

## **STATES' MEDICAL EXEMPTIONS FROM VEHICLE WINDOW LIGHT TRANSMISSION REQUIREMENTS**

The table on subsequent pages of this document summarizes states' laws regarding medical exemptions to limitations on vehicle window light transmission – window tinting. The sources of the information provided, primarily statutes and regulations, are included in the spreadsheet. Readers who find errors or omissions are asked to contact Jill Shelley at the Kansas Legislative Research Department.

**States' Medical Exemptions from Vehicle Window Light Transmission Requirements**

Note: Wording used is the same as that used in the state's statutes, regulations, or both.										
State	Statute, regulation, or other source	For whom the exemption may apply	Reason(s)	Vehicle restrictions		How need for exemption is proven and determined			Proof of medical exemption	
no exemption found				Which windows	Limits on amount of tint	Certification from medical provider (which type[s] of provider)	Application to state department	Frequency of certification of need	Document required in vehicle	Vehicle must be marked
Alabama	Ala. Code 1975 § 32-5C-2 Ala. Admin. Code r. 760-X-1-.17	vehicle owner or habitual passenger	person must be shielded from the direct rays of the sun			Department of Public Safety to determine conditions and limitations	written statement of need from physician licensed to practice in the state	required		
Alaska	13 AAC 04.223	driver or passenger who frequently travels in the vehicle	person must be shielded from the direct rays of the sun				certification from physician licensed to practice in the state		annual	certification from the physician
Arizona	A.R.S. § 28-959.01	vehicle owner or habitual passenger	person must be shielded from the direct rays of the sun	side or rear			attestation from physician (MD or DO) licensed in the state	required; reviewed by Medical Review Program		
Arkansas	ACA § 27-37-306	the motorist	in the best interest of the motorist; for vehicles whose windows were tinted before August 16, 2013, a disease or disorder including, but not limited to, albinism or lupus, for which the physician determines it is in the best interest of the motorist	side, rear, front windshield	sides: >= 20% net light transmission rear: >= 10% net light transmission front: >=50% net light transmission	physician		every 3 years	physician's certification to be carried in the vehicle	
California	Cal.Vehicle Code § 26708, § 26708.2	driver or front-seat passenger	due to a medical condition	side windows of front seat	device only; device must allow ready removal; device may not be used during darkness; device must have luminous transmittance of >= 35% or a reflective quality exceeding 35% on either the inner or outer surface	licensed physician and surgeon; licensed optometrist				letter or other document signed by the physician and surgeon or optometrist must be in the person's possession
<b>Colorado</b>										
Connecticut	C.G.S.A. § 14-99g Regs. Conn. State Agencies § 14-99g-7	driver or usual passenger	person for medical reasons must be shielded from direct rays of the sun			may not be so dark as to impair driving safety (<20% light transmittance is too dark); this may be waived for good cause shown	physician or optometrist licensed to practice in the state, after examination of the applicant	required		form validated by the commissioner
Delaware	21 Del.C. § 4313	owner or usual operator of the vehicle	medically necessary	windshield; front side windows			licensed practitioner of medicine and surgery or osteopathic medicine or optometry			person must have statement signed by the medical practitioner
District of Columbia	DC ST § 50-2207.02	vehicle owner	medical condition				physician; agency contacts	required	at each vehicle inspection	
Florida	F.S.A. § 316.29545	not specified (form requires vehicle's owner to be listed but the person requiring the exemption may be another person)	medical condition that requires a limited exposure to light; those named are lupus, dermatomyositis, albinism, total or facial vitiligo, xeroderma pigmentosum, or other autoimmune disease or other medical condition	windshield, side windows, windows behind the driver			physician, dermatologist, advanced registered nurse practitioner, physician assistant	required	upon sale or transfer of the vehicle	medical exemption decal issued
Georgia	O.C.G.A. 40-8-73.1 Ga Comp. R. & Regs. 570-22-.06	vehicle owner or habitual passenger	person who for medical reasons must be shielded from direct rays of the sun; no exemption granted for any condition for which protection from the direct rays of the sun can be adequately provided by use of eye protective devices	not windshield		Department of Public Safety to determine conditions and limitations; may not reduce light transmission through front side windows to <23%	person licensed to practice medicine or person certified as an optometrist under state law	required		limited exception notice issued by the Department of Public Safety
<b>Hawaii</b>										
Idaho	I.C. § 49-944	vehicle operator or passenger	must be protected from exposure to sunlight or heat for medical reasons associated with past or current treatment			minimum light transmission: windshield - 70% +/- 3%, windows - 20% +/- 3%; luminous reflectance <=35% +/- 3%	licensed physician			written verification from a licensed physician
Illinois	625 ILCS 5/3-663 625 ILCS 5/12-503	vehicle owner and operator or person who resides at the same address	a medical disease that requires that person to be shielded from the direct rays of the sun, including but not limited to systemic or discoid lupus erythematosus, disseminated superficial actinic porokeratosis, or albinism; no exemption shall be granted for any condition, such as light sensitivity, for which protection can be adequately obtained by the use of sunglasses or other eye protective devices				physician licensed to practice medicine in the state	required	every 4 years	certification from the physician that must contain signature and name the medical condition; copy also to Secretary of State, who may forward to law enforcement agencies
Indiana	IC 9-19-19-4	owner or habitual passenger	person who for medical reasons must be shielded from direct rays of the sun				physician or optometrist licensed to practice in the state		annual	certificate from physician or optometrist
Iowa	Iowa Admin. Code 761-450.7(321)	no new exemptions; passenger or operator with exemption as of July 4, 2012, may continue with the exempted vehicle		windshield, front-seat side windows	not < 35% light transmittance if medical exemption, 70% otherwise		physician, chiropractor, or optometrist licensed to practice in the state			Form 432020
<b>Kansas</b>										

**States' Medical Exemptions from Vehicle Window Light Transmission Requirements**

State	Statute, regulation, or other source	For whom the exemption may apply	Reason(s)	Vehicle restrictions		How need for exemption is proven and determined			Proof of medical exemption	
				Which windows	Limits on amount of tint	Certification from medical provider (which type[s] of provider)	Application to state department	Frequency of certification of need	Document required in vehicle	Vehicle must be marked
no exemption found										
Kentucky										
Louisiana	La. Admin Code. tit. 55, pt. III, § 813 LSA-R.S. 32:361.2	registered owner, spouse, or immediate family member but not if person convicted of certain crimes (applicant must submit fingerprints)	medical condition which makes that individual sensitive to sun exposure; affidavit must list specific condition using ICD-9-CM; if photophobia, must document why sunglasses will not be effective and why window tint will not affect ability to drive at night	not windshield	Secretary to determine limits, case by case	licensed physician or optometrist	required	not > 3 years except for the duration of ownership of the vehicle if owner is 60 or older	affidavit from Office of State Police	decal
Maine	29-A M.R.S.A. § 1916	owner or person who usually occupies the vehicle	health of the person is adversely affected by sunlight			physician, physician assistant, or optometrist	required		certificate of exemption from Chief of the State Police	
Maryland	MD Code, Transportation, § 22-406 COMAR 29.02.01.11	vehicle owner	must be protected from the sun for medical reasons			physician licensed to practice medicine in the state		compliance checked at vehicle inspection	written certification from physician	
Massachusetts	M.G.L.A. 90 § 9D 540 CMR 4.04	owner or operator	determined to be light or photosensitive	front-seat side windows, windows immediately to the rear of the front-seat side windows, rear window (mirrors required if tint on rear window), windshield only down to AS-1 line		licensed physician must provide written attestation	required			decal at side window next to operator
Michigan	M.C.L.A. 257.709	operator	person who is light sensitive or photosensitive		window treatment or application shall not interfere with clear vision of highway or an intersecting highway	physician or optometrist			letter signed by physician or optometrist indicating medical necessity	
Minnesota	M.S.A. § 169.71	driver or passenger	medical need		prescription or physician's statement of medical need specifically states the minimum percentage light transmittance may be reduced to satisfy the medical need	physician		<= 2 years	prescription or physician's statement of medical need	
Mississippi	Miss. Code Ann. § 63-7-59	owner, operator, or regular passenger	physician condition or disease that is seriously aggravated by minimum exposure to sunlight			physician licensed to practice medicine in the state	required		certificate of medical exemption from Commissioner of Public Safety and signed by person with the medical need	exemption displayed on dashboard
Missouri	V.A.M.S. 307.173 11 Mo. Code of State Regulations 30-7.010	owner or a relative within second degree of consanguinity or affinity and resides in the household	serious medical condition which requires the use of a sun-screening device; prescription required	not windshield	vehicle must be inspected by Highway Patrol	physician	required		copy of complete SHP-524 form	sticker on inside of windshield, decal on rear glass or bumper
Montana	MCA 61-9-428		medical reasons			licensed physician, licensed physician assistant, or advanced practice registered nurse	application to Highway Patrol or local law enforcement agency	effective dates to be specified on waiver	(not specified, but Highway Patrol or local law enforcement agency to retain a copy until expiration)	
Nebraska	Neb.Rev.St. § 60-6,260	(not specified)	medical reasons			licensed physician	application to State Patrol or local law enforcement agency	determined by State Patrol or local law enforcement agency	(not specified, but State Patrol or local law enforcement agency to retain a copy until expiration)	
Nevada	NAC 484D.280 NAC 484D.285	primary driver	medical condition which requires the placement, installation, affixation or application of transparent material	windshield or any side or rear window	form states minimum 20% light transmittance, but as recommended by physician and approved	physician	required	form states permit may be for 4 years or indefinite period	form states letter of exemption to be carried in vehicle	
New Hampshire	N.H. Rev. Stat. § 266:61-a, § 266:58a N.H. Code Admin. R. Saf-C 2503.02, 2503.03	driver or regular front-seat passenger	<i>bona fide</i> medical reasons: extreme intolerance to light, allergic reactions to the sun, melanoma, lupus, porphyria, or any other medical condition which is aggravated by exposure to the sun	windshield or windows to the left and right of the driver	not < 35% light transmittance	medical doctor (form specifies MD or DO)	required	2 years		
New Jersey	N.J.S.A. 39:3-75.1 N.J.A.C. 13:20-1.5, 1.6, 1.7	driver or regular passenger	medical condition involving ophthalmic or dermatological photosensitivity: polymorphous light eruption, persistent light reactivity, actinic reticuloid, porphyrins, solar urticaria, lupus erythematosus, and other conditions the director shall determine (form requests specific spectra or wavelength if dermatological reason)	windshield above AS-1 line, front side windows	visible light reflectance of sun-screening materials and products installed or applied to the windshield and/or the front side window(s) shall not exceed 8%	certified ophthalmologist or a physician with a plenary license to practice medicine and surgery in NJ or a bordering state	required	at sale or end of lease of the vehicle, up to each 48 months	medical exemption certificate in possession of the driver or operator	
New Mexico	N. M. S. A. 1978, § 66-3-846	vehicle owner or vehicle owner's dependent	physical condition that makes it necessary to equip the vehicle with sun screening material			physician or optometrist licensed to practice in the state			affidavit signed by physician or optometrist in possession of the person with the condition or the legal guardian, in the vehicle	

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no exemption found										
New York	Vehicle and Traffic Law 375.12-a(c) 10 NYCRR 69-7.1	operator or habitual passenger	porphyria, xeroderma pigmentosa, severe drug photo-sensitivity		physician to specify the minimum level of light transmission required; commissioner must authorize	physician	required			sticker to be attached to any window so shielded
North Carolina	N.C.G.S.A. § 20-127	(only two valid permits per person at any one time)	medical condition that causes the person to be photosensitive to visible light			doctor	required	<= 5 years	permit to be carried in vehicle	sticker for lower left-hand corner of rear window
<b>North Dakota</b>										
Ohio	OAC 4501-41-05	vehicle owner, spouse, or vehicle owner or spouse's child or dependent	physical condition that makes it necessary to equip the vehicle with suncreening material which would violate requirements for light transmittance and/or luminous reflectance			physician or optometrist licensed in the state			physician's or optometrist's affidavit, in possession of the person so afflicted or the driver	
Oklahoma	47 Okl.St. Ann. § 12-422 Okla. Admin. Code 595:10-5-34, 35, 36	owner or habitual passenger	diagnosed and documented medical reason to be shielded from the direct rays of the sun	side or rear windows	15% light transmission; if <20%, may restrict to daylight driving only	physician licensed in the state who has diagnosed or is treating the applicant	required		exemption letter from Department of Public Safety, specific to the vehicle; restrictions, medical aspects, or both to be on driver's license	
Oregon	O.R.S. § 815.221	owner or member of owner's household	physical condition requiring window tinting	side and rear		licensed physician or optometrist			affidavit, prescription or letter on letterhead from licensed physician or optometrist	
Pennsylvania	75 Pa.C.S.A. § 4524 67 Pa. Code § 175.265	owner or registrant of vehicle, person residing in the owner's or registrant's household who regularly drives or is driven in the vehicle	afflicted with a condition for which the Department has determined, in consultation with the Medical Advisory Board, that the use of prohibited sun screening devices or other materials is justified			licensed physician or optometrist	required		certificate of exemption	
Rhode Island	Gen.Laws 1956, § 31-23.3-4 see also <a href="http://www.providencejournal.com/article/20140802/BUSINESS/308029813">http://www.providencejournal.com/article/20140802/BUSINESS/308029813</a>	registered owner or dependent	physical condition that makes it necessary to equip the vehicle with sun screening material; administrator has stated an application based on sun sensitivity will not be approved if sunglasses or another remedy will address the issue		documented on approved certificate; physician or optometrist may recommend percentage of light transference; request for <40% light transmittance to be referred to Medical Advisory Board	physician or optometrist licensed in the state	required			sticker for driver's side window
South Carolina	Code 1976 § 56-5-5015	registered owner or dependent	physical condition that makes it necessary to equip the vehicle with sunscreening material which would violate law regarding light transmittance or luminous reflectance			physician or optometrist licensed in the state		2 years	affidavit from physician or optometrist licensed in the state	
<b>South Dakota</b>										
Tennessee	T.C.A. § 55-9-107	any person	medical condition that is adversely affected by ultraviolet light that requires reduction of light transmission		amount recommended by Medical Review Board	the person's physician	required; commissioner submits it to Medical Review Board		certificate or decal	certificate or decal
Texas	Texas Administrative Code, Title 37 (Public Safety and Corrections), Rule 21.3	operator or regular passenger	medical condition which renders the person susceptible to harm or injury from exposure to sunlight or bright artificial light		25% light transmission except windshield; 5% reduction below AS-1 line on windshield	licensed physician or licensed optometrist	required	whichever occurs first: medical condition no longer requires, prescription expires, or vehicle is sold	certificate issued by Department of Public Safety	
<b>Utah</b>										
Vermont	23 V.S.A. § 1125 Vt. Admin. Code 22-1-5:1.4	driver or regular passenger	medical reasons that require person to be shielded from the rays of the sun	vent windows or side windows immediately to the left and right of the operator; rear side windows and back windows may be obstructed only if outside mirrors on each side	physician recommends on application form; Department of Motor Vehicles specifies on permit	licensed physician or optometrist	required	4 years, or indefinitely if condition is permanent and stable, or sale of vehicle	permit issued by Department of Motor Vehicles	
Virginia	VA Code Ann. § 46.2-1053	driver or regular passenger	medical condition that renders the person susceptible to harm or injury from exposure to sunlight or bright artificial light	windshield, front-seat side windows	windshield: 35% upper 5 inches or to AS-1 line OR 70% for entire windshield; front side windows: 35% (without medical exception, no limits on rear side and rear windows of multi-use passenger vehicles)	licensed physician or licensed optometrist; form also lists nurse practitioner, physician assistant, and ophthalmologist	required	whichever occurs first: medical condition no longer requires or vehicle is sold	written authorization issued by Commissioner of Department of Motor Vehicles	form indicates a notation is made on the vehicle's registration form
Washington	RCWA 46.37.430	operator or passenger	must be protected from exposure to sunlight for physical or medical reasons	all; top 6 inches of windshield		licensed physician			written verification from a licensed physician	

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West Virginia	W. Va. Code, § 17C-15-36a	registered owner or dependent	physical condition that makes it necessary to equip the motor vehicle with sun-screening material which would be of light transmittance or luminous reflectance in violation [of those requirements]		(light transmittance requirements do not apply to rear-seat side and rear windows of multipurpose passenger vehicles [SUVs])	physician or optometrist licensed in the state			affidavit from physician or optometrist licensed in the state, in the possession of the person so afflicted or the person's guardian	
Wisconsin	Wis. Adm. Code s Trans 305.32	owner or owner's immediate family member	medical condition justifying the recommendation for tinting film		window plus film must allow passage of >=35% of visible light; films may not be reflective	physician or Christian Science practitioner		film to be removed when vehicle is sold, temporary condition expires, or person leaves the household	recommendation from physician or Christian Science practitioner; must include patient and vehicle information	
Wyoming	W.S.1977 § 31-5-962	operator or regular passenger	medical condition which renders the person susceptible to harm or injury from exposure to sunlight or bright artificial light	all	windshield plus film may not reduce total light transmittance to <70% except on upper 5 inches or AS-1 line	licensed physician or optometrist		whichever occurs first: medical condition no longer requires or vehicle is sold	person must possess certificate issued by the director	
<i>Please notify KLRD of any omissions or errors.</i>										