

TITLE 280 – DEPARTMENT OF REVENUE

CHAPTER 30 – DIVISION OF MOTOR VEHICLES

SUBCHAPTER 15 – SAFETY AND EMISSIONS

PART 7 – Rules and Regulations Concerning an Act Relating to Motor Vehicles -
Sunscreening Devices

7.1 Authority

This Part is promulgated pursuant to R.I. Gen. Laws § Title 31-3, Chapter 23.3-3, of the Rhode Island General Laws, the Assistant Director of Motor Vehicles hereby adopts the following rules and regulations concerning standards and tests to measure the percentage of reflective and transmittance of light set forth in an act relating to motor vehicles—sunscreening devices.

1. These rules and regulations do not apply to:

a. Motor vehicles manufactured with windshields and window glass areas equipped in accordance with specifications of 49 C.F.R. Code of Federal Regulations § 571.205 (YEAR) as authorized by 15 USC § 1407.

b. Motor vehicles owned or leased by federal, state and local law enforcement agencies.

c. The use of nontransparent or sunscreen material or window application on motor vehicles which has a total visible light transmittance of not less than seventy percent (70%) measured perpendicular to the surface of the glass on the windshield and side windows immediately adjacent to the right and left of the operator's seat, the side windows immediately to the rear of the operator's seat and the front passenger seat or on the rear window if the vehicle is equipped with two (2) outside mirrors, on each side, adjusted so that the driver has a clear view of the highway behind the vehicle.

d. The use of any transparent material limited to the uppermost six inches (6") along the top of the windshield, provided such strip does not encroach upon the driver's direct forward viewing area as more particularly described and defined in applicable Federal Motor Vehicle Safety Standards.

e. Motor vehicles not required to be registered in this state.

~~f. The use of sunscreen material on windows behind the driver in trucks, buses, trailers, mobile homes, campers, multipurpose vehicles, charter buses, funeral service vehicles, or limousines provided that said vehicle is equipped with two (2) outside mirrors, one on each side, if said mirrors meet federal standards adjusted so the driver has a clear view of the highway behind the vehicle.~~

~~g. An owner of a motor vehicle with sunscreening material if said material was initially installed by the motor vehicle manufacturer and the vehicle was purchased prior to December 1, 1993.~~

7.2 Purpose

The purpose of ~~these rules and regulations~~this Part is to establish rules and regulations to provide standards and tests to measure the percentage of light reflected off and transmitted through suncreening material applied to the windshield or windows of a motor vehicle, which reduces the effects of the sun with respect to light reflectance or transmittance.

7.3 Incorporated Materials

These regulations hereby adopt and incorporate 49 C.F.R. §§ 571.101 through 571.302 (2018) by reference, not including any further editions or amendments thereof and only to the extent that the provisions therein are not inconsistent with these regulations.

7.4 Definitions

A. For the purposes of this Part, the following terms shall have the following meaning:

1. "Reflectance" means the ratio of the amount of total light, expressed in a percentage, which is reflected outward by the product or material to the amount of total light falling on the product or material.
2. "Transmittance" means the ratio of the amount of total light, expressed in a percentage, which is allowed to pass through the product or material, including glazing, to the amount of total light falling on the product or material and the glazing.
3. "Suncreening material" means a product or material, including film, glazing, and perforated sunscreening, which, when applied to the windshield or windows of a motor vehicle, reduces the effects of the sun with respect to light reflectance of transmittance.

4. "Window" means any device designed for exterior viewing from a motor vehicle, except the windshield, any roof-mounted viewing device, and any viewing device having less than one hundred fifty (150) square inches in area.

5. "Windshield" means the front exterior viewing device of the motor vehicle.

7.5 ~~Rules and Regulations Providing~~ Standards and Tests to Measure the Percentage of Reflective and Transmittance of Light

~~A. Standard and tests to measure the percentage of reflective and transmittance of light:-~~

A. Any person, firm, corporation or other entity installing a sunscreen device such as described in R.I. Gen. Laws § 31-23.3-2 on the windows or windshield of any vehicle shall provide and affix a label to the front window not to exceed one and one-half (1-1/2) square inches in size, which contains not only the installer's name and the percentage of light transmittance, which shall be not less than seventy percent (70%) measured perpendicular to the surface of the glass, but also certifies that any "after manufacture" window tinting material which may have been installed and any equipment such as outside mirrors, used so the driver has a clear view of the highway, meet the requirements of 49 C.F.R. § 571.205, incorporated in § 7.3 of this Part Federal Motor Vehicle Safety Standards 205 (2012) in effect at the time of the vehicle's manufacture. The federal safety standards, contained in Volume 49 C.F.R., Code of Federal Regulations, §§ Sections 571.101 through 571.302, and more especially 571.205 are adopted incorporated by reference in § 7.3 of this Part and made a part of this rule.

B. Tests: "After Manufacture" window tint may be subject to such further inspection and tests with reference to any violation of the act relating to suncreening devices, as may be appropriate. Light transmission may be measured with the Model AC Tint Meter put out by Laser Labs of Scituate, Massachusetts or another suitable calibrating Tint Meter selected and approved by the Assistant Director for Motor Vehicle or his/her designee. Any such further inspection and tests will be conducted by the law enforcement agency alleging violation of the act relating to suncreening devices.

~~3. Where there exists a Federal Motor Vehicle Safety Standard adopted pursuant to the National Traffic and Motor Vehicle Safety Act of 1966 (15USC1381, et seq.) and Volume 49 Code of Federal Regulations, Sections 571:101 through 571:302, covering the same aspect of a device, more especially tinted glass, the provisions of that standard shall prevail over the provisions of~~

~~Title 31, Chapter 23.3 1 through 6, or rules and regulations promulgated by the Assistant Director for Motor Vehicles.~~

7.6 Severability

If any provision of these rules and regulations or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the provisions or application of the rules and regulations which can be given effect, and to this end the provisions of these rules and regulations are declared to be severable.

CERTIFICATION

~~I hereby certify that upon completion of the statutory procedures for adoption of rules, the within Rules and Regulations concerning an act relating to motor vehicles—Sunscreening Devices—shall be considered adopted by the Division of Motor Vehicles and this is a true copy of said rules and regulations.~~

~~Date: 2/17/94~~

~~Signed: Thomas M. Harrington~~

~~Assistant Director for Motor Vehicles~~

~~Filed with the Office of the Secretary of State: March 16, 1994~~