

CHAPTER 185  
HB 224 - FINAL VERSION

9Apr2021... 0446h  
05/27/2021 1782s  
24Jun2021... 1990CofC  
24Jun2021... 2067EBA

2021 SESSION

21-0230  
11/05

HOUSE BILL **224**

AN ACT relative to tinted windows on motor vehicles, relative to civil liability for damage to highways, and relative to employer access to motor vehicle records.

SPONSORS: Rep. Yokela, Rock. 33; Rep. Yakubovich, Merr. 24; Rep. Abramson, Rock. 37; Rep. Hill, Merr. 3; Rep. O'Hara, Belk. 9; Rep. Belanger, Rock. 9

COMMITTEE: Transportation

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AMENDED ANALYSIS

This bill allows for after market tinting of side windows and clarifies civil liability applicable to obstruction or injury to highways.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty One*

AN ACT                   relative to tinted windows on motor vehicles, relative to civil liability for damage to highways, and relative to employer access to motor vehicle records.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           185:1 Rules of the Road; Special Rules; Tinted Windows. Amend RSA 265:95, III(a) to read as  
2 follows:

3                   (a) Except as permitted by subparagraph (b), no person shall drive upon any way any  
4 vehicle with any sign, poster, sticker, or other nontransparent material upon or adjacent to the front  
5 windshield, side wings, or side or rear windows of such vehicle which shall obstruct the driver's clear  
6 view of the way or any intersecting way, unless authorized by the director so to do. No person shall  
7 drive upon any way any vehicle with after market tinting on the windshield [~~or on the windows to~~  
8 ~~the left and right of the driver~~], as prohibited under RSA 266:58-a.

9           185:2 Equipment of Vehicles; Tinted Glass. Amend RSA 266:58-a, I-III-a to read as follows:

10           I. It shall be unlawful to sell or inspect any motor vehicle in this state which has after  
11 market tinting on the windshield [~~or on the windows to the left and right of the driver~~].

12           II. It shall be unlawful to install after market tinting on the windshield [~~or on the windows~~  
13 ~~to the left and right of the driver~~] on any motor vehicle which is registered in this state.

14           III. It shall be unlawful to drive on any way any motor vehicle registered in this state which  
15 has after market tinting on the windshield [~~or on the windows to the left and right of the driver~~].  
16 Where after market tinting is applied to windows to the rear of the driver, outside rear view mirrors  
17 shall be required on both the left and right side of the vehicle for the use of the driver and a front  
18 seat passenger. The light transmittance of after-market tinted windows ***to the left and right of***  
19 ***the driver where they are allowed shall not be less than 70 percent, and the light***  
20 ***transmittance of after-market tinted rear windows*** where they are allowed shall not be less  
21 than 35 percent, except that the light transmittance of after market tinted rear windows of  
22 multipurpose passenger vehicles, as defined in 49 C.F.R. ***section*** 571.3 and pickup trucks may be  
23 such percentage as is allowed by 49 C.F.R. ***section*** 571.205 with respect to pre-market tinted rear  
24 windows.

25           III-a. Persons who require for medical reasons after market tinting on the windshield [~~or on~~  
26 ~~the windows to the left and right of the driver~~] may apply for a special permit pursuant to RSA  
27 266:61-a, IX.

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1           185:3 Equipment of Vehicles; Equipment Waiver for Disabled. Amend RSA 266:61-a, IX to read  
2 as follows:

3           IX. The commissioner may waive the requirements of RSA 266:58-a and issue a special  
4 permit to a person who for bona fide medical reasons requires after market tinting on the windshield  
5 [~~or on the windows to the left and right of the driver~~] and who applies for such permit. Such waiver  
6 shall be granted in accordance with this section and shall only authorize the use of after market  
7 tinted windows with a light transmittance of not less than 35 percent. In reviewing the application  
8 for a permit under this paragraph, the commissioner may seek the advice and recommendation of a  
9 medical review board designated by him *or her* for such purpose.

10          185:4 New Paragraph; Liability for Obstruction or Injury to Highway; Civil Liability. Amend  
11 RSA 236:39 by inserting after paragraph II the following new paragraph:

12           III. This section applies to all pending claims, including but not limited to claims incurred  
13 before or after the effective date of this section, and future causes of action for liability and damages  
14 under this section.

          185:5 Effective Date. This act shall take effect 60 days after its passage.

Approved: August 10, 2021  
Effective Date: October 09, 2021