

No. 1990-137

## AN ACT

HB 240

Amending Title 75 (Vehicles) of the Pennsylvania Consolidated Statutes, further providing for windshield obstruction.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 4524(e) of Title 75 of the Pennsylvania Consolidated Statutes is amended to read:

§ 4524. Windshield obstructions and wipers.

\* \* \*

(e) Sun screening and other materials prohibited.—

(1) No person shall drive any motor vehicle with any sun screening device or other material which does not permit a person to see or view the inside of the vehicle through the windshield, side wing or side window of the vehicle.

(2) This subsection does not apply to **[any]**:

(i) *A vehicle which is equipped with tinted windows of the type and specification that were installed by the manufacturer of the vehicle or to any hearse, ambulance, government vehicle or any other vehicle [to] for which a currently valid certificate of exemption [is affixed as specified by regulation] has been issued in accordance with regulations adopted by the department.*

(ii) *A vehicle which is equipped with tinted windows, sun screening devices or other materials which comply with all applicable Federal regulations and for which a currently valid certificate of exemption for medical reasons has been issued in accordance with regulations adopted by the department.*

(3) A certificate of exemption shall be issued by the department for a vehicle which is **[registered]**:

(i) *Registered* in this Commonwealth on the effective date of this subsection and is equipped with a sun screening device or other material prohibited under paragraph (1) on the effective date.

(ii) *Equipped with tinted windows, sun screening devices or other materials for a physical condition that makes it necessary to equip the motor vehicle with sun screening material which would be of a light transmittance or luminous reflectance in violation of this section.*

(A) *A certificate of exemption for medical reasons shall be issued only if the owner or registrant of the vehicle, or a person residing in the household of the owner or registrant who regularly drives or is driven in the vehicle, suffers from a physical condition determined by the department, in consultation with the Medical Advisory Board, to justify the exemption.*

***(B) Any person requesting an exemption for medical reasons shall have his physical condition certified to the department by a licensed physician or optometrist.***

***(4) A certificate of exemption issued under this subsection shall be carried in the vehicle and displayed on request of a police officer.***

***(5) Upon the sale or transfer of the vehicle to any person who does not qualify under paragraph (2)(ii), the exemption shall be null and void. Prior to the sale or transfer of an exempt vehicle, it shall be the sole responsibility of the owner or seller of a formerly exempt vehicle to remove all sun screening or other materials from the vehicle. At the time of the sale or transfer of a formerly exempt vehicle, the owner shall remove and destroy the certificate of exemption for physical reasons and provide the purchaser with a notarized statement setting forth the name and address of the owner or seller, the vehicle identification number, year and model, and the business entity and process used to remove the sun screening or other material.***  
Section 2. This act shall take effect in 180 days.

APPROVED—The 21st day of November, A. D. 1990.

ROBERT P. CASEY