

Substituted by the House, on motion of Mr. White of Worcester, for a bill with the same title (House, No. 6298). November 29.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-Three.

AN ACT RELATIVE TO MOTOR VEHICLE WINDOWS.

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 8C of chapter 90 of the General Laws,
2 inserted by chapter 766 of the acts of 1973, is hereby amended by
3 inserting after the third sentence the following sentence: — Upon
4 receipt of an application for a medical exemption for the benefit of
5 the owner or operator of a motor vehicle whose vision is determined
6 by the board to be light sensitive or photo sensitive, said board shall
7 grant an exemption indicating the need for special window treat-
8 ment as a medical necessity.

1 SECTION 2. Said chapter 90 is hereby further amended by
2 inserting after section 9C the following section: —

3 *Section 9D.* No person shall operate any motor vehicle upon
4 any public way, road or street or upon any way to which the public
5 shall have the right of access with any of the following affixed
6 thereto:

7 (1) a sign, poster, nontransparent material, window application,
8 reflective film or nonreflective film used in any way to cover or treat
9 the front windshield, the side windows immediately adjacent to the
10 operator's seat and the front passenger seat, the side windows
11 immediately to the rear of the operator's seat and the front pas-
12 senger's seat and the rear window, so as to make such windshield
13 and window glass areas in anyway non-transparent or obscured
14 from either the interior or exterior thereof.

15 This section shall not apply to: —

16 (1) motor vehicles manufactured with windshields and window
17 glass areas equipped in accordance with the specifications of 49

18 Code of Federal Regulations 571.205, as authorized by 15 USC
19 1407;

20 (2) the use of draperies, louvers, or other special window treat-
21 ments, except those specifically designated in this section, on the
22 rear window with two outside rearview mirrors, one on each side,
23 adjusted so that the driver has a clear view of the highway behind
24 the vehicle;

25 (3) signs, stickers, or other materials which are displayed in a
26 seven inch square in the lower corner of the windshield farthest
27 removed from the driver; signs, stickers or other materials which
28 are displayed in a fifty-six square inch area in the lower corner of
29 the rear window farthest removed from the driver; or signs, stickers
30 or other materials which are displayed in a five inch square in the
31 lowest corner of the windshield nearest the driver;

32 (4) a vehicle registered in another state, territory or another
33 country or province;

34 (5) special window treatment or application determined neces-
35 sary by a licensed physician, for the protection of the owner or
36 operator of a private passenger motor vehicle who is determined to
37 be light or photosensitive. Applications for such exemption based
38 upon such medical reason or reasons shall be made in writing to the
39 medical advisory board established under section eight C. All ap-
40 plications must be supported by a written attestation of a physician
41 licensed to practice in this commonwealth of the necessity thereof.
42 Upon granting of such exemption by the board, the registrar shall
43 issue a sufficiently noticeable sticker to the applicant which shall be
44 affixed to the side window immediately adjacent to the operator.
45 The registrar shall keep a record of all such exemption stickers so
46 issued.

47 Violations of any provision of this section shall be punished by a
48 fine of not more than two hundred and fifty dollars. Upon a third or
49 subsequent conviction of a violation of the provisions of this sec-
50 tion, the registrar shall suspend the operator's license of a person so
51 convicted for a period not to exceed ninety days.

1 SECTION 3. On or after January first, nineteen hundred and
2 eighty-five, no person shall manufacture, sell, offer for sale or trade,
3 equip or operate a motor vehicle in the commonwealth in violation
4 of the provisions of this act.
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