

**STATE OF MICHIGAN  
99TH LEGISLATURE  
REGULAR SESSION OF 2018**

**Introduced by Reps. Alexander, Sheppard, Barrett, Lower, Lucido, Glenn, LaFave, Johnson, Hornberger,  
Dianda, Zemke, Peterson and Chirkun**

**ENROLLED HOUSE BILL No. 5634**

AN ACT to amend 1949 PA 300, entitled “An act to provide for the registration, titling, sale, transfer, and regulation of certain vehicles operated upon the public highways of this state or any other place open to the general public or generally accessible to motor vehicles and distressed vehicles; to provide for the licensing of dealers; to provide for the examination, licensing, and control of operators and chauffeurs; to provide for the giving of proof of financial responsibility and security by owners and operators of vehicles; to provide for the imposition, levy, and collection of specific taxes on vehicles, and the levy and collection of sales and use taxes, license fees, and permit fees; to provide for the regulation and use of streets and highways; to create certain funds; to provide penalties and sanctions for a violation of this act; to provide for civil liability of manufacturers, the manufacturers of certain devices, the manufacturers of automated technology, upfitters, owners, and operators of vehicles and service of process on residents and nonresidents; to regulate the introduction and use of certain evidence; to regulate and certify the manufacturers of certain devices; to provide for approval and certification of installers and servicers of certain devices; to provide for the levy of certain assessments; to provide for the enforcement of this act; to provide for the creation of and to prescribe the powers and duties of certain state and local agencies; to impose liability upon the state or local agencies; to provide appropriations for certain purposes; to repeal all other acts or parts of acts inconsistent with this act or contrary to this act; and to repeal certain parts of this act on a specific date,” by amending section 709 (MCL 257.709), as amended by 2010 PA 258.

*The People of the State of Michigan enact:*

Sec. 709. (1) A person shall not operate a motor vehicle with a sign, poster, nontransparent material, window application, reflective film, or nonreflective film upon or in the front windshield, except that a tinted film may be used

along the top edge of the windshield if the material does not extend below the vehicle manufacturer's AS-1 line or more than 6 inches from the top of the windshield, whichever is farther from the top of the windshield.

(2) Except as provided in subsection (3), a person shall not operate a motor vehicle with a sign, poster, nontransparent material, window application, reflective film, or nonreflective film upon or in the side windows immediately adjacent to the driver or front passenger or the sidewings adjacent to and forward of the driver or front passenger.

(3) A person may operate a motor vehicle with a material that has a visible light transmittance of 70%, plus or minus 5%, or more, upon or in the side windows immediately adjacent to the driver or front passenger or the sidewings adjacent to and forward of the driver or front passenger.

(4) A person may operate a motor vehicle with a material that has a visible light transmittance of 25%, plus or minus 5%, or more, upon or in a rear window or a side window to the rear of the driver.

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

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

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

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

(c) A vehicle registered in another state, territory, commonwealth of the United States, or another country or province.

(d) A special window treatment or application determined necessary by a physician or optometrist, for the protection of a person who is light sensitive or photosensitive, if the owner or operator of a motor vehicle has in possession a letter signed by a physician or optometrist, indicating that the special window treatment or application on that motor vehicle is a medical necessity. However, the special window treatment or application shall not interfere with or obstruct the driver's clear vision of the highway or an intersecting highway. This subdivision does not require that the operator of a motor vehicle equipped with a special window treatment or application described in this subdivision be the individual for whom a physician or optometrist considers the treatment or application medically necessary.

(7) Except as provided in subsection (8), the windshield on each motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield, which shall be so constructed as to be controlled or operated by the driver of the vehicle. A vehicle licensed as an historical vehicle is exempt from this subsection if the vehicle was not originally equipped with such a device. Each windshield wiper upon a motor vehicle shall be maintained in good working order.

(8) A truck with a gross weight over 10,000 pounds, a truck tractor, a bus, or a truck regardless of weight carrying hazardous materials on which a placard is required to be posted pursuant to 49 CFR parts 100 to 199 having a windshield shall be equipped with not less than 2 automatically operating windshield wiper blades, 1 on each side of the centerline of the windshield, for cleaning rain, snow, or other moisture from the windshield. The blades shall be in a condition to provide clear vision for the driver, unless 1 blade is so arranged as to clean an area of the windshield extending to within 1 inch of the limit of vision through the windshield at each side. However, in driveaway-towaway operations, this subsection applies only to the operated vehicle. In addition, 1 windshield wiper blade suffices under this subsection when the driven vehicle in a driveaway-towaway operation constitutes part or all of the property being transported and has no provision for 2 blades. A truck and truck tractor, manufactured after June 30, 1953, that depends upon vacuum to operate the windshield wipers, shall be constructed so that the operation of the wipers is not materially impaired by change in the intake manifold pressure.

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

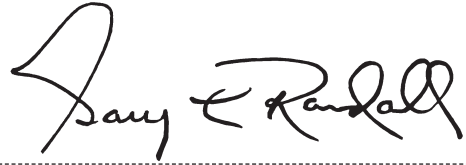
(10) As used in this section:

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

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

Enacting section 1. This amendatory act takes effect 90 days after the date it is enacted into law.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor