

GENERAL ASSEMBLY OF NORTH CAROLINA  
1987 SESSION

CHAPTER 567  
HOUSE BILL 955

AN ACT TO REGULATE DARK-SHADED WINDOWS IN MOTOR VEHICLES.

The General Assembly of North Carolina enacts:

Section 1. G.S. 20-127(d) reads as rewritten:

"(d) On or after January 1, 1988, it shall be unlawful to operate a noncommercial passenger motor vehicle registered or which is required to be registered in this State under this Chapter, including passenger cars, pickup trucks and passenger vans, upon any highway or public vehicular area with a windshield or any other window which does not meet the light transmittance requirements of federal motor vehicle safety standard No. 205. Provided, vehicles with a windshield or any other window installed prior to August 1, 1985 which does not meet the light transmittance requirements of federal motor vehicle standard No. 205 or vehicles transporting deceased human remains will be exempt from the provisions of this subsection with a windshield or a front side window to the immediate right or left of the operator, or a rear window used for visibility, which has been darkened, smoked, or tinted after factory delivery. Provided, however, a single application of tinted film which has been registered with and approved by the Commissioner of Motor Vehicles shall be lawful if the manufacturer's label is implanted between the film and glass in the lower left section of each darkened window and is legible from outside the vehicle. The label shall indicate the film registration number, the name and address of the manufacturer and a certification of compliance with North Carolina law. No film or darkening material may be applied on the windshield except to replace the sunshield in the uppermost area as installed by the manufacturer of the vehicle, in which case the label shall be implanted between the film and glass in the upper left section of the windshield and be legible from outside the vehicle. A rear window shall be required for visibility on every vehicle unless the vehicle is equipped with an outside mirror of a type approved by the Commissioner which eliminates the requirement for an inside rearview mirror under the provisions of G.S. 20-126(a) and (b)."

Sec. 2. G.S. 20-127(e) reads as rewritten:

"(e) No motor vehicle inspection certificate shall be issued on or after October 1, 1987 January 1, 1988, for a motor vehicle subject to subsection (d) with a windshield or any other window which does not meet the light transmittance requirements of federal motor vehicle safety standard No. 205. Any motor vehicle otherwise subject to subsection (d) will be exempt from the provisions of this subsection provided the vehicle owner provides the motor vehicle inspector a document, attesting that any windshield or any other window not in compliance with subsection (d) was installed

prior to August 1, 1985, on which the windshield or front window to the immediate right and left of the operator or the rear window if required for visibility, has been darkened by the installation of tinted film or by other means, except as permitted under subsection (d) of this section."

Sec. 3. G.S. 20-127 is amended by adding a new subsection to read:

"(f) Before shipping or making any tinted film available for installation on a motor vehicle in this State, the manufacturer shall apply to the Commissioner for approval and registration of its tinted film and for a label to be used in the identification and certification of compliance with light transmittance and reflectance standards. The Commissioner shall approve no tinted film to be used in the front windows or a rear window if required for visibility unless the manufacturer demonstrates that it has at least thirty-five percent (35%) light transmittance if it is to be used on front, side, or rear windows and a luminous reflectance of not more than twenty percent (20%). A fee shall be paid by the manufacturer with each application for film approval and registration in the approximate amount of the cost to the Division in the review of the applications."

Sec. 4. G.S. 20-127 is amended by adding a new subsection to read:

"(g) With any delivery of tinted film for installation in vehicles, where approved film is required, the manufacturer shall provide the required labels with written instructions and materials for permanent installation. The use of any label that is not registered, or the misuse of any registered label to mislead motor vehicle safety inspectors, law enforcement officers, or other officials shall constitute a misdemeanor."

Sec. 5. G.S. 20-127 is amended by adding a new subsection to read:

"(h) Subsections (d) through (g) of this section shall apply only to darkened, smoked or tinted film installed on motor vehicle windows after factory delivery and after the effective date of this act."

Sec. 6. This act shall become effective upon ratification.

In the General Assembly read three times and ratified this the 6th day of July, 1987.