

REFERENCE TITLE: motor vehicle safety monitoring equipment

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

SB 1147

Introduced by
Senator Gray: Representative Miranda C

AN ACT

AMENDING SECTION 28-959.01, ARIZONA REVISED STATUTES; RELATING TO MOTOR
VEHICLE EQUIPMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 28-959.01, Arizona Revised Statutes, is amended to
3 read:

4 28-959.01. Materials on windows or windshield; exceptions;
5 requirements; violation; definitions

6 A. This section does not apply to:

7 1. Front side wing vents and windows that have a substance or material
8 in conjunction with glazing material that has a light transmission of
9 thirty-three per cent plus or minus three per cent and a luminous reflectance
10 of thirty-five per cent plus or minus three per cent.

11 2. Front side wing vents and windows that have a substance or material
12 not attached in conjunction with glazing material that is used by a vehicle
13 operator on a moving vehicle during daylight hours as provided in section
14 28-922.

15 3. Rearview mirrors.

16 4. Adjustable nontransparent sun visors that are mounted forward of
17 the side windows and that are not attached to the glass.

18 5. Signs, stickers or other materials that are either:

19 (a) Displayed in a seven inch square in the lower corner of the
20 windshield farthest removed from the driver.

21 (b) Displayed in a five inch square in the lower corner of the
22 windshield nearest the driver.

23 6. Side windows that are to the rear of the driver and rear windows
24 that have a substance or material in conjunction with glazing material that
25 has a luminous reflectance of thirty-five per cent plus or minus three per
26 cent or less.

27 7. Direction, destination or termination signs on a passenger common
28 carrier motor vehicle, if the signs do not interfere with the driver's clear
29 view of approaching traffic.

30 8. Rear window wiper motors.

31 9. A rear trunk lid handle or hinges.

32 10. The rear window or windows if the motor vehicle is equipped with
33 outside mirrors that are on both left-hand and right-hand sides of the
34 vehicle and that are located in a manner to reflect to the driver a view of
35 the highway through each mirror for a distance of at least two hundred feet
36 to the rear of the motor vehicle.

37 11. Transparent material that is installed, affixed or applied to the
38 topmost portion of the windshield if:

39 (a) The bottom edge of the material is at least twenty-nine inches
40 above the undepressed driver's seat when measured from a point five inches in
41 front of the bottom of the backrest with the driver's seat in its rearmost
42 and lowermost position with the vehicle on a level surface.

43 (b) The material is not red or amber in color.

44 12. SAFETY MONITORING EQUIPMENT AND DRIVER FEEDBACK IF MOUNTED IN
45 EITHER OF THE FOLLOWING LOCATIONS:

46 (a) IMMEDIATELY BEHIND, SLIGHTLY ABOVE OR SLIGHTLY BELOW THE REARVIEW
47 MIRROR.

1 (b) WHERE THE REARVIEW MIRROR WOULD COMMONLY BE POSITIONED IF THE
2 MOTOR VEHICLE IS WITHOUT A WINDSHIELD MOUNTED REARVIEW MIRROR.

3 B. Except as otherwise provided in this section, a person shall not
4 operate a motor vehicle with an object or material placed, displayed,
5 installed, affixed or applied on the windshield or side or rear windows or
6 with an object or material placed, displayed, installed, affixed or applied
7 in or on the motor vehicle in a manner that obstructs or reduces a driver's
8 clear view through the windshield or side or rear windows.

9 C. Except as otherwise provided in this section, a person shall not
10 place, install, affix or apply a transparent material on the windshield or
11 side or rear windows of a motor vehicle if the material alters the color or
12 reduces the light transmittance of the windshield or side or rear windows.

13 D. Each manufacturer shall certify to the director that the product or
14 material the manufacturer manufactures or assembles complies with the
15 reflectivity and transmittance requirements of this section.

16 E. This section does not permit or prohibit the use and placement of
17 federal, state or local certificates on any window as are required or
18 prohibited by applicable laws.

19 F. A person who sells or installs objects or materials under this
20 section shall set forth in a conspicuous manner that the installation of the
21 object or material to the driver or passenger side window may be illegal in
22 some states.

23 G. On application from a person required for medical reasons to be
24 shielded from the direct rays of the sun that is supported by written
25 attestation of this fact from a physician licensed pursuant to title 32,
26 chapter 13 or 17, the department may issue an exemption from this section for
27 a motor vehicle belonging to the person or in which the person is a habitual
28 passenger. A person may operate a vehicle or alter the color or reduce the
29 light transmitted through the side or rear windows of a vehicle pursuant to
30 an exemption issued by the director.

31 H. In this section, unless the context otherwise requires:

32 1. "Light transmission" means the ratio of the amount of total light,
33 expressed in percentages, that is allowed to pass through the product or
34 material including the glazing to the amount of total light falling on the
35 product or material and the glazing.

36 2. "Luminous reflectance" means the ratio of the amount of total
37 light, expressed in percentages, that is reflected outward by the product or
38 material to the amount of total light falling on the product or material.

39 3. "Manufacturer" means either:

40 (a) A person who engages in the manufacturing or assembling of sun
41 screening products or materials designed to be used in conjunction with
42 vehicle glazing materials.

43 (b) A person who fabricates, laminates or tempers the glazing material
44 incorporating the capacity to reflect or to reduce the transmittance of light
45 during the manufacturing process.