

As Amended by House Committee

Session of 2003

HOUSE BILL No. 2235

By Committee on Transportation

2-7

10 AN ACT regulating traffic; concerning sun screening devices; exception;
11 amending K.S.A. 8-1749a and repealing the existing section.

12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 New Section 1. (a) Any Kansas resident who submits satisfactory
15 proof to the director of vehicles, on a form provided by the director, that
16 such person is a person who has a medical condition or is responsible for
17 the transportation of a person with a medical condition, requiring the use
18 of a sun screening device, as defined in K.S.A. 8-1749b, and amendments
19 thereto, on such person's motor vehicle, which allows the total light trans-
20 mission of less than 35% shall be issued a special decal for any motor
21 vehicle owned and so equipped by such person. Satisfactory proof of such
22 medical condition shall include a statement from a person licensed to
23 practice the healing arts in any state, an advanced registered nurse prac-
24 titioner registered under K.S.A. 65-1131, and amendments thereto, a li-
25 censed physician assistant or a Christian Science practitioner listed in The
26 Christian Science Journal certifying that such person is a person with a
27 disability.

28 (b) The director of vehicles shall design an appropriate decal. Such
29 decal shall be attached to the rear bumper of the motor vehicle **and shall**
30 **be maintained free from foreign materials and in a condition to be**
31 **clearly legible.**

32 (c) Decals issued pursuant to this section shall be issued for such
33 period of time as the person to whom issued continues to be a person
34 with a medical condition or a person responsible for the transportation
35 of a person with a medical condition requiring the sun screening device
36 provided for in subsection (a), except that the director of vehicles shall
37 make a determination of continued eligibility for a decal at least every
38 three years from the original date of issuance of such decal.

39 (d) The decal and sun screening device allowed under subsection (a)
40 shall be removed from such motor vehicle once the person with the med-
41 ical condition no longer requires such sun screening device. The motor
42 vehicle shall comply with the provisions of K.S.A. 8-1749a through 8-
43 1749b, and amendments thereto.

1 (e) Failure to comply with the provisions of subsection (d), upon con-
2 viction, shall be guilty of a class C nonperson misdemeanor.

3 (f) (1) Any person who willfully and falsely represents that such per-
4 son has the qualifications to obtain a decal pursuant to this section shall
5 be guilty of a class C nonperson misdemeanor.

6 (2) Any person authorized to certify a person with a medical condition
7 under subsection (a) who willfully and falsely certifies that a person has
8 the qualifications to obtain a decal pursuant to this section shall be guilty
9 of a class C nonperson misdemeanor.

10 Sec. 2. K.S.A. 8-1749a is hereby amended to read as follows: 8-
11 1749a. (a) No motor vehicle required to be registered in this state and
12 which is operated on the highways of this state shall be equipped with
13 one-way glass or any sun screen device, as defined in K.S.A. 8-1749b, *and*
14 *amendments thereto*, and used in conjunction with safety glazing materials
15 that do not meet the following requirements:

16 (1) A sun screening device when used in conjunction with the wind-
17 shield shall be nonreflective and shall not be red, yellow or amber in
18 color. A sun screening device shall be used only along the top of the
19 windshield and shall not extend downward beyond the AS1 line which is
20 clearly defined and marked;

21 (2) a sun screening device when used in conjunction with the safety
22 glazing materials of the side wings or side windows located at the im-
23 mediate right and left of the driver, the side windows behind the driver
24 and the rear most window shall be nonreflective; and

25 (3) **except for publicly owned police motor vehicles or as pro-**
26 **vided in section 1, and amendments thereto**, the total light transmission
27 shall not be less than 35% when a sun screening device is used in con-
28 junction with safety glazing materials or other existing sun screening
29 devices.

30 (b) The superintendent of the highway patrol may adopt such rules
31 and regulations necessary to carry out the provisions of subsection (a).

32 (c) This section shall not prohibit labels, stickers or other informa-
33 tional signs that are required or permitted by state law.

34 (d) No motor vehicle required to be registered in this state which is
35 operated on the highways of this state shall be equipped with head lamps
36 which are covered with any sun screen device, adhesive film or other
37 glaze or application which, when such lamps are not in operation, is highly
38 reflective or otherwise nontransparent.

39 ~~(e) (1) From and after July 1, 1987, and prior to January 1, 1988, a~~
40 ~~law enforcement officer shall issue a warning citation to any person vio-~~
41 ~~lating the provisions of this section.~~

42 ~~(2) From and after January 1, 1988, Any person convicted of violating~~
43 ~~the provisions of this section shall be guilty of a misdemeanor.~~

1 Sec. 3. K.S.A. 8-1749a is hereby repealed.

2 Sec. 4. This act shall take effect and be in force from and after its
3 publication in the statute book.