

Stricken language would be deleted from and underlined language would be added to present law.

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H2/18/13
A Bill

HOUSE BILL 1307

By: Representatives Copenhaver, Catlett

For An Act To Be Entitled

AN ACT TO ALLOW MEDICAL WAIVER WINDOW TINTING TO BE
THE SAME AS REGULAR LAW ENFORCEMENT VEHICLES; AND FOR
OTHER PURPOSES.

Subtitle

TO ALLOW MEDICAL WAIVER WINDOW TINTING TO
BE THE SAME AS REGULAR LAW ENFORCEMENT
VEHICLES.

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

SECTION 1. Arkansas Code § 27-37-306(e), concerning medical exemptions for window tinting, is amended to read as follows:

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

~~(2)(B)~~ The installation of tinted glass ~~shall be~~ is exempt from this section if the tinted glass is installed in the motor vehicle of a person exempted under this subsection, as evidenced by a physician's certification.

(C) For vehicles tinted prior to the effective date of this act, this subdivision (e)(1) applies. Proof of the date of the application of the tint, and the name and phone number of the company that applied the tinting shall be carried in the motor vehicle.



(2) After the effective date of this act, a motorist that provides a physician's certification attesting that it is in the best interest of the motorist to have such tinting may have window tinting performed as follows:

(A) The side windows and side wings located on the immediate right or left of the driver or to the right or left immediately behind the driver may be covered with an after-market tinting material which results in at least twenty percent (20%) net light transmission;

(B) The rearmost window may be covered with an after-market tinting material which results in at least ten percent (10%) net light transmission; and

(C) The front windshield may be covered with an after-market tinting material which results in at least fifty percent (50%) net light transmission.

(3) After the effective date of this act, a vehicle operated on Arkansas roads with after-market tinting material on the glass under this section shall have attached to the front glass immediately to the operator's left a label from the window tinting installer that:

(A) Provides the name and phone number of the company that installed the tinting material; and

(B) Affirms that all tinting on the vehicle conforms to the requirements of this section.

(4) A motorist utilizing the provisions of this section shall carry the physician's certification in the motor vehicle.

(5) Any physician certification issued in compliance with this section (e) shall be valid for three (3) years from the date of issue.

(6) Upon transfer of a vehicle with window tinting under the medical waiver exemption, the transferor shall:

(a) Disclose that the window tinting is not within legal limits without a medical waiver; or

(b) Remove the tinting that was based on the medical waiver.

/s/Copenhaver