

## **BILL ANALYSIS**

Senate Research Center  
81R5783 JD-D

S.B. 589  
By: Carona  
Transportation & Homeland Security  
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As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, Section 547.613 (Restrictions on Windows), Transportation Code, requires that at least 25 percent of light pass through a windshield. The total percentage includes the light transmission of the original window and any changes due to tinting. Law enforcement will give a person a citation if light transmission through the person's vehicle windows is less than 25 percent. This is a Class C misdemeanor offense. However, by rule of the Texas Department of Public Safety, a vehicle can pass a state vehicle inspection with 20 percent light transmission. Therefore there is a discrepancy in the law between what level of tint is an offense subject to law enforcement citation and what level of tint will not pass a state vehicle inspection. Window tint that is too dark is a detriment to public safety if law enforcement officers cannot see into a vehicle. Automobile windows that have been tinted are required to be labeled; however, the labels are not required to disclose whether the tint meets currently existing statutory standards for safety.

As proposed, S.B. 589 increases the required amount of light transmission for a windshield to 35 percent and requires the same for a vehicle to pass inspection. This bill requires that a Vehicle Equipment Safety Compliance (VESC-20) label be placed on a windshield, side, or rear window stating that the light transmission is consistent with Section 547.613(b)(1) (relating to restrictions on light transmission), Transportation Code. S.B. 589 provides that a person in the business of installing or attaching transparent material to a windshield, side, or rear window who alters the color or reduces the light transmission commits a misdemeanor punishable by a fine not to exceed \$1,000 if the person places such a material on the windows or fails to install a required label.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 547.609, Transportation Code, as follows:

Sec. 547.609. New heading: REQUIRED LABEL FOR SUNSCREENING DEVICES. Requires a sun screening device to have a label that, if the device is placed on or attached to a windshield or a side or rear window, states that the light transmission of the device is consistent with Section 547.613(b)(1) or (2) (relating to a wing vent or window other than a windshield), as applicable. Makes a nonsubstantive and conforming change.

SECTION 2. Amends Section 547.613, Transportation Code, by adding Subsection (a-1) and amending Subsections (b) and (e), as follows:

(a-1) Provides that a person in the business of placing or attaching transparent material that alters the color or reduces the light transmission to the windshield, side, or rear window of a motor vehicle commits a misdemeanor punishable by a fine not to exceed \$1,000 if the person places or attaches such transparent material to the windshield or side or rear window of a motor vehicle and does not install a label that complies with Section 547.609 between the transparent material and the windshield, side, or rear window of the vehicle, as applicable.

(b) Provides that Subsection (a), rather than this section, does not apply to a windshield that has a sunscreening device that in combination with the windshield has a light transmission of 35, rather than 25, percent or more. Makes a conforming change.

(e) Makes a conforming change.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2009.