. A person who sells or installs any product regulated by this
12 section shall certify in a written statement, which shall be a part
13 of the contract for sale or installation and shall be in bold-face
14 type, that:

15 1. The product sold or installed is in compliance with the
16 reflectivity and transmittance requirements of this section; and

17 2. The installation of the product to the driver's or
18 passenger's side window may be illegal in some states.

19 H. The Commissioner of Public Safety, upon application from a
20 person required for medical reasons to be shielded from the direct
21 rays of the sun, supported by written attestation of such fact from
22 a physician licensed pursuant to Section 495 of Title 59 of the
23 Oklahoma Statutes, may issue an exemption from the provisions of
24 this section for a motor vehicle belonging to such person or in

1 which such person is a habitual passenger. Any person may operate a
2 vehicle or alter the color or reduce the light transmitted through
3 the side or rear windows of a vehicle in accordance with an
4 exemption issued by the Commissioner.

5 I. Any person who violates any provision of this section, upon
6 conviction, shall be guilty of a misdemeanor and shall be punished
7 as provided for in Section 17-101 of this title.

8 SECTION 2. This act shall become effective November 1, 2016.

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