

New York State Window Tint Laws

By Bernadette A. Safrath

The specific provisions of New York's window tint laws can be found in Vehicle and Traffic Law § 375 (12-a). The statute explains the permissible window tints allowed for all car windows: front, rear and side. It also covers a medical exemption to the window tint statute, permissible under N.Y. Public Health Law § 206.

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History

New York State's window tint statute is found in § 375 (12-a) of the Vehicle and Traffic Law. Subsection 12-a, which discusses window tinting or "light transmittance" at length, was last amended in 1991, increasing the required light transmittance percentage from 35 percent to 70 percent. This 70 percent is the highest required light transmittance percentage by any state, also shared in California and Pennsylvania.

Window Tinting

Window tinting, or as it is called in § 375 of New York State's Vehicle and Traffic Law, "light transmittance" is the process of putting a dark-colored film on the window glass to give it the appearance of being darker. This is often done by aftermarket companies after a person purchases a vehicle. The percentage of permissible window tinting is determined by the amount of visible light able to pass through the window's glass as well as the tint film on the window.

Front and Back Side Windows

The § 375 (12-a)(b)(2) of the Vehicle and Traffic Law requires that side windows, both front and back, cannot be covered by a window tint film that allows "light transmittance" of less than 70 percent. This means that some degree of aftermarket window tinting is permitted. As long as the window tint film allows 70 percent of visible light to pass through the film and the window glass, your windows do not violate the law.

If you choose to tint your windows, New York State does not ban any tint color; however, the tint cannot be reflective or appear metallic or mirrored. Additionally, if you bring your vehicle to a company who performs aftermarket tinting work, under Vehicle and Traffic Law § 375 (12-a)(c), there must be a sticker affixed to the window, between the glass and the tinted film, identifying that the tint film is of a legal percentage for New York State.

Windshield and Rear Window

Under Vehicle and Traffic Law § 375 (12-a)(b)(1) states that a vehicle's front windshield can only be tinted on the top 6 inches. Like the side windows, that window tint must allow for a "light transmittance" of 70 percent. Additionally, if the top 6 inches of the windshield are covered with a tinted film, the film cannot be reflective.

As for the rear window, § 375 (12-a)(b)(4) allows for the rear window to be tinted to any darkness. However, if the rear window is tinted darker than the allowable 70 percent "light transmittance," the vehicle must have two side mirrors, allowing the driver to see the road and any traffic conditions behind him. If, however, a vehicle only has one side mirror, § 375 (12-a)(b)(4) states that the rear window can only be tinted as dark as the side windows of the vehicle, allowing for 70 percent of visible light to pass through the window glass and the tint film.

Medical Exemption

Because there may be some conditions that would require a person to be protected from the sun's harsh rays, §375 (12-a)(c) provides a medical exemption. An owner of a motor vehicle, or someone who is a frequent passenger in another person's vehicle, can apply for the exemption with the N.Y. State Commissioner of Motor Vehicles. The application must contain the person's name; the medical condition, as certified by the person's doctor; and the minimum percentage of visible light required by the condition. Additionally, the Commissioner will only deem the medical condition acceptable if that condition appears on the list of medical conditions under N.Y. State Public Health Law § 206 (16). This list of medical conditions, as compiled by the Commissioner of Motor

Vehicles and the Commissioner of the Department of Health, was created to protect drivers suffering from such conditions and allows for an exemption for the health and safety of those drivers, as well as for the safety of other drivers on the road.

Additional Exception

Finally, because N.Y. State's Vehicle and Traffic Law § 375 (12-a) was enacted in 1991 and became effective in 1992, (12-a)(e) states that any vehicle with a model year of 1991 or earlier can have tinted windows that allow for less than 70 percent visible light to pass through. This "grandfather clause" was included in the statute because if the window tint on vehicles from 1991 and earlier was permissible before the statute was enacted, it is not expected that vehicle owners lighten their window tint to now be in compliance. However, if a 1991 or prior model vehicle's windows were tinted after the statute was enacted, the vehicle's window must contain the sticker as required by § 375 (12-a)(d), identifying that the tint is legal.

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