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AN ACT

RELATING TO MOTOR VEHICLES; ALTERING THE RESTRICTIONS ON SUN  
SCREENING MATERIALS USED ON MOTOR VEHICLE WINDSHIELDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 66-3-846.1 NMSA 1978 (being Laws  
1997, Chapter 151, Section 2, as amended) is amended to read:

"66-3-846.1. SUN SCREENING MATERIAL ON WINDSHIELDS AND  
WINDOWS--REQUIREMENTS--VIOLATION--PENALTY.--

A. A person shall not operate on any street or  
highway a motor vehicle that is registered or required to be  
registered in this state if that motor vehicle has a sun  
screening material on the windshield or any window that does  
not comply with the requirements of this section.

B. Except as otherwise provided in this section, a  
sun screening material:

(1) when used in conjunction with the  
windshield, shall be nonreflective, shall not be red, yellow  
or amber in color and shall have a light transmission of at  
least seventy percent; and

(2) when used in conjunction with the safety  
glazing materials of the side wings or side windows located  
at the immediate right and left of the driver, the side  
windows behind the driver and the rearmost window shall be  
nonreflective, shall have a light transmission of not less

1 than twenty percent and shall be used only on the windows of  
2 a motor vehicle equipped with one right and one left outside  
3 rearview mirror.

4 C. Each manufacturer shall:

5 (1) certify to the division that a sun  
6 screening material used by that manufacturer is in compliance  
7 with the nonreflectivity and light transmission requirements  
8 of this section;

9 (2) provide a label not to exceed one and  
10 one-half square inches in size that:

11 (a) is installed permanently and  
12 legibly between the sun screening material and each glazing  
13 surface to which it is applied;

14 (b) contains the manufacturer's name,  
15 the date that the sun screening material was manufactured and  
16 the percentage of light transmission; and

17 (c) is placed in the left lower corner  
18 of each glazing surface when facing the motor vehicle from  
19 the outside; and

20 (3) include instructions with the sun  
21 screening material for proper installation, including the  
22 affixing of the label specified in this subsection.

23 D. A person shall not:

24 (1) offer for sale or for use any sun  
25 screening material for motor vehicle use not in compliance

1 with this section; or

2 (2) install any sun screening material on  
3 motor vehicles intended for operation on any street or  
4 highway without permanently affixing the label specified in  
5 Subsection C of this section.

6 E. The provisions of this section do not apply to  
7 a motor vehicle registered in this state in the name of a  
8 person, or the person's legal guardian, who has an affidavit  
9 signed by a physician or an optometrist licensed to practice  
10 in this state that states that the person has a physical  
11 condition that makes it necessary to equip the motor vehicle  
12 with sun screening material that is in violation of this  
13 section. The affidavit shall be in the possession of the  
14 person with such a physical condition, or the person's legal  
15 guardian, at all times while being transported in the motor  
16 vehicle.

17 F. The light transmission requirement of this  
18 section does not apply to windows behind the driver on truck  
19 tractors, buses, recreational vehicles, multipurpose  
20 passenger vehicles or motor homes. The provisions of this  
21 section shall not apply to motor vehicle glazing that  
22 complies with federal motor vehicle safety standards.

23 G. The provisions of this section do not apply to  
24 motor vehicles that have sun screening material on the  
25 windshield or any window prior to July 1, 1997.

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H. As used in this section:

(1) "light transmission" means the ratio of the amount of total light that passes through a product or material, expressed in percentages, to the amount of the total light falling on the product or material;

(2) "manufacturer" means any person engaged in the manufacturing or assembling of sun screening products or materials designed to be used in conjunction with motor vehicle glazing materials for the purpose of reducing the effects of the sun;

(3) "nonreflective" means designed to absorb light rather than to reflect it; and

(4) "sun screening material" means any film material, substance, device or product that is designed to be used in conjunction with motor vehicle safety glazing materials for reducing the effects of the sun.

I. A person who violates a provision of this section is guilty of a penalty assessment misdemeanor."

**SECTION 2. EFFECTIVE DATE.**--The effective date of the provisions of this act is July 1, 2019. \_\_\_\_\_