

# Legislative Analysis



## VEHICLE WINDOW TINTING

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<http://www.house.mi.gov/hfa>

**House Bill 5100 as introduced**  
**Sponsor: Rep. Julie Alexander**  
**Committee: Transportation**  
**Complete to 10-29-19**

Analysis available at  
<http://www.legislature.mi.gov>

### SUMMARY:

House Bill 5100 would amend the Michigan Vehicle Code to revise provisions regarding tinted window films.

Currently under the code, a person is prohibited from operating a motor vehicle with a sign, poster, nontransparent material, window application reflective film, or nonreflective film on or in the front windshield, the driver's or front passenger's side windows, or the sidewings next to and in front of the driver or front passenger—except that tinted film is allowed if it doesn't extend more than four inches from the top of the windshield or extend lower than the shade band, whichever is less.

House Bill 5100 would revise the exception to allow tinted film on the front windshield that doesn't extend more than six inches from the top of the windshield or extend below the manufacturer's AS-1 line, whichever is closer to the top of the windshield. (The *AS-1 line* is a line extending from the "AS-1" marking found on most vehicle windshields and running parallel to the top of the windshield.)

The bill would also allow the driver's or front passenger's side windows, or the sidewings next to and in front of the driver or front passenger, to be composed of, covered by, or treated with a material that, combined with the glass on which it is installed, has a visible light transmittance of 35% or more, plus or minus five percentage points, or a visible light reflectance of 20% or less, plus or minus three percentage points. A professional investigator licensed under the Professional Investigator Licensure Act or a court officer could operate a vehicle with a material on or in the driver's or front passenger's side windows, or the sidewings next to and in front of the driver or front passenger, regardless of the visible light transmittance or reflectance of the material.

However, if a motor vehicle had driver's or front passenger's side windows, or the sidewings next to and in front of the driver or front passenger, that were composed of, covered by, or treated with a material as described above, the individuals in the motor vehicle would have to fully roll down all windows adjacent to the driver or front passenger if stopped by a police officer.

The code also currently prohibits driving with a rear window or side window to the rear of the driver that is composed of, covered by, or treated with a material that creates a total solar reflectance of 35% or more in the visible light range, including a silver or gold reflective film.

The bill would instead prohibit driving with a rear window that is composed of, covered by, or treated with a material that, combined with the glass on which it is installed, has a visible light

transmittance of less than 35%, plus or minus five percentage points, or a visible light reflectance of more than 20%, plus or minus three percentage points.

The code includes exceptions to the prohibitions described above, which the bill would retain, such as for vehicles registered elsewhere, for necessary certificates or stickers that do not obstruct a driver's clear view of the road, and for window treatments that are medically necessary to protect an individual. The bill would further specify that medically necessary window treatments could be for the protection of individuals other than the vehicle's driver.

However, a current exception for the use of a nonreflective, smoked or tinted glass, nonreflective film, perforated window screen, or other decorative window application on the rear window or a side window to the rear of the driver would be revised to instead except the use of a nonreflective, smoked or tinted glass, film that combined with the glass on which it is installed has a visible light reflectance of less than 20%, plus or minus three percentage points, perforated window screen, or other decorative window application on the rear window.

The bill would also remove an exception for the use of draperies on a side window to the rear of the driver.

The bill would take effect 90 days after being enacted.

MCL 257.709

**FISCAL IMPACT:**

House Bill 5100 would not have a direct impact on costs for the Department of State Police or for local law enforcement agencies. Changes made under the bill may reduce revenues from civil infraction fines collected under the Michigan Vehicle Code, since certain civil infractions currently issued for window tinting would no longer be infractions. Revenues from these fines support public libraries and county law libraries. In addition to the civil fine, a judge or district court magistrate is required to order the defendant to pay a justice system assessment of \$40 for each civil infraction determination. This portion of the total fine is deposited to the state Justice System Fund, to support various justice-related endeavors in the judicial and legislative branches and in the Departments of State Police, Corrections, Health and Human Services, and Treasury. Projected reductions to civil fine revenue are presently indeterminate and would depend on the decrease in the volume of civil infractions.

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