

# RULES AND REGULATIONS

## Title 67—TRANSPORTATION

DEPARTMENT OF TRANSPORTATION  
[67 PA. CODE CH. 175]

### Vehicle Equipment and Inspection

The Department of Transportation (Department), Bureau of Motor Vehicles, by this order adopts amendments to Chapter 175 (relating to vehicle equipment and inspection). Notice of proposed rulemaking was published at 24 Pa.B. 3443 (July 16, 1994), with an invitation to submit written comments within 30 days of publication. The Department received four comments.

#### *Comments Received*

The Department received comments from the Independent Regulatory Review Commission (IRRC), the Monroeville Police Department and the Delaware Valley Limousine Operators Association, Incorporated. The Department also received a telephone comment. The following is a summary of the comments received and the Department's response:

(1) IRRC and the Delaware Valley Limousine Operators Association, Incorporated, suggested that the Department consider amending § 175.265 (relating to exemption provisions), to include a certificate of exemption for limousines. This amendment was suggested because limousines have traditionally been equipped with sun screening devices or other materials during the second stage manufacturing process. After discussion with the National Highway Traffic Safety Administration (NHTSA), the Department has declined to act on this suggestion. Many limousines which are equipped with sun screening devices or other materials during the second stage manufacturing process do not comply with Federal Motor Vehicle Safety Standard Number (FMVSS) No. 205 (49 CFR 571.205 (relating to glazing materials)). This standard sets forth abrasion resistance requirements as well as requires at least 70% light transmittance in glazing used in all locations on passenger cars. Since limousines are included in the passenger car category, they are subject to these requirements. Manufacturers of these vehicles, both initial and second stage, are required to certify that the vehicle conforms to all applicable FMVSS. The certification is invalid if after-market sun screening products have been added to the vehicle glazing provided by the manufacturers. Therefore, the Department does not deem it appropriate to specifically exempt these vehicles.

(2) IRRC and the Monroeville Police Department suggested the Department amend these regulations to prohibit the application of excessive sun screening devices or other materials on the rear window of vehicles. The Monroeville Police Department suggested amending 75 Pa.C.S. § 4524(e) (relating to windshield obstructions and wipers) to address sun screening devices or other materials on the rear window. Since most traffic stops occur from the rear, this is the primary point of view a police officer has of the interior of a vehicle. According to the Monroeville Police Department, sun screening devices or other materials may prevent a police officer from seeing the inside of a vehicle, thereby posing a possible threat to police officer safety.

IRRC noted that 75 Pa.C.S. § 4524(b) allows the Department to establish reasonable limitations on any nontransparent material on the rear window of a vehicle

which materially obstructs, obscures or impairs the driver's clear view of the highway. Further, IRRC asserted that sun screening devices or other materials can substantially reduce or virtually eliminate light transparency and visibility. Therefore, since glass manufacturing technology exists which can filter out harmful light rays, IRRC believes there is no legitimate reason for allowing excessive sun screening devices or other materials on any window on a vehicle.

Upon reviewing 75 Pa.C.S. § 4524(b), the Department has amended § 175.67(d)(4) (relating to glazing) by including a reference to Table X (relating to acceptable light transmittance levels for vehicle glazing). Table X sets forth the acceptable light transmittance levels for all vehicle types and window locations, including the rear windows of passenger cars. If the passenger car has a model year of 1997 or older, the acceptable light transmittance levels for the rear window are the ones currently in effect. The rear windows of passenger cars with a model year of 1998 or newer must transmit at least 70% of visible light. The Department has refrained from imposing this more stringent requirement on passenger vehicles with a model year of 1996 or older because it wishes to avoid unduly burdening passenger car owners who have equipped the rear window of their vehicle with a sun screening device or other material that has previously been acceptable. Moreover, this amendment will not affect any other vehicle type since the rear windows of these vehicles are not subject to glazing restrictions under FMVSS No. 205.

(3) IRRC also requested that the Department delete § 175.265(b)(1)(ii) which requires applicants to submit photographs of all vehicle windows for which a certificate of exemption is requested. The Department initially required the submission of these photographs to assist in identifying the vehicle windows equipped with sun screening devices or other materials and that required exemption. However, since photographs rarely give a true representation of the color and density of sun screening devices or other materials, and since vehicle owners self-certify that the information contained on their application for a certificate of exemption is correct, the Department has determined that it is unnecessary to require these photographs. Therefore, the Department has deleted this requirement.

(4) The Department also received a comment by telephone requesting the Department waive the additional mirror requirement of § 175.264 (relating to mirrors) for vehicles with a certificate of exemption for medical reasons. This section was proposed to require right and left outside rearview mirrors when a sun screening device or other material is applied to the vehicle. The purpose of this requirement is to compensate for the visibility lost through the inside rearview mirror when sun screening devices or other materials are applied to vehicles. Additionally, this requirement is consistent with FMVSS No. 205, which sets forth the glazing requirements—including light transmittance levels—for vehicle windows. Vehicles for which certificates of exemption are issued for medical reasons may be equipped with only colorless sun screening devices or other materials. Colorless sun screening devices or other materials do not significantly reduce light transmittance. Consequently, the Department has determined that it is not necessary for vehicles equipped with this type of sun screening device or other material to be equipped with two outside rearview mirrors. Therefore,

the Department has added language to § 175.264 exempting vehicles with medical certificates of exemption from having an outside rearview mirror on both sides of the vehicle, if the vehicle was not originally so equipped. Further, to provide consistency throughout the mirror provisions of this chapter, §§ 175.68, 175.80, 175.98, 175.110, 175.148, 175.160, 175.177 and 175.190 have been similarly amended.

*Additional Modifications to the Proposed Rulemaking*

The final text of these amendments contains modifications, deletions and additions, none of which enlarges the scope of these amendments as originally proposed, and thus, may be published as final rulemaking. The following represents a summary of the changes:

(1) Section 175.26(a)(relating to tools and equipment) has been further amended by deleting paragraph (2), which was proposed to require inspection stations to have a light meter as part of their required tools and equipment. This requirement was originally proposed to ensure that inspection stations had an acceptable method of testing the light transmittance of the glazing on each vehicle inspected. The Department, on February 21, 1996, met with garage associations, representatives of various public interest organizations, and the State Police to discuss issues relating to the safety inspection program. During discussion of these amendments, several attendees expressed concern with the Department's intention to require all inspection stations to purchase light meters. At a meeting of this same group held on June 5, 1996, the Department proposed amending the final regulations to eliminate the issue of sun screening from the inspection procedure. This suggestion was offered to address concerns raised by inspection station representatives regarding the ability of inspection mechanics to readily identify unacceptable sun screening on vehicles. To assist enforcement personnel, the Department has retained language relating to acceptable levels of vehicle sun screening in the final regulations. However, this language does not appear in the inspection procedures, thereby eliminating the need for inspection stations to purchase, maintain and utilize light transmittance meters. For these reasons, the Department has deleted the § 175.26(a)(2).

(2) Section 175.67(d)(1) has been further amended to prohibit signs, posters or other materials, whose design prevents a driver from seeing through the material, from being placed on a rear window as well as a windshield, side window or side wing of a passenger car. This clarification was necessary to ensure that vehicle owners and law enforcement personnel are aware that this paragraph addresses glazing obstructions rather than sun screening devices or other materials. Additionally, this section has been further amended to indicate that the restriction for passenger cars is not applicable to the rear side windows, rear wings or rear window of light trucks and multi-purpose passenger vehicles since FMVSS No. 205 does not restrict the use of any products on these glazing locations. Section 4103(b) of 75 Pa.C.S. (relating to promulgation of vehicle equipment standards) provides that Federal standards, in this case FMVSS No. 205, supersede any Commonwealth standards applicable to the same aspect of vehicle performance or item of equipment. Therefore, since FMVSS No. 205 does not restrict glazing obstructions on windows located behind the driver on light trucks and multi-purpose passenger vehicles, the Department can only prohibit these obstructions on passenger cars.

(3) Section 175.67(d)(2) has been further amended to prohibit signs, posters or other materials, whose design

prevents a driver from seeing through the material, from being placed on a rear side window, rear wing or rear window of a passenger car. These materials are prohibited if they cover more than 20% of the exposed portion of the windows or wings, or extend more than 3 1/2 inches above the lowest exposed portion of the windows or wings. This clarification was necessary to ensure that vehicle owners and law enforcement personnel are aware that this paragraph addresses glazing obstructions rather than sun screening devices or other materials. Like § 175.67(d)(1), this restriction is limited to passenger cars since FMVSS No. 205 does not restrict the use of any products on the rear side windows, rear wings or rear window of light trucks and multi-purpose passenger vehicles. Section 4103(b) of the Vehicle Code, 75 Pa.C.S. § 4103(b) provides that Federal standards, in this case FMVSS No. 205, supersede any Commonwealth standards applicable to the same aspect of vehicle performance or item of equipment. Therefore, since FMVSS No. 205 only addresses specific glazing requirements for windows located behind the driver on passenger cars, these are the only vehicles on which the Department can prohibit these obstructions. Further, since passenger cars are the only vehicles which have this restriction, mirror provisions at §§ 175.97(d)(2), 175.110(a)(2)(i)(C), 175.147(d)(2), 175.160(a)(2)(i)(F), 175.176(d)(2) and 175.190(a)(2)(i)(F) have been deleted since these provisions are located in subchapters that do not address passenger cars.

(4) Section 175.67(d)(4) has been further amended by including a reference to the newly established Table X. Table X sets forth the acceptable light transmittance levels for all vehicle types and window locations. Further, language has been added to indicate that passenger car light transmittance requirements for rear windows are set forth in Table X according to model year. If a passenger car has a model year of 1997 or older, the acceptable light transmittance levels for the rear window are the ones currently in effect. The rear windows of passenger cars with a model year of 1998 or newer must transmit at least 70% of visible light. This table has been added so that law enforcement personnel can easily determine acceptable light transmittance levels for all vehicle types and window locations they may encounter in the course of their duties. Mirror provisions at §§ 175.97(d)(3), 175.147(d)(3) and 175.176(d)(3) have been similarly amended to reflect this change. Moreover, § 175.263(b) has been similarly amended to reflect this change, since this subsection pertains to sun screening devices or other materials on the rear windows of vehicles.

(5) Section 175.68(c)(3) (relating to mirrors) has been further amended to clarify that rearview mirrors are not required to be installed on both sides of a vehicle for which a certificate of exemption has been issued for medical reasons because the sun screening device or other material, in this instance, is colorless. Since colorless sun screening devices or other materials do not significantly reduce light transmittance, the Department has determined that it is not necessary for vehicles equipped with this type of sun screening device or other material to be equipped with outside rearview mirrors on both sides of the vehicle, if these vehicles are not already so equipped. Further, to provide consistency throughout the mirror sections in this chapter, §§ 175.98(c)(3), 175.148(b) and 175.177(b) have also been amended to reflect this change. Moreover, § 175.264 has been similarly amended to reflect this change, since this section pertains to the location of outside rearview mirrors on vehicles equipped with sun screening devices or other materials.

(6) Section 175.80(a)(2)(i)(B) (relating to inspection procedure) has been further amended by deleting language requiring inspection stations to reject a vehicle if the vehicle is equipped with an unacceptable sun screening device or material. This language was deleted as a result of the June 5, 1996, meeting with garage association representatives and representatives of various public interest organizations. At this meeting, it was agreed that the identification and inspection of vehicle sun screening should be excluded from the vehicle inspection procedure, since it is difficult for inspection mechanics to discern all the various types of sun screening materials. However, language was retained elsewhere in these regulations to assist law enforcement agencies in identifying unacceptable levels of light transmittance relating to vehicle sun screening. Sections 175.110(a)(2)(i)(B), 175.160(a)(2)(i)(B) and 175.190(a)(2)(i)(B) have been similarly amended to reflect this change.

(7) Section 175.80(a)(5)(iv) has been further amended to clarify that a vehicle for which a certificate of exemption has been issued for medical reasons may be equipped with only a left outside rearview mirror, unless the vehicle was originally equipped with outside rearview mirrors on both sides of the vehicle. This subparagraph was originally proposed to require outside rearview mirrors on both sides of the vehicle if the Department issued a certificate of exemption for a sun screening device or other material for the vehicle. The Department proposes to issue certificates of exemption for medical reasons for vehicles equipped with colorless sun screening devices or other materials. Since colorless sun screening devices or other materials do not significantly reduce light transmittance, the Department believes it unnecessary to require a vehicle so equipped to have outside rearview mirrors on both sides of the vehicle, unless the vehicle was originally so equipped. Further, to provide consistency throughout the chapter, §§ 175.110(a)(5)(iv), 175.160(a)(3)(iv) and 175.190(a)(3)(iv) have also been amended to reflect this change.

(8) Section 175.261 (relating to scope) has been further amended for clarification purposes by adding the phrase "and wings" immediately following the word "windows." This amendment was necessary to clarify that the wings of vehicles are also subject to the requirements of this subchapter. Further, the phrase "nontransparent material" has been deleted since the issue of nontransparency is not addressed in this subchapter.

(9) Section 175.263 (relating to sun screening location) has been further amended at subsection (b) by including the word "other" immediately following the phrase "sun screening device or" to maintain consistency throughout the chapter. The Department inadvertently omitted this word from the notice of proposed rulemaking. Further, subsection (c) has been further amended by deleting the phrase "when installed as designed," since this wording adds nothing to the meaning of this subsection. This subsection prohibits the use of louvered materials that reduce the area of driver visibility below 50%, as measured on a horizontal plane.

(10) Section 175.265(b)(1)(ii) which was proposed to require vehicle owners to submit photographs of all vehicle windows for which a certificate of exemption is requested, has been deleted. The Department initially required these photographs to assist in identifying vehicle windows equipped with sun screening devices or other materials and that required exemption. However, since photographs rarely give a true representation of the color and density of sun screening devices or other materials,

and since vehicle owners self-certify that the information contained on their application for a certificate of exemption is correct, the Department has determined that it is unnecessary to require these photographs.

(11) Finally, this chapter has been further amended by the addition of Table X. This table provides a visual reference for law enforcement officials to easily determine acceptable light transmittance levels for all vehicle types and window locations they may encounter during testing of vehicle glazing for enforcement purposes.

#### *Purpose of this Chapter*

The purpose of this chapter is to provide rules and procedures regarding proper equipment and safety inspection of vehicles.

#### *Purpose of these Amendments*

The purpose of these amendments is to implement 75 Pa.C.S. § 4524. The act of July 10, 1984, added subsection (e) to 75 Pa.C.S. § 4524, which prohibits the operation of a vehicle equipped with a sun screening device or other "material which does not permit a person to see or view the inside of the vehicle through the windshield, side wing or side window of the vehicle." For several years, the Department has received numerous complaints from police officers and district justices remarking that the phrase "material which does not permit a person to see or view the inside of the vehicle" is extremely difficult to define and enforce. One problem in interpreting this phrase is that windows coated with sun screening material permit less visibility at night than in daylight, and the statute is silent as to how and when visibility shall be determined. The Department, therefore, has determined that this phrase must be defined to provide guidance as to the factors to be considered when deciding whether a person can see or view the inside of a vehicle.

The Department has defined the phrase "material which does not permit a person to see or view the inside of the vehicle" to clarify that the windshield, any side wing or any side window must allow at least 70% of transmitted light to pass through the window, or an amount of light equal to or exceeding the window's light transmittance percentage at the time of manufacture. This would require any window specified in 75 Pa.C.S. § 4524(e)(1), and to which a sun screening device or other material has been added, to be in conformance with the requirements of 49 CFR 571.205, or FMVSS No. 205, which is the standard to which all new vehicles shall conform. This definition essentially prohibits, in most instances, the use of after market sun screening devices or other materials on vehicle windshields and side windows since these products, when applied, usually do not comply with FMVSS No. 205. So that vehicle owners will not be unduly burdened by the requirements of 75 Pa. C.S. § 4524(e)(1), Act 1984-146 requires the Department to issue a certificate of exemption for any vehicle registered in this Commonwealth, and which had the prohibited sun screening device or other material affixed to the vehicle, as of September 8, 1984. The Department has determined that 75 Pa.C.S. § 4524(e)(2) of Act 1984-146, now subsection (e)(2)(i), exempts hearses, ambulances and government vehicles from the need to obtain a certificate of exemption.

Further, the act of November 21, 1990 (P. L. 556, No. 137), added 75 Pa.C.S. § 4524(e)(3)(ii), which requires the Department to issue certificates of exemption for vehicles equipped with a prohibited sun screening device or other material if the vehicle owner or registrant, or a person residing with the vehicle owner or registrant and who

regularly drives or is driven in the vehicle, suffers from a physical condition which requires the use of a sun screening device or other material. As required by 75 Pa. C.S. § 4524(e)(ii)(A), the Department has consulted with the Medical Advisory Board (Board) concerning the types of physical conditions which would warrant the use of otherwise prohibited sun screening devices or other materials. Based on the recommendation of the Board, the Department intends to issue certificates of exemption for prohibited sun screening devices or other materials for vehicles owned by persons suffering from any photosensitive condition for which protection from ultraviolet light would be beneficial. The Department would also issue exemptions for vehicles owned or registered by persons residing with an individual suffering from any photosensitive condition, if the afflicted person regularly drives or is driven in the vehicle which will be exempted.

These amendments will limit the type of sun screening materials used on these vehicles to those materials which are designed to be colorless while filtering a large percentage of the incoming ultraviolet light, since this type of light is cited as a significant factor in reactions suffered by photosensitive patients. According to the Board, colored window tint is not a prerequisite for medically-necessary sun screening devices to be considered therapeutic. The Department will consult with the Board periodically to determine if there are other medical conditions which warrant a certificate of exemption.

It should also be noted that these regulations apply to nontraditional motor vehicles as well. Motorcycles, motor-driven cycles and motorized pedalcycles are affected by these amendments in that there are presently registered in this Commonwealth certain of these vehicles that are, or may be, equipped with windscreens, side windows and rear windows which can be affixed with sun screening devices or other materials.

The Department initially proposed to require inspection stations to have a light meter as part of their required tools and equipment. This requirement was originally proposed to ensure that inspection stations had an acceptable method of testing the light transmittance of the glazing on each vehicle inspected. The Department, on February 21, 1996, met with garage association, representatives of various public interest organizations, and the State Police to discuss issues relating to the safety inspection program. During discussion of these amendments, several attendees expressed concern with the Department's intention to require inspection stations to purchase light meters. The Department was asked to consider amending the final regulations to eliminate language requiring inspection stations to purchase a light meter. The alternative suggested was that vehicle owners be required to obtain a certificate of compliance for vehicle glazing which had a sun screening device or other material affixed to it. Inspection stations which chose to test vehicle glazing for the purpose of issuing this certificate of compliance would need to purchase a light meter in order to establish the light transmittance levels of the vehicle windows for the purpose of issuing the certificate of compliance.

After researching this alternative, the Department determined that the proposed benefits did not outweigh the potential costs to vehicle owners. Although this alternative would preclude all inspection stations purchasing a light meter, it did not address reservations concerning the ability of inspection mechanics to identify unacceptable sun screening devices or other materials. Since inspection mechanics would be responsible for determining which

vehicles required a certificate of compliance in order to pass inspection, they would continue to be faced with the difficulties inherent in identifying unacceptable sun screening devices or other materials. The Department was also concerned that inspection stations, in an effort to alleviate this responsibility and avoid violating the vehicle equipment and inspection regulations by failing to identify a vehicle which required a certificate of compliance, may be inclined to require this certificate for vehicles that did not need it. The Department was particularly concerned with the potential cost impact on vehicle owners who may be unnecessarily rejected for inspection because they lack a certificate of compliance. This cost impact would be three-fold: a vehicle owner could be charged a fee for the initial failed inspection; they could be charged a fee for the light meter testing required to obtain a certificate of compliance; and they could be charged for a second inspection after the certificate of compliance is obtained.

At a meeting of this same group held on June 5, 1996, the Department proposed amending the final regulations to eliminate the issue of sun screening from the inspection procedure. This suggestion was offered to address concerns raised by inspection station representatives regarding the ability of inspection mechanics to readily identify unacceptable sun screening on vehicles. To assist enforcement personnel, the Department has retained language relating to acceptable light transmittance levels of vehicle glazing in these final regulations. However, this language does not appear in the inspection procedures, thereby eliminating the need for inspection stations to purchase, maintain and utilize light transmittance meters.

#### *Persons or Entities Affected*

These amendments affect official inspection stations; official inspection mechanics; owners of vehicles equipped with nonconforming sun screening materials; persons suffering from any photosensitive condition; persons owning or registering vehicles who reside with a person afflicted with any photosensitive condition, if the afflicted person regularly drives or is driven in the vehicle in question; vehicle sun screening manufacturers and installers; and the State Police and local law enforcement agencies.

#### *Fiscal Impact*

The Commonwealth will continue to incur some costs for printing the forms necessary to administer the exemption program. However, these forms were developed in response to amendments to 75 Pa.C.S. § 4524 which took effect on September 8, 1984, and May 20, 1991. Since the printing costs associated with these forms is relatively low and since it is unknown how many vehicle owners will apply for exemption, the Department will continue to provide for these costs through existing moneys.

The State Police and local law enforcement agencies that choose to purchase light transmittance meters for enforcement purposes will also incur some costs in association with the purchase, calibration and maintenance of the light transmittance meters they will need to measure light transmittance percentages. Based on the costs of the three demonstration units received by the Department, this cost is estimated at \$170—350 per unit.

Vehicle owners with sun screening devices or other materials which are in violation of 75 Pa.C.S. § 4524(e) will incur costs to bring their vehicles into compliance with the law. Likewise, vehicle owners who equip their vehicle with a nonconforming sun screening device or other material due to the presence of a photosensitive

condition will incur costs when they wish to sell the vehicle since 75 Pa.C.S. § 4524(e)(5) requires the removal of sun screening products which were exempted due to a medical condition, prior to the sale of the vehicle. This paragraph also requires the owner or seller to supply the purchaser with a notarized statement setting forth the name and address of the owner or seller, the vehicle identification number, year and model, and the business entity and process used to remove the sun screening device or other material. Because of the wide variety of sun screening products available and the various methods used to install these materials, the Department is unable to determine the extent of the fiscal impact to vehicle owners who must remove sun screening devices or other materials from their vehicle to comply with the requirements of Act 1984-146 and Act 1990-137.

*Regulatory Review*

Under section 5(a) of the Regulatory Review Act (71 P. S. § 745.5(a)), the Department, on June 30, 1994, submitted a copy of the notice of proposed rulemaking, published at 24 Pa. B. 3443, to IRRC and to the Chairpersons of the House Transportation Committee and the Senate Transportation Committee for review and comment. In compliance with section 5(b.1) of the Regulatory Review Act, the Department also provided IRRC and the Committees with copies of the comments received, as well as other documentation.

In preparing these final-form regulations, the Department considered the comments received from IRRC, the Committees and the public.

These final-form regulations were deemed approved by the House Committee on September 3, 1996, and deemed approved by the Senate Committee on September 3, 1996. IRRC met on September 5, 1996, and approved these final-form regulations in accordance with section 5(c) of the Regulatory Review Act.

*Sunset Provisions*

The Department is not establishing a sunset date for these regulations, since these regulations are needed to administer provisions required under 75 Pa.C.S. (relating to the Vehicle Code). The Department, however, will continue to monitor these regulations for their effectiveness.

*Contact Person*

The contact person is Kristen A. Singer, Bureau of Motor Vehicles, Vehicle Inspection Division, 1101 South Front Street, Third Floor, Harrisburg, Pennsylvania 17104, (717) 783-9292.

*Authority*

These amendments are adopted under 75 Pa.C.S. §§ 4103, 4521, 4524 and 6103. The statutory provisions, respectively, empower the Department to promulgate vehicle equipment standards; require the Department to promulgate regulations governing safety and antipollution equipment for vehicles; prohibit certain obstructions on vehicle windows; and authorize the Department to promulgate regulations to implement the Vehicle Code.

*Findings*

The Department finds that:

(1) Public notice of intention to amend the administrative regulations amended by this order has been given under sections 201 and 202 of the act of July 31, 1968 (P. L. 769, No 240)(45 P. S. §§ 1201 and 1202), and the regulations promulgated thereunder, 1 Pa. Code §§ 7.1 and 7.2.

(2) The amendment of the regulations of the Department in the manner provided in this order is necessary and appropriate for the administration and enforcement of the authorizing statutes.

*Order*

The Department, acting under the authorizing statutes, orders that:

(a) The regulations of the Department, 67 Pa. Code Chapter 175, are amended by: amending §§ 175.2, 175.26, 175.67, 175.68, 175.80, 175.97, 175.98, 175.110, 175.147, 175.148, 175.160, 175.176, 175.177, 175.190 and 175.226; by adding §§ 175.261—175.265 and Table X; and by deleting Appendix C to read as set forth in Annex A, with ellipses referring to the existing text of the regulations.

*(Editor's Note:* A proposal to amend §§ 175.2, 175.67, 175.80, 175.98, 175.110, 175.160 and 175.190, all amended in this document, remains outstanding at 26 Pa.B. 4230 (August 31, 1996).)

(b) The Secretary of the Department shall submit this order and Annex A to the Office of Attorney General and the Office of General Counsel for approval as to legality as required by law.

(c) The Secretary of the Department shall certify this order and Annex A and deposit them with the Legislative Reference Bureau as required by law.

(d) This order shall take effect immediately upon publication in the *Pennsylvania Bulletin*.

BRADLEY L. MALLORY,  
*Secretary*

*(Editor's Note:* For the text of the order of the Independent Regulatory Review Commission relating to this document, see 26 Pa.B. 4582 (September 21, 1996).)

**Fiscal Note:** 18-307. No fiscal impact; (8) recommends adoption. These amendments will not result in any direct fiscal impact to the Commonwealth. However, the State Police may elect to purchase light transmittance meters to measure light transmittance percentages. The one-time cost of purchasing this equipment is estimated at approximately \$28,000 and would be a cost to the State Police General Government Operations Appropriation.

**Annex A**

**TITLE 67. TRANSPORTATION**

**PART I. DEPARTMENT OF TRANSPORTATION**

**Subpart A. VEHICLE CODE PROVISIONS**

**ARTICLE VII. VEHICLE CHARACTERISTICS**

**CHAPTER 175. VEHICLE EQUIPMENT AND INSPECTION**

**Subchapter A. GENERAL PROVISIONS**

**§ 175.2. Definitions.**

The following words, terms and phrases, when used in this chapter, have the following meanings, unless the context clearly indicates otherwise:

\* \* \* \* \*

*FMVSS*—The Federal Motor Vehicle Safety Standards in 49 CFR Part 571 (relating to Federal motor vehicle safety standards).

\* \* \* \* \*

*Material which does not permit a person to see or view the inside of the vehicle*—A material which reduces the

transmittance of light to below 70% or to a percentage which is less than the percentage permitted by FMVSS No. 205 in effect at the time of the vehicle's manufacture.

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**Subchapter B. OFFICIAL INSPECTION STATIONS**

**§ 175.26. Tools and equipment.**

(a) *General requirements.* An inspection station shall have tools and equipment in good operating condition sufficient to inspect each type of vehicle to be inspected, including the following:

- (1) Hammers—a ball-peen hammer, one plastic or brass hammer and one rubber hammer.
- (2) A workbench.
- (3) A portable light.
- (4) Socket sets.
- (5) Assorted open end and box end wrenches.
- (6) Torque wrenches—foot-pound and inch-pound.
- (7) Screw drivers—assorted.
- (8) Pliers—assorted.
- (9) Test light—continuity tester.
- (10) Floor stands: four.
- (11) Floor jack or hoist—wheels shall spin freely.
- (12) Tire pressure gauge.
- (13) Brake drum gauges.
- (14) Micrometer gauges or thickness gauges, with measurements in 1/1000 inch, capable of measuring both the range of rotor thickness and the depth of the scores.
- (15) A ball joint gauge—not required for recreation, utility and motorcycle stations.
- (16) A tread depth gauge capable of indicating amount of usable tire tread in increments of 1/32 inch.
- (17) A brake-lining gauge capable of indicating the amount of usable lining on both riveted and bonded lining in increments of 1/32 inch.
- (18) An approved headlight testing device—SAE approved No. J600a for photo-electric type and J602c for mechanic aimers. Not required for recreational and utility trailer stations.

(19) A paper punch with a minimum diameter or width of 1/4 inch and a maximum diameter or width of 3/8 inch.

(b) *Discontinued testers.* An inspection station equipped with discontinued testers may continue to use them as long as they are in good working order and capable of testing all types of headlights.

**Subchapter E. PASSENGER CARS AND LIGHT TRUCKS**

**§ 175.67. Glazing.**

(a) *Condition of glazing.* Glazing shall meet the requirements of Chapter 161 (relating to glazing materials). See 75 Pa.C.S. § 4526 (relating to safety glass).

(b) *Safety glazing.* A vehicle specified under this subchapter shall be equipped with safety glazing in all windshields, windows and wings. The requirements of this subsection do not apply to a vehicle manufactured or assembled before January 1, 1934, if the original glazing is not cracked or discolored.

(c) *Stickers.* Stickers shall be located as follows:

(1) Truck weight classification sticker—trucks only—shall be affixed to lower left hand corner of the windshield to the immediate right of the certificate of inspection.

(2) The following stickers are authorized to be affixed to windshield or windows, as indicated:

(i) Out-of-State inspection stickers, tax stamps, road use permits or other government-related permits—municipalities and states—may be placed at the lower left or right-hand corner of the windshield.

(ii) A Delaware River Port Authority Bridge Travel Permit may be affixed to the left rear window. This permit is 2-1/4 inches by 4-1/4 inches and is an automatic triggering device for passing vehicles through toll gates on a bridge.

(iii) The suggested manufacturer's retail price sheet may be affixed to a new vehicle of a dealer. These labels are permitted only on the lower portion of a side window, as far to the rear of a vehicle as possible. When the vehicle is sold, this label shall be removed.

(d) *Obstructions.* A vehicle specified under this subchapter shall have glazing free from obstructions as described in § 175.80 (relating to inspection procedure).

(1) With the exception of materials in paragraph (4), signs, posters or other materials whose design prevents a driver from seeing through the material may not be placed on the windshield, a side wing, a side window or rear window so as to obstruct, obscure or impair the driver's clear view of the highway or an intersecting highway. Under FMVSS No. 205, these restrictions do not apply to the rear side windows, rear wings or rear window of trucks or multipurpose passenger vehicles.

(2) With the exception of materials in paragraph (4), signs, posters or other materials whose design prevents a driver from seeing through the material may not be placed on a rear side window, rear wing or rear window of a passenger car which either covers more than 20% of the exposed portion of the windows or wings, or extends more than 3 1/2 inches above the lowest exposed portion of the windows or wings.

(3) This subsection also applies to glass etchings, except those used for vehicle identification.

(4) A sun screening device or other material which does not permit a person to see or view the inside of the vehicle is prohibited, unless otherwise permitted by FMVSS No. 205, or a certificate of exemption has been issued in compliance with § 175.265 (relating to exemption provisions). See Table X for specific requirements for vehicles subject to this subchapter. Passenger car requirements relating to the rear window are delineated by vehicle model year in Table X.

**§ 175.68. Mirrors.**

(a) *Condition of mirrors.* Mirrors shall be in safe operating condition as described in § 175.80 (relating to inspection procedure).

(b) *Rearview mirrors.* A vehicle specified under this subchapter shall be equipped with at least one rearview mirror or similar device which provides the driver an unobstructed view of the highway to the rear of the vehicle for a distance of not less than 200 feet. A mirror may not be cracked, broken or discolored.

(c) *Obstructions.* On a vehicle specified under this subchapter, a rearview mirror shall be free from obstructions as described in § 175.80.

(1) A vehicle specified under this subchapter having a sign, load or material which obstructs, obscures or impairs the driver's clear view of the highway or an intersecting highway shall have two outside rearview mirrors, one on the driver's side and one on the passenger's side, each with a minimum reflective surface of 19.5 square inches.

(2) Rear window louvers are permitted only if the vehicle has at least two outside rearview mirrors, one on the driver's side and one on the passenger's side, each with minimum reflective surfaces of 19.5 square inches.

(3) Rearview mirrors, each with a minimum reflective surface of 19.5 square inches, shall be installed on both sides of a vehicle for which a certificate of exemption for a sun screening device or other material has been issued. A vehicle for which a certificate of exemption has been issued for medical reasons may be equipped with only a left outside rearview mirror, unless the vehicle was originally equipped with an outside rearview mirror on both sides of the vehicle.

(4) No object or material may be hung from the rearview mirror and no object or material may be hung, placed or attached in a position so as to materially obstruct, obscure or impair the driver's vision through the windshield or constitute a safety hazard.

(5) This subsection also applies to glass etchings, except those used for vehicle identification.

(d) *Motor homes.* A motor home shall be free from obstructions as described in this subchapter.

(1) A vehicle manufactured as or permanently converted into a motor home with a GVW of 11,000 pounds or less may have windows—approved glass only—transparent screens and roll-up shades or curtains installed if the shades and curtains are securely fastened in the completely opened position to avoid covering a portion of window while the vehicle is being operated on the highway. Venetian blinds may not cover a window while the vehicle is operated on the highway.

(2) If a window is covered for installation of a wardrobe, cupboard or other convenience, it shall be factory installed or otherwise permanently installed—optional equipment or facsimile only. Two outside mirrors shall be installed to afford the operator a clear view 200 feet to the rear of the vehicle.

**§ 175.80. Inspection procedure.**

(a) *External inspection.* An external inspection shall be performed as follows:

\* \* \* \* \*

(2) Check glazing.

(i) Reject if one or more of the following apply:

\* \* \* \* \*

(B) A sign, poster or other material whose design prevents a driver from seeing through the material, obstructs, obscures or impairs the driver's clear view of the highway or an intersecting highway. Under FMVSS No. 205, this restriction does not apply to the rear side windows, rear wings or rear window of trucks or multi-purpose passenger vehicles.

(C) A sign, poster or other material, whose design prevents a driver from seeing through the material, extends more than 3 1/2 inches from the lowest exposed portion of the rear window, rear side windows or rear wings of a passenger car.

(D) A vehicle displays a sticker other than those prescribed under § 175.67(c) (relating to glazing), or displays a parking sticker in a location described in § 175.67(d).

\* \* \* \* \*

(G) There are defects in an acute area of the windshield—center of the critical area on the driver's side of the vehicle directly in the driver's normal line of vision, 8 1/2 inches wide and 5 1/2 inches high—or discolorations or hazardous cracks to the front, right, left or rear of the driver which would interfere with the driver's vision.

\* \* \* \* \*

(ii) This paragraph does not prohibit the use of a product or material along the top edge of a windshield as long as the product or material is transparent and does not encroach upon the AS-1 portion of the windshield as provided by FMVSS No. 205, and the product or material is not more than 3 inches from the top of the windshield.

\* \* \* \* \*

(5) Check mirrors and reject if one or more of the following apply:

\* \* \* \* \*

(iii) A vehicle does not have rearview mirrors as originally equipped by the manufacturer.

(iv) Outside rearview mirrors, with a minimum reflective surface as described in § 175.68 (relating to mirrors), are not installed on both sides of the vehicle if a certificate of exemption for a sun screening device or other material has been issued by the Department. See § 175.264 (relating to mirrors). A vehicle for which a certificate of exemption has been issued for medical reasons may be equipped with only a left outside rearview mirror, unless originally equipped with an outside rearview mirror on both sides of the vehicle.

\* \* \* \* \*

**Subchapter F. MEDIUM AND HEAVY TRUCKS AND BUSES**

**§ 175.97. Glazing.**

(a) *Condition of glazing.* Glazing shall meet the requirements of Chapter 161 (relating to glazing materials). See 75 Pa.C.S. § 4526 (relating to safety glass).

(b) *Safety glazing.*

(1) A vehicle specified under this subchapter shall be equipped with safety glazing in all windshields, windows and wings. Requirements of this subsection do not apply to a vehicle manufactured or assembled before January 1, 1934, if the original glazing is not cracked or discolored.

(2) Rigid plastic glazing may be used in doors and windows of buses except windshields and windows to the immediate right or left of the driver.

(c) *Stickers.*

(1) Truck weight classification stickers—trucks only—shall be affixed to the lower left-hand corner of the windshield to the immediate right of the certificate of inspection.

(2) The following stickers are authorized to be affixed to the windshield or windows as indicated:

(i) Out-of-State inspection stickers, school bus stickers, tax stamps, road use permits or other government-related permits—municipalities and states—may be placed at the lower left- or right-hand corner of the windshield.

(ii) A Delaware River Port Authority Bridge Travel Permit may be affixed to the left rear window. This permit is 2 1/4 inches by 4 1/4 inches and is an automatic triggering device for passing vehicles through toll gates on bridges.

(iii) The suggested manufacturer's retail price sheet may be affixed to a new vehicle of a dealer. These labels are permitted only on the lower portion of a side window, as far to the rear of the vehicle as possible. When the vehicle is sold, this label shall be removed.

(d) *Obstructions.* A vehicle specified under this subchapter shall have glazing free from obstructions as described in § 175.110 (relating to inspection procedure).

(1) With the exception of materials in paragraph (3), signs, posters or other materials, whose design prevents a driver from seeing through the material, may not be placed on the windshield or a side wing or a side window so as to obstruct, obscure or impair the driver's clear view of the highway or an intersecting highway. Under FMVSS No. 205, these restrictions do not apply to the rear side windows, rear wings or rear window.

(2) The requirements of this subsection also apply to glass etchings, except those used for vehicle identification.

(3) A sun screening device or other material which does not permit a person to see or view the inside of the vehicle is prohibited unless otherwise permitted by FMVSS No. 205, or a certificate of exemption has been issued in compliance with § 175.265 (relating to exemption provisions). See Table X for specific requirements for vehicles subject to this subchapter.

**§ 175.98. Mirrors.**

(a) *Condition of mirrors.* Mirrors shall be in safe condition as described in § 175.110 (relating to inspection procedure).

(b) *Rearview mirrors.* A vehicle specified under this subchapter shall be equipped with at least one rearview mirror or similar device which provides the driver an unobstructed view of the highway to the rear of the vehicle for a distance of not less than 200 feet. A mirror may not be cracked, broken or discolored.

(c) *Obstruction.* On a vehicle specified under this subchapter, the rearview mirror shall be free from obstructions as described in § 175.110.

(1) A vehicle specified under this subchapter having a sign or load or another material which obstructs, obscures or impairs the driver's clear view of the highway or an intersecting highway shall have two outside rearview mirrors, one on the driver's side and one on the passenger side, each with a minimum reflective surface as follows:

<i>Required Reflective Surface</i>	<i>Gross Vehicle Weight</i>
19.5 square inches	Less than 10,001 pounds
50 square inches	Over 10,000 pounds

(2) Rear window louvers are permitted only if the vehicle has at least two outside rearview mirrors, one on the driver's side and one on the passenger's side, each with a minimum reflective surface of 19.5 square inches.

(3) Rearview mirrors, each with a minimum reflective surface of 19.5 square inches, shall be installed on both sides of a vehicle for which a certificate of exemption for a sun screening device or other material has been issued. A vehicle for which a certificate of exemption has been issued for medical reasons may be equipped with only a left outside rearview mirror, unless originally equipped with an outside rearview mirror on both sides of the vehicle.

(4) No object or material may be hung from the rearview mirror and no object or material may be hung, placed or attached in a position that materially obstructs, obscures or impairs the driver's vision through the windshield or in a manner that constitutes a safety hazard.

(5) This subsection also applies to glass etchings, except those used for vehicle identification.

(d) *Motor homes.* A motor home shall be free from obstructions as described in this subchapter.

(1) A vehicle manufactured as or permanently converted into a motor home with a GVW of 11,001 pounds or more may have windows, approved glass only, transparent screens and roll-up shades or curtains installed if the shades and curtains are securely fastened in completely opened position, so as to avoid covering a portion of a window, while the vehicle is being operated on the highway. Venetian blinds may not cover a window while the vehicle is operated on highway.

(2) If a window is covered for installation of wardrobe, cupboard or other convenience, it shall be factory installed or otherwise permanently installed optional equipment or facsimile only. Two outside mirrors shall be installed to afford the operator clear view 200 feet to the rear of the vehicle.

**§ 175.110. Inspection procedure.**

(a) *External inspection.* An external inspection shall be performed as follows:

\* \* \* \* \*

(2) Check glazing.

(i) Reject if one or more of the following apply:

\* \* \* \* \*

(B) A sign, poster or other material whose design prevents a driver from seeing through the material, obstructs, obscures or impairs the driver's clear view of the highway or an intersecting highway. Under FMVSS No. 205, this restriction does not apply to the rear side windows, rear wings or rear window of vehicles subject to this subchapter.

(C) A vehicle displays a sticker other than those prescribed under § 175.97(c)(relating to glazing), or displays a parking sticker in a location described in § 175.97(d).

(D) The glass is shattered, broken or has any exposed sharp edges.

(E) The windshield is removed.

(F) There are defects in an acute area of the windshield—center of the critical area on the driver's side of the vehicle directly in the driver's normal line of vision—8 1/2 inches wide and 5 1/2 inches high—or discolorations or hazardous cracks to the front, right, left or rear of the driver which would interfere with the driver's vision.

(G) Glass etchings, except those used for vehicle identification, are on windshield or front side windows.

(H) Glass etchings extend more than 3 1/2 inches from lowest exposed portion of rear window, rear side windows or rear wings.

(ii) This paragraph does not prohibit the use of a product or material along the top edge of the windshield as long as the product or material is transparent and does not encroach upon the AS-1 portion of the windshield as provided by FMVSS No. 205, and the product or material is not more than 3 inches from the top of the windshield.

\* \* \* \* \*



(5) Check mirrors and reject if one or more of the following apply:

\* \* \* \* \*

(iv) Outside rearview mirrors, with a minimum reflective surface as described in § 175.98 (relating to mirrors), are not installed on both sides of the vehicle if a certificate of exemption for a sun screening device or other material has been issued by the Department. See § 175.264 (relating to mirrors). A vehicle for which a certificate of exemption has been issued for medical reasons may be equipped with only a left outside rearview mirror, unless originally equipped with an outside rearview mirror on both sides of the vehicle.

\* \* \* \* \*

**Subchapter H. MOTORCYCLES**

**§ 175.147. Glazing.**

(a) *Condition of glazing.* Glazing shall meet the requirements of Chapter 161 (relating to glazing materials). See 75 Pa.C.S. § 4526 (relating to safety glass).

(b) *Safety glazing.* A motorcycle may be equipped with a windscreen. This subsection does not apply to a vehicle manufactured or assembled before January 1, 1934, if the original glazing is not cracked or discolored.

(c) *Stickers.* Out-of-State inspection stickers, tax stamps, road use permits or other government-related permits—all municipalities and states—may be placed at the lower left- or right-hand corner of the windscreen.

(d) *Obstructions.* A vehicle specified under this subchapter shall have glazing free from obstructions as described in § 175.160 (relating to inspection procedure).

(1) With the exception of the materials in paragraph (3), signs, posters or other materials, whose design prevents a driver from seeing through the material, may not be placed on the windscreen or a side wing or side window so as to obstruct, obscure or impair the driver's clear view of the highway or an intersecting highway. Under FMVSS No. 205, these restrictions do not apply to the rear side windows, rear wings or rear window of vehicles subject to this subchapter, if so equipped.

(2) The requirements of this subsection also apply to glass etchings, except those used for vehicle identification.

(3) A sun screening device or other material which does not permit a person to see or view the inside of the vehicle is prohibited unless otherwise permitted by FMVSS No. 205, or a certificate of exemption has been issued in compliance with § 175.265 (relating to exemption provisions). See Table X for specific requirements for vehicles subject to this subchapter.

**§ 175.148. Mirrors.**

(a) *Condition of mirrors.* Mirrors shall be in safe operating condition as described in § 175.160 (relating to inspection procedure).

(b) *Rearview mirrors.* A motorcycle shall be equipped with at least one rearview mirror or similar device. If a certificate of exemption for a sun screening device or other material has been issued, rearview mirrors, each with a minimum reflective surface of 12 1/2 square inches for a flat mirror or 10 square inches for a convex mirror, shall be installed on both sides of a motorcycle. A vehicle for which a certificate of exemption has been issued for medical reasons may be equipped with only a left outside rearview mirror, unless originally equipped with an outside rearview mirror on both sides of the vehicle.

(1) A mirror may not be cracked, broken or discolored.

(2) A mirror shall hold adjustment.

(3) A mirror shall provide an unobstructed view of the highway to the rear of the vehicle for a distance of not less than 200 feet.

(4) A mirror shall provide a minimum reflective surface of 12 1/2 square inches for a flat mirror or 10 square inches for a convex mirror.

(c) *Obstructions.* A motorcycle rearview mirror shall be free from obstructions as described in § 175.160.

**§ 175.160. Inspection procedure.**

(a) *External inspection.* An external inspection shall be performed as follows:

\* \* \* \* \*

(2) Check glazing.

(i) Reject if one or more of the following apply:

\* \* \* \* \*

(B) A sign, poster or other material whose design prevents a driver from seeing through the material, obstructs, obscures or impairs the driver's clear view of the highway or an intersecting highway.

(C) A vehicle displays a sticker other than those prescribed under § 175.147(c) (relating to glazing), or displays a parking sticker in a location described in § 175.147(d).

\* \* \* \* \*

(E) There are defects in an acute area of the windscreen—center of the critical area on the driver's side of the vehicle directly in the driver's normal line of vision, 8 1/2 inches wide and 5 1/2 inches high—or discolorations or hazardous cracks which would interfere with the driver's vision.

\* \* \* \* \*

(ii) This paragraph does not prohibit the use of a product or material along the top edge of the windscreen as long as the product or material is transparent and does not encroach upon the AS-1 portion of the windscreen as provided by FMVSS No. 205, and the product or material is not more than 3 inches from the top of the windscreen.

(3) Check the mirrors and reject if one or more of the following apply:

\* \* \* \* \*

(iv) Outside rearview mirrors, with a minimum reflective surface as described in § 175.148(b) (relating to mirrors), are not installed on both sides of the motorcycle, if a certificate of exemption for a sun screening device or other material has been issued by the Department. See § 175.264 (relating to mirrors). A vehicle for which a certificate of exemption has been issued for medical reasons may be equipped with only a left outside rearview mirror, unless originally equipped with an outside rearview mirror on both sides of the vehicle.

**Subchapter J. MOTOR-DRIVEN CYCLES AND  
MOTORIZED PEDALCYCLES**

**§ 175.176. Glazing.**

(a) *Condition of glazing.* Glazing shall meet the requirements of Chapter 161 (relating to glazing materials). See 75 Pa.C.S. § 4526 (relating to safety glass).

(b) *Safety glazing.* A vehicle specified under this subchapter may be equipped with a windscreen. Requirements of this subsection do not apply to a vehicle manufactured or assembled before January 1, 1934, if original glazing is not cracked or discolored.

(c) *Stickers.* Out-of-State inspection stickers, tax stamps, road use permits or other government-related permits—all municipalities and states—may be placed at the lower left- or right-hand corner of windscreen.

(d) *Obstructions.* A vehicle specified under this subchapter shall have glazing free from obstructions as described in § 175.190 (relating to inspection procedure).

(1) With the exception of materials in paragraph (3), signs, posters or other materials, whose design prevents a driver from seeing through the material, may not be placed on the windscreen or a side wing or a side window so as to obstruct, obscure or impair the driver's clear view of the highway or an intersecting highway. Under FMVSS No. 205, these restrictions do not apply to the rear side windows, rear wings or rear window of vehicles subject to this subchapter, if so equipped.

(2) The requirements of this subsection also apply to glass etchings, except those used for vehicle identification.

(3) A sun screening device or other material which does not permit a person to see or view the inside of the vehicle is prohibited unless otherwise permitted by FMVSS No. 205, or a certificate of exemption has been issued in compliance with § 175.265 (relating to exemption provisions). See Table X for specific requirements for vehicles subject to this subchapter.

**§ 175.177. Mirrors.**

(a) *Condition of mirrors.* Mirrors shall be in safe operating condition as described in § 175.190 (relating to inspection procedure).

(b) *Rearview mirrors.* A vehicle specified under this subchapter shall be equipped with at least one rearview mirror or similar device. If a certificate of exemption for a sun screening device or other material has been issued, rearview mirrors, each with a minimum reflective surface of 12 1/2 square inches for a flat mirror or 10 square inches for a convex mirror, shall be installed on both sides of a motor-driven cycle or motorized pedalcycle. A vehicle for which a certificate of exemption has been issued for medical reasons may be equipped with only a left outside rearview mirror, unless originally equipped with an outside rearview mirror on both sides of the vehicle.

(1) A mirror may not be cracked, broken or discolored.

(2) A mirror shall hold adjustment.

(3) A mirror shall provide an unobstructed view of highway to the rear of the vehicle for a distance of not less than 200 feet.

(4) A mirror shall provide a minimum reflective surface of 12 1/2 square inches for a flat mirror or 10 square inches for a convex mirror.

(c) *Obstructions.* In a vehicle specified under this subchapter, the rearview mirror shall be free from obstructions as described in § 175.190.

**§ 175.190. Inspection procedure.**

(a) *External inspection.* An external inspection of motor-driven cycles only shall be performed as follows:

\* \* \* \* \*

(2) Check glazing.

(i) Reject if one or more of the following apply:

\* \* \* \* \*

(B) A sign, poster or other material whose design prevents a driver from seeing through the material, obstructs, obscures or impairs the driver's clear view of the highway or an intersecting highway. Under FMVSS No. 205, this restriction does not apply to the rear side windows, rear wings or rear window of vehicles subject to this subchapter, if so equipped.

(C) A vehicle displays a sticker other than those prescribed under § 175.176(c) (relating to glazing), or displays a parking sticker in a location described in § 175.176(d).

\* \* \* \* \*

(E) There are defects in an acute area of the windscreen—center of the critical area on the driver's side of the vehicle directly in the driver's normal line of vision 8 1/2 inches wide and 5 1/2 inches high—or discolorations or hazardous cracks which would interfere with the driver's vision.

(ii) This paragraph does not prohibit the use of a product or material along the top edge of the windscreen as long as the product or material is transparent and does not encroach upon the AS-1 portion of the windscreen as provided by FMVSS No. 205 and the product or material is not more than 3 inches from the top of the windscreen.

(3) Check the mirrors and reject if one or more of the following apply:

\* \* \* \* \*

(iv) Outside rearview mirrors, with a minimum reflective surface as described in § 175.177(b) (relating to mirrors), are not installed on both sides of the vehicle, if a certificate of exemption for a sun screening device or other material has been issued by the Department. See § 175.264 (relating to mirrors). A vehicle for which a certificate of exemption has been issued for medical reasons may be equipped with only a left outside rearview mirror, unless originally equipped with an outside rearview mirror on both sides of the vehicle.

\* \* \* \* \*

**Subchapter L. ANIMAL-DRAWN VEHICLES, IMPLEMENTS OF HUSBANDRY AND SPECIAL MOBILE EQUIPMENT**

**§ 175.226. Glazing.**

(a) *Condition of glazing.* Glazing shall meet requirements of Chapter 161 (relating to glazing materials). See 75 Pa.C.S. § 4526 (relating to safety glass).

(b) *Stickers.* Out-of-State inspection stickers, tax stamps, road use permits or other government-related permits—all municipalities and states—shall be placed at the lower left- or right-hand corner of the windshield.

(c) *Obstructions.* Vehicle glazing shall be free from obstructions as described in this subchapter. No sign, poster or other material may be placed on the windshield or front side windows so as to obstruct, obscure or impair the driver's clear view of the highway or an intersecting highway.

(d) *Sun screening devices.* A sun screening device or other material which does not permit a person to see or view the inside of the vehicle is prohibited unless a certificate of exemption has been issued in compliance with § 175.265 (relating to exemption provisions). This

subsection applies only to motor vehicles. See Table X for specific requirements for vehicles subject to this subchapter.

### Subchapter O. VEHICLE SUN SCREENING DEVICES

Sec.	
175.261.	Scope.
175.262.	Applicability.
175.263.	Sun screening location.
175.264.	Mirrors.
175.265.	Exemption provisions.

#### § 175.261. Scope.

This subchapter governs the application upon windows and wings, except roof locations, of sun screening devices, and other material which do not permit a person to see or view the inside of the vehicle, and which do not comply with FMVSS No. 205, and the application for a certificate of exemption from this subchapter.

#### § 175.262. Applicability.

This subchapter applies to vehicles which are subject to a periodic safety inspection, except those inspected in accordance with § 175.130 (relating to inspection procedure).

#### § 175.263. Sun screening location.

(a) *Windshields, side windows and side wings.* A person may not operate, on a highway, a motor vehicle with a front windshield, side window or side wing that has been equipped with a sun screening device or other material which does not permit a person to see or view the inside of the vehicle. This subchapter does not prohibit the use of products or materials along the top edge of the windshield if the products or materials are transparent and do not encroach upon the AS-1 portion of the windshield as provided by FMVSS No. 205 and if the devices or materials are not more than 3 inches from the top of the windshield.

(b) *Rear window.* The rear window on a motor vehicle may be treated by the vehicle owner with a sun screening device or other material. If the rear window is treated with a sun screening device or other material, the vehicle shall comply with § 175.264 (relating to mirrors). See Table X for specific requirements for vehicles subject to this subchapter.

(c) *Louvered materials.* Louvered materials may not reduce the area of driver visibility below 50% as measured on a horizontal plane.

#### § 175.264. Mirrors.

Right and left outside rearview mirrors shall be required with the use of a sun screening device or other material unless the sun screening device or other material is only used or applied above the AS-1 portion of the windshield as permitted in § 175.263(a) (relating to sun screening location). Each mirror shall have a minimum reflective surface of 19.5 square inches, except as otherwise provided in §§ 175.148(b) and 175.177(b) (relating to mirrors). A vehicle for which a certificate of exemption has been issued for medical reasons may be equipped with only a left outside rearview mirror, unless originally equipped with an outside rearview mirror on both sides of the vehicle.

#### § 175.265. Exemption provisions.

(a) *Exempt vehicles.* The following vehicles are exempt from § 175.263 (relating to sun screening location):

- (1) A hearse, ambulance or government vehicle.

(2) A vehicle for which a certificate of exemption has been issued by the Department under subsection (b).

(b) *Certificate of exemption.* The Department will issue a certificate of exemption from § 175.263 for the following vehicles:

(1) A vehicle which was registered in this Commonwealth as of September 8, 1984, and was equipped with a prohibited sun screening device or other prohibited material prior to September 9, 1984. Requests for this type of exemption shall be accompanied by an application for a certificate of exemption, made on a form furnished by the Department, which shall contain a description of the vehicle by make, year, model, vehicle identification number, windows and wings equipped with sun screening device or other material and other information as the Department may prescribe.

(2) A vehicle owned by a person who is afflicted with a condition for which the Department has determined, in consultation with the Medical Advisory Board, that the use of prohibited sun screening devices or other materials is justified; or a vehicle owned by a person residing with a person who is so afflicted, if the afflicted person normally drives or is driven in the vehicle. An application for a certificate of exemption will be granted only for colorless sun screening device or other material and shall be made on a form furnished by the Department, which shall contain the following:

(i) A description of the vehicle by make, year, model and vehicle identification number.

(ii) A medical certification of need due to a disability from a licensed physician or optometrist.

(iii) Other information as the Department may prescribe.

(c) *Display of certificate issued for vehicles registered as of September 8, 1984.* Upon compliance with the criteria in subsection (b)(1), the Department will issue a certificate of exemption which shall be carried in the vehicle at all times by the operator of the vehicle and shall be displayed upon request of a police officer. The certificate of exemption shall also be submitted to the inspection station upon submission of the vehicle for inspection.

(d) *Display of certificate issued for medical reasons.* Upon compliance with the criteria in subsection (b)(2), the Department will issue a certificate of exemption authorizing the installation of a colorless sun screening device or other material which filters ultraviolet light. This certificate of exemption shall be carried in the vehicle at all times by the operator of the vehicle and shall be displayed upon request of a police officer. The certificate of exemption shall also be submitted to the inspection station upon submission of the vehicle for inspection.

(e) *Sale or transfer of exempted vehicle.* Upon the sale or transfer of a vehicle for which a certificate of exemption has been issued under subsection (b)(2), the certificate of exemption is void. Prior to the sale or transfer of a vehicle exempted under subsection (b)(2), it is the sole responsibility of the owner or seller of the vehicle to remove sun screening devices or other materials which do not comply with Departmental regulations. The owner or seller shall destroy the certificate of exemption and provide the purchaser with a notarized statement specifying the name and address of the owner or seller, the vehicle identification number, year and model, and the business entity and process used to remove the sun screening device or other material.

**TABLE X—ACCEPTABLE LIGHT TRANSMITTANCE LEVELS FOR VEHICLE GLAZING**

**All light transmittance levels listed below assume a 3% accuracy ( $\pm 3\%$ ).**

<i>Vehicle Type</i>	<i>Windshield</i>	<i>Front Side Windows/Wings</i>	<i>Rear Side Windows/Wings</i>	<i>Rear Window</i>
Pre-1998 Passenger Cars	70%	70%	70%	VESC-20*
1998 & Newer Passenger Cars	70%	70%	70%	70%
Trucks & Multi-Purpose Passenger Vehicles	70%	70%	No Requirement	No Requirement
Medium/Heavy Trucks & Buses	70%	70%	No Requirement	No Requirement
All Other Vehicles	70%	70%	No Requirement	No Requirement

\*A label, permanently installed between the sun screening device or other material and the glazing to which it is applied, shall contain the name of the device or material manufacturer or a registration number and the statement, "Complies with VESC-20."

**APPENDIX C. (Reserved)**

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