

STATE OF TENNESSEE

PUBLIC CHAPTER NO. 286

HOUSE BILL NO. 1187

By Representative Matlock

Substituted for: Senate Bill No. 1088

By Senator McNally

AN ACT to amend Tennessee Code Annotated, Title 55, Chapter 9, Part 1, relative to motor vehicle window tinting.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-9-107, is amended by deleting subsection (a) in its entirety and by substituting instead the following language:

(a)

(1) It is unlawful for any person to operate, upon a public highway, street or road, any motor vehicle, in which any window that has a visible light transmittance equal to, but not less than, that specified in the Federal Motor Vehicle Safety Standard No. 205, has been altered, treated or replaced by the affixing, application or installation of any material that:

(A) Has a visible light transmittance of less than thirty-five percent (35%); or

(B) With the exception of the manufacturer's standard installed shade band, reduces the visible light transmittance in the windshield below seventy percent (70%).

(2) Any person who installs window tinting materials in this state for profit, barter, or wages or commissions is defined as a "professional installer" for the purposes of this section, and it is unlawful for a professional installer to apply tinting materials to any motor vehicle so as to cause such motor vehicle to be in violation of this section.

(3) All professional installers of window tinting materials shall supply and shall affix to the lower right corner of the driver's window an adhesive label, the size and style of which shall be determined by the commissioner of safety, which includes:

(A) The installer's business name; and

(B) The legend "Complies with Tennessee Code Annotated, § 55-9-107."

(4) All professional installers of window tinting materials shall supply each customer with a signed receipt for each motor vehicle to which tinting materials have been applied that includes:

(A) Date of installation;

(B) Make, model, paint color and license plate number and state;

(C) The legend "Complies with Tennessee Code Annotated, § 55-9-107, at date of installation"; and

(D) The legend "This receipt shall be kept with motor vehicle registration documents."

(5) The owner of any vehicle in question has the burden of proof that the motor vehicle is in compliance with this section.

(6)

(A) The restrictions of this subsection (a) do not apply to any of the following motor vehicles:

(i) Any motor vehicle model permitted by federal regulations to be equipped with certain windows tinted so as not to conform to the specifications of subdivision (a)(1)(A) with respect to those certain windows;

(ii) Any motor vehicle bearing commercial license plates, or government service license plates that are used for law enforcement purposes, for those windows rearward of the front doors; and

(iii) Any motor vehicle that is registered in another state and meets the requirements of the state of registration.

(B) This subdivision (a)(6) shall not be construed in any way to exempt the front door windows of any motor vehicle of any kind from the specifications of subdivision (a)(1)(A).

SECTION 2. This act shall take effect July 1, 2009, the public welfare requiring it.

PASSED: May 11, 2009



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES



RON RAMSEY
SPEAKER OF THE SENATE

APPROVED this 21st day of May 2009



PHIL BREDESEN, GOVERNOR