

HOUSE BILL No. 4996

October 15, 2015, Introduced by Reps. Aaron Miller, Hooker and Runestad and referred to the Committee on Regulatory Reform.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 709 (MCL 257.709), as amended by 2010 PA 258.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 709. (1) A person shall not operate a motor vehicle with
2 any of the following:

3 (a) A sign, poster, nontransparent material, window
4 application, reflective film, or nonreflective film upon or in the
5 front windshield, the side windows immediately adjacent to the
6 driver or front passenger, or the sidewings adjacent to and forward
7 of the driver or front passenger, except that a tinted film may be
8 used along the top edge of the windshield and the side windows or
9 sidewings immediately adjacent to the driver or front passenger if
10 the material does not extend more than 4 inches from the top of the
11 windshield, or lower than the shade band, whichever is closer to

1 the top of the windshield.

2 (b) A rear window or side window to the rear of the driver
3 composed of, covered by, or treated with a material that creates a
4 total solar reflectance of 35% or more in the visible light range,
5 including a silver or gold reflective film.

6 (c) An object that obstructs the vision of the driver of the
7 vehicle, except as authorized by law.

8 (2) A person shall not drive a motor vehicle if driver
9 visibility through the rear window is obstructed, unless the
10 vehicle is equipped with 2 rearview mirrors, 1 on each side,
11 adjusted so that the operator has a clear view of the highway
12 behind the vehicle.

13 (3) This section does not apply to any of the following:

14 (a) The use of draperies, louvers, or other special window
15 treatments, except those specifically designated in this section,
16 on the rear window, or a side window to the rear of the driver if
17 the vehicle is equipped with 2 outside rearview mirrors, 1 on each
18 side, adjusted so that the driver has a clear view of the highway
19 behind the vehicle.

20 (b) The use of a nonreflective, smoked or tinted glass,
21 nonreflective film, perforated window screen, or other decorative
22 window application on the rear window or a side window to the rear
23 of the driver.

24 (c) The placement of a necessary certificate or sticker that
25 does not obstruct the driver's clear view of the roadway or an
26 intersecting roadway.

27 (d) A vehicle registered in another state, territory,

1 commonwealth of the United States, or another country or province.

2 ~~—— (e) A special window treatment or application determined~~
3 ~~necessary by a physician or optometrist, for the protection of a~~
4 ~~person who is light sensitive or photosensitive, if the owner or~~
5 ~~operator of a motor vehicle has in possession a letter signed by a~~
6 ~~physician or optometrist, indicating that the special window~~
7 ~~treatment or application is a medical necessity. However, the~~
8 ~~special window treatment or application shall not interfere with or~~
9 ~~obstruct the driver's clear vision of the highway or an~~
10 ~~intersecting highway.~~

11 (4) Except as provided in subsection (5), the windshield on
12 each motor vehicle shall be equipped with a device for cleaning
13 rain, snow, or other moisture from the windshield, which device
14 shall be so constructed as to be controlled or operated by the
15 driver of the vehicle. A vehicle licensed as ~~an~~ **A** historical
16 vehicle is exempt from this subsection if the vehicle was not
17 originally equipped with such a device. Each windshield wiper upon
18 a motor vehicle shall be maintained in good working order.

19 (5) A truck with a gross weight over 10,000 pounds, a truck
20 tractor, a bus, or a truck regardless of weight carrying hazardous
21 materials on which a placard is required to be posted ~~pursuant to~~
22 **UNDER** 49 CFR parts 100 to 199 having a windshield shall be equipped
23 with not less than 2 automatically operating windshield wiper
24 blades, 1 on each side of the centerline of the windshield, for
25 cleaning rain, snow, or other moisture from the windshield. The
26 blades shall be in ~~such~~ **A** condition ~~as to provide~~ **THAT PROVIDES**
27 clear vision for the driver, unless 1 blade is ~~so~~ arranged **SO** as to

1 clean an area of the windshield extending to within 1 inch of the
2 limit of vision through the windshield at each side. However, in
3 driveaway-towaway operations, this subsection applies only to the
4 operated vehicle. In addition, 1 windshield wiper blade suffices
5 under this subsection when the driven vehicle in a driveaway-
6 towaway operation constitutes part or all of the property being
7 transported and has no provision for 2 blades. A truck and truck
8 tractor, manufactured after June 30, 1953, that depends upon vacuum
9 to operate the windshield wipers, shall be ~~so~~-constructed **so** that
10 the operation of the wipers is not materially impaired by change in
11 the intake manifold pressure.

12 (6) A truck with a gross weight over 10,000 pounds, a truck
13 tractor, a bus, or a truck regardless of weight carrying hazardous
14 materials on which a placard is required to be posted under 49 CFR
15 parts 100 to 199 shall not be operated on the highways at any time
16 unless it is equipped with a hot air windshield defroster or an
17 electrically heated windshield or other device to heat and maintain
18 the windshield in operable condition at all times.

19 (7) As used in this section:

20 (a) "Physician" means that term as defined in section 17001 or
21 17501 of the public health code, 1978 PA 368, MCL 333.17001 and
22 333.17501.

23 (b) "Optometrist" means that term as defined in section 17401
24 of the public health code, 1978 PA 368, MCL 333.17401.