

SENATE . . . . . No. 1379

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By Mr. Bertonazzi, a petition (accompanied by bill, Senate, No. 1379) of Louis P. Bertonazzi and the State Police Association of Massachusetts, by Ronald J. Bellanti, president, for legislation to limit the use of tinted and mirrored materials on certain motor vehicles. Public Safety.

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**The Commonwealth of Massachusetts**

In the Year One Thousand Nine Hundred and Eighty-Four

AN ACT TO LIMIT THE USE OF TINTED AND MIRRORED MATERIALS  
ON CERTAIN MOTOR VEHICLES.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 7A of chapter 90 of the General Laws as  
2 appearing in section 2 of chapter 761 of the acts of 1979 is  
3 hereby amended by striking out the second paragraph and  
4 inserting in place thereof the following paragraph: —  
5 The purpose of the safety and combined safety and  
6 emissions inspection regulations shall require that motor  
7 vehicles are provided with the following equipment main-  
8 tained in good order: a vehicle identification number,  
9 brakes, stop lamps, lights, directional signals, horn, exhaust  
10 system, steering and suspension system, glazing, windshield  
11 cleaner, number plates, tires, fenders, bumpers, external  
12 sheet metal, reflectors, splash guards, chock blocks, window  
13 tinting or treatment materials in accordance with Section 8C  
14 of this chapter and air pollution emission control systems or  
15 devices.

1 SECTION 2. Section 8C of chapter 90 of the General Laws as  
2 appearing in chapter 766 of the acts of 1973 is hereby  
3 amended by inserting after the third sentence of said section,  
4 the following sentence: —  
5 "Upon receipt of an application for a medical exemption  
6 for the benefit of the owner or operator of a motor vehicle  
7 whose vision is determined by the board to be light or

8 photosensitive, said board shall grant an exemption in-  
9 spection sticker indicating the need for special window  
10 treatment as a medical necessity."

1 SECTION 3. Chapter 90 of the General Laws is hereby  
2 amended by inserting after section 9B the following sec-  
3 tion:—

4 "Section 9C. No person shall operate any private passenger  
5 motor vehicle having permanent seating capacity for not  
6 more than eight passengers in addition to the operator  
7 thereof upon any public way, road or street or upon any way  
8 which the public shall have the right of access with any of the  
9 following affixed thereto:—

10 (1) a sign, poster, nontransparent material, window ap-  
11 plication, reflective film or nonreflective film used in any  
12 way to cover or treat the front windshield, the side windows  
13 immediately adjacent to the operator's seat or front  
14 passenger seat, so as to make these such windshield, window  
15 and/or glass areas in any way nontransparent or obscured  
16 from either the interior or exterior thereof except that a tinted  
17 film may be used along the top edge of the windshield and the  
18 sidewings or side windows immediately adjacent to the  
19 operator's seat or front passenger seat provided said tinted  
20 film does not extend down more than four inches from the top  
21 of the windshield or from the top of the sidewings or side  
22 windows immediately adjacent to the operator's seat or front  
23 passenger seat; and does not interfere with the vision of the  
24 operator;

25 (2) a sign, poster, nontransparent material, window ap-  
26 plication, reflective film or any material used in any way to  
27 cover or treat the rear window and the side windows im-  
28 mediately to the rear of the operator's seat and the front  
29 passenger's seat which has the effect of making these win-  
30 dows, vision or glass areas in any way reflective or which  
31 produces a mirrored appearance; provided, however, that  
32 said windows may be composed of, covered by or treated  
33 with a material which has the effect of providing these glass  
34 areas with a total solar reflectance of not greater than thirty-  
35 five percent in the visible light range.

36 No person shall operate any motor vehicle upon any public

37 way, road, street, or way upon which the public has the right  
38 of access, if driver visibility through the rear window is  
39 obstructed or covered by or treated with any material which  
40 has a reflective or mirrored appearance and which has a  
41 total solar reflectance when applied to the glass, thereon of  
42 greater than thirty-five percent in the visible light range  
43 unless said vehicle is equipped with mirrors on both sides  
44 thereof so adjusted that the driver thereof shall have a clear  
45 and full view of the road and traffic conditions behind such  
46 vehicle. Said mirrors shall not unreasonably protrude from  
47 the exterior of the vehicle nor impede the vision of the  
48 operator in any way.

49 This section shall not apply to:—

50 (1) the use of draperies, louvers, or other special window  
51 treatments, except those specifically designated in this  
52 section, on the rear window, or a side window to the rear of  
53 the driver if the vehicle is equipped with 2 outside rearview  
54 mirrors, one on each side, adjusted so that the driver has a  
55 clear view of the highway behind the vehicle;

56 (2) the placement of a necessary certificate or inspection  
57 sticker as required under section 7A of chapter 90 that does  
58 not obstruct the operator's clear view of the roadway or an  
59 intersecting roadway;

60 (3) a vehicle registered in another state, territory or  
61 another country or province;

62 (4) special window treatment or application determined  
63 necessary by a licensed physician, for the protection of the  
64 owner or operator of a private passenger motor vehicle who is  
65 determined to be light or photosensitive. Applications for  
66 such exemption based upon such medical reason or reasons  
67 shall be made in writing to the Medical Advisory Board  
68 established under section 8C of chapter 90 of the General  
69 Laws. All applications must be supported by a written at-  
70 testation of a physician licensed to practice in this com-  
71 monwealth of the necessity therefor. Upon the granting of  
72 such exemption by the board, the registrar shall annually  
73 issue a sufficiently noticeable sticker to the applicant which  
74 shall be affixed to the side window immediately adjacent to  
75 the operator. The registrar shall keep a record of all such  
76 exemption stickers so issued.

1 SECTION 4. On and after July first, nineteen hundred eighty-  
2 two, no person shall manufacture, sell, offer for sale or trade,  
3 equip or operate a motor vehicle in the Commonwealth in  
4 violation of the provisions of this section. Violations hereof  
5 shall be punishable by a fine of not more than \$500.00. Upon a  
6 third or subsequent conviction of the provisions hereof the  
7 registrar shall suspend the operator's license of a person so  
8 convicted for a period not to exceed 90 days.