

HOUSE BILL No. 2471

By Committee on Appropriations

1-22

1 AN ACT concerning individuals with light sensitivity; relating to one-way
2 glass and sun screening devices for motor vehicles; creating an
3 exemption; amending K.S.A. 2013 Supp. 8-1749a and repealing the
4 existing section.
5

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

7 New Section 1. (a) Any Kansas resident who owns and operates a
8 motor vehicle on the highways of this state, may submit a written request
9 to the department of health and environment, on a form provided by the
10 department, for a determination that such person has a condition or
11 impairment which requires a limited exposure to light. Upon receiving
12 satisfactory proof of such condition or impairment, and the payment of the
13 fee established by subsection (f), the department shall issue a symbol to be
14 placed on the rear bumper of any motor vehicle owned by such person.
15 Upon receipt and proper installation of the symbol, the motor vehicle may
16 then be equipped with a sun screening device which allows a total light
17 transmission less than that allowed by K.S.A. 8-1749a(a)(3), and
18 amendments thereto, but in no case shall the total light transmission be less
19 than 20%. The symbol shall allow the operation of the motor vehicle by
20 any title holder of the motor vehicle, anyone driving the motor vehicle
21 while transporting the person with the condition or impairment which
22 requires a limited exposure to light, or any relative within the second
23 degree consanguinity or affinity, which shall mean a spouse, grandparent,
24 parent, brother, sister, nephew, niece, aunt, uncle, child or grandchild of
25 the person possessing the symbol.

26 (b) The department may require acceptable medical proof of a
27 condition or impairment which requires a limited exposure to light which
28 includes, but is not limited to, a statement from a person licensed to
29 practice the healing arts in any state, a licensed optometrist, an advanced
30 practice registered nurse licensed under K.S.A. 65-1131, and amendments
31 thereto, a licensed physician assistant or a Christian Science practitioner
32 listed in The Christian Science Journal certifying that such person has a
33 condition or impairment which requires a limited exposure to light.

34 (c) Except as otherwise provided in this section, symbols issued
35 pursuant to this section shall be issued for such period of time as the
36 person to whom issued continues to be a person with a condition or

1 impairment which requires a limited exposure to light.

2 (d) Symbols issued under this section shall be removed from the
3 motor vehicle and discarded upon the death of the person with a condition
4 or impairment which requires a limited exposure to light or upon the
5 transfer of the certificate of title of such motor vehicle. Upon the death of
6 such person or transfer of the certificate of title of such motor vehicle, the
7 exemption from the limitation under K.S.A. 8-1749a(a)(3), and
8 amendments thereto, shall no longer apply and the sun screening device
9 shall be removed from the windows of such motor vehicle.

10 (e) Violation of subsection (d) is an unclassified misdemeanor
11 punishable by a fine of not more than \$50.

12 (f) A fee to be determined by the department, not to exceed \$20, as
13 set forth in rules and regulations, shall be paid for each symbol.

14 (g) On or before January 1, 2015, the department shall promulgate
15 rules and regulations necessary to carry out the provisions of this section.

16 Sec. 2. K.S.A. 2013 Supp. 8-1749a is hereby amended to read as
17 follows: 8-1749a. (a) No motor vehicle required to be registered in this
18 state and which is operated on the highways of this state shall be equipped
19 with one-way glass or any sun screening device, as defined in K.S.A. 8-
20 1749b, and amendments thereto, and used in conjunction with
21 windshields, side wings, side windows or rear windows that do not meet
22 the following requirements:

23 (1) A sun screening device when used in conjunction with the
24 windshield shall be nonreflective and shall not be red, yellow or amber in
25 color. A sun screening device shall be used only along the top of the
26 windshield and shall not extend downward beyond the AS1 line which is
27 clearly defined and marked;

28 (2) a sun screening device when used in conjunction with the side
29 wings or side windows located at the immediate right and left of the driver,
30 the side windows behind the driver and the rear most window shall be
31 nonreflective; and

32 (3) the total light transmission shall not be less than 35% when a sun
33 screening device is used in conjunction with other existing sun screening
34 devices.

35 (b) (1) Subsection (a)(3) shall not apply to a window of a law
36 enforcement motor vehicle that is clearly identified as such by words or
37 other symbols on the outside of the vehicle.

38 (2) *Subsection (a)(3) shall not apply to a window of a motor vehicle*
39 *owned by a person qualifying for an exemption under section 1, and*
40 *amendments thereto.*

41 (c) The superintendent of the highway patrol may adopt such rules
42 and regulations necessary to carry out the provisions of this section.

43 (d) This section shall not prohibit labels, stickers or other

1 informational signs that are required or permitted by state law.

2 (e) No motor vehicle required to be registered in this state which is
3 operated on the highways of this state shall be equipped with head lamps
4 which are covered with any sun screening device, adhesive film or other
5 glaze or application which, when such lamps are not in operation, is highly
6 reflective or otherwise nontransparent.

7 (f) Any person convicted of violating the provisions of this section
8 shall be guilty of a misdemeanor.

9 Sec. 3. K.S.A. 2013 Supp. 8-1749a is hereby repealed.

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