

“P” 23 (2016)

“M” 20 (2016)

Albany, New York

December 21, 2016

TO: All Enforcement Agencies and Magistrates

SUBJECT: Chapter 444 of the Laws of 2016 – Safety Inspections Test Windows for Compliance with Light Transmittance Standards

Effective January 1, 2017, Chapter 444 of the Laws of 2016 amends Section 301(c)(1)(a) of the Vehicle and Traffic Law (VTL) to require that safety inspections test motor vehicle windows for conformance with light transmittance standards as set forth in Section 375(12-a) of the VTL. The test must determine whether any window is composed of, covered by, or treated with any material which has a light transmittance of less than seventy percent. Part 79 of the Commissioner’s Regulations is amended to establish the procedures for inspection stations to test a vehicle’s windows for compliance with light transmittance standards.

In addition, the Department has amended Part 54 of the Commissioner’s Regulations to incorporate the window tinting standards set forth in VTL section 375(12-a).

A copy of Part 54 of the Regulations and Chapter 444 are attached for your reference. Please share this information with appropriate staff. Thank you.

Theresa L. Egan
Executive Deputy Commissioner

Attachments

STATE OF NEW YORK

4106

2015-2016 Regular Sessions

IN ASSEMBLY

January 29, 2015

Introduced by M. of A. DenDEKKER -- read once and referred to the
Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to including
the examination of tinted or shaded windows in the periodic inspection
of motor vehicles

**The People of the State of New York, represented in Senate and Assem-
bly, do enact as follows:**

1 Section 1. Subparagraph (a) of paragraph 1 of subdivision (c) of
2 section 301 of the vehicle and traffic law, as amended by section 5 of
3 part VI of chapter 62 of the laws of 2003, is amended to read as
4 follows:
5 (a) A safety inspection shall be made with respect to the brakes;
6 steering mechanism; wheel alignment; lights, including but not limited
7 to the lights which are designed and placed on a vehicle for the purpose
8 of illuminating the vehicle's license plates; odometer; tire pressure;
9 seat safety belts; shoulder harness safety belts; **any window which is**
10 **composed of, covered by or treated with any material which has a light**
11 **transmittance of less than seventy percent pursuant to section three**
12 **hundred seventy-five of this title** and such other mechanisms and equip-
13 ment as shall be determined by the commissioner to be necessary for
14 proper and safe operations. Such inspection shall also be made with
15 respect to vehicle identification number. Upon inspection, the mileage
16 appearing on the odometer shall be recorded upon the inspection sticker.
17 § 2. This act shall take effect on the first of January next succeed-
18 ing the date on which it shall have become a law; provided that the
19 commissioner of motor vehicles is authorized to promulgate any and all
20 rules and regulations necessary and take any other measures necessary to
21 implement this act on its effective date on or before such date.

EXPLANATION--Matter in **italics** (underscored) is new; matter in brackets
[-] is old law to be omitted.

LBD07989-01-5

STATE OF NEW YORK

DEPARTMENT OF MOTOR VEHICLES

Pursuant to the authority contained in sections 215(a) and 375(12-a)(f) of the Vehicle and Traffic Law, the Commissioner of Motor Vehicles hereby amends the Regulations of the Commissioner of Motor Vehicles as follows:

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The title of Part 54 of Title 15 is amended to read as follows:

Protective Helmets, Goggles, Face Shields, Light Transmittance for Motor Vehicle Windows and Windshields and Wind Screens for Motorcycles.

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A new section 54.40 is amended to read as follows:

54.40 Light Transmittance Standards for Motor Vehicle Windows and Windshields

(a) The front windshield below the top 6 inches shall not have a light transmittance of less than 70 percent for 1992 and newer vehicles or 35 percent light transmittance for 1991 and older vehicles.

(b) The windows on either side forward or adjacent to the driver's seating position shall not have a light transmittance of less than 70 percent for 1992 and newer vehicles or 35 percent light transmittance for 1991 and older vehicles.

(c) Any rear side windows in a 1992 or newer vehicle shall not have a light transmittance of less than 70 percent if the vehicle is classified as a station wagon, sedan, hardtop, coupe, hatchback or convertible. A vehicle is so classified if it is labeled "Passenger Car" on the Federal ID label found on the left front door panel.

(d) Any rear side windows in a 1991 or older vehicle shall not have a light transmittance of less than 35 percent.

(e) For vehicles that are not equipped with a side-view mirror on both sides of the vehicle, the rear windshield shall not have a light transmittance of less than 70 percent for 1992 and newer vehicles or 35 percent light transmittance for 1991 and older vehicles.

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