
A BILL FOR AN ACT

RELATING TO WINDSHIELD TINTING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that darker tints on car
2 windows have a measurable impact on reducing heat trapped in a
3 car's interior. The legislature additionally finds that the
4 current light transmittance limit of thirty-five per cent for
5 glazing on car windows is inadequate to address the increased
6 temperatures caused by climate change.

7 The purpose of this Act is to:

- 8 (1) Prohibit a person from installing, mounting, adhering,
9 affixing, or using any sun screening device in
10 conjunction with the glazing material of a motor
11 vehicle with mirrored, metallic, red, yellow, amber,
12 or blue tint;
- 13 (2) Require all drivers and passengers of motor vehicles
14 with applied tint to fully roll down their windows
15 when stopped by a law enforcement officer at a traffic
16 stop;



- 1 (3) Lower the minimum light transmittance levels for sun
2 screening devices on certain motor vehicles;
- 3 (4) Exempt side windows to the rear of the driver and rear
4 windows on sedans from sun screening device
5 requirements; and
- 6 (5) Increase the minimum and maximum fines for violating
7 sun screening device requirements.

8 SECTION 2. Section 291-21.5, Hawaii Revised Statutes, is
9 amended to read as follows:

- 10 **"§291-21.5 Regulation of motor vehicle sun screening**
11 **devices; penalty.** (a) No person shall operate, permit the
12 operation of, cause to be operated, or park any motor vehicle on
13 a public highway if the glazing material of the motor vehicle:
- 14 (1) Does not meet the requirements of the Federal Motor
15 Vehicle Safety Standards 205 in effect at the time of
16 its manufacture; or
- 17 (2) Is used in conjunction with sun screening devices not
18 exempted from this section by subsection [~~(d)~~ hereof.]
19 (e).
- 20 (b) No person shall install, mount, adhere, affix, or use
21 any sun screening device or combination of devices in



1 conjunction with the glazing material of a motor vehicle

2 [~~which~~]:

3 (1) That does not meet the requirements of the Federal
4 Motor Vehicle Safety Standards 205 in effect at the
5 time of the glazing material's manufacture except as
6 provided in this section~~[+]~~; and

7 (2) With mirrored, metallic, red, yellow, amber, or blue
8 tint.

9 Any person who violates this section shall be liable for
10 the removal of any sun screening device applied contrary to this
11 section.

12 (c) A safety inspection required under section 286-25
13 shall include a test to ensure that the glazing material and any
14 sun screening devices meet the requirements specified in this
15 section.

16 (d) Notwithstanding subsection (e), all drivers and
17 passengers of motor vehicles with applied tint shall fully roll
18 down their windows when stopped by a law enforcement officer at
19 a traffic stop.

20 ~~[(d)]~~ (e) This section shall not apply to:

21 (1) Rearview mirrors;



- 1 (7) Sun screening devices for front side wing vents and
2 windows [~~which,~~ that, when used in conjunction with
3 the glazing material, have a light transmittance of no
4 less than thirty-five per cent plus or minus six per
5 cent;
- 6 (8) Sun screening devices for side windows necessary for
7 driving visibility [~~which,~~ that are to the rear of the
8 driver and for rear windows on sedans, vans, minivans,
9 trucks, and buses necessary for driving visibility
10 [~~which,~~ that, when used in conjunction with the
11 glazing material, have a light transmittance of no
12 less than [~~thirty-five~~ twenty per cent plus or minus
13 six per cent;
- 14 (9) Side windows [~~which,~~ that are to the rear of the
15 driver and rear windows on sedans, vans, minivans,
16 trucks, or buses; provided that the vehicles are
17 equipped with rearview mirrors on both sides;
- 18 (10) Privacy drapes, curtains, or blinds, or any
19 combination, installed on the interior of motor homes;
20 or



1 (11) Transparent sun screening materials, when applied to
2 the AS-1 portion of the windshield, [~~which meets~~] that
3 meet the requirements of Federal Motor Vehicle Safety
4 Standard 205.

5 [~~(e)~~] (f) Any person who violates this section shall be
6 fined:

7 (1) [~~Not~~] No less than [~~\$250~~] \$300 [~~or~~] and no more than
8 [~~\$500~~] \$550 for each separate offense if the person is
9 the owner of the motor vehicle [~~which~~] that is in
10 violation; and

11 (2) [~~Not~~] No less than [~~\$500~~ ~~or~~] \$700 and no more than
12 [~~\$1,000~~] \$1,200 for each separate offense if the
13 person or business entity is the installer of any sun
14 screening device [~~which~~] that does not meet the
15 requirements of this section. The installer shall
16 also reinstall sun protective devices [~~which~~] that
17 comply with this section, free of charge, or reimburse
18 the motor vehicle owner for the cost of installing sun
19 protective devices by another installer [~~which~~] that
20 comply with this section.



1 The receipt from the installer in the possession of the person
2 in the motor vehicle at the time of the issuance of the citation
3 shall be prima facie evidence of the identity of the installer.
4 The installer shall issue a certificate to the vehicle owner at
5 the time the sunscreen device is installed certifying that the
6 device complies with law. The certificate shall be stored in
7 the motor vehicle at all times."

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Motor Vehicles; Window Glazing; Levels; Sun Screening Devices;
Fines

Description:

Prohibits a person from installing, mounting, adhering, affixing, or using any sun screening device in conjunction with the glazing material of a motor vehicle with mirrored, metallic, red, yellow, amber, or blue tint. Requires all drivers and passengers of motor vehicles with applied tint to fully roll down their windows when stopped by a law enforcement officer at a traffic stop. Lowers the minimum light transmittance levels for sun screening devices on certain motor vehicles. Exempts side windows to the rear of the driver and rear windows on sedans from sun screening device requirements. Increases the minimum and maximum fines for violating sun screening device requirements. Effective 7/1/3000. (HD3)

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