

# The 2009 Florida Statutes

[Title XXIII](#)  
MOTOR VEHICLES

[Chapter 316](#)  
STATE UNIFORM TRAFFIC CONTROL

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## **316.2951 Motor vehicle windows; definitions.-**

Whenever used in ss. [316.2951](#)-316.2957, unless the context otherwise requires, the following terms have the following meanings:

- (1) "Motor vehicle" means any vehicle as defined in s. [316.003](#), except vehicles used in farm husbandry, which is registered or required to be registered in the state.
- (2) "Multipurpose passenger vehicle" means a motor vehicle with motive power designed to carry 10 persons or fewer which is constructed either on a truck chassis or with special features for occasional off-road operation.
- (3) "Reflectance" means the ratio of the amount of total light, expressed in a percentage, which is reflected outward by the product or material to the amount of total light falling on the product or material.
- (4) "Sunscreening material" means a product or material, including film, glazing, and perforated sunscreening, which, when applied to the windshield or windows of a motor vehicle, reduces the effects of the sun with respect to light reflectance or transmittance.
- (5) "Transmittance" means the ratio of the amount of total light, expressed in a percentage, which is allowed to pass through the product or material, including glazing, to the amount of total light falling on the product or material and the glazing.
- (6) "Window" means any device designed for exterior viewing from a motor vehicle, except the windshield, any roof-mounted viewing device, and any viewing device having less than 150 square inches in area.
- (7) "Windshield" means the front exterior viewing device of a motor vehicle.

**History.**--s. 1, ch. 84-296.

### **316.2952 Windshields; requirements; restrictions.--**

- (1) A windshield in a fixed and upright position, which windshield is equipped with safety glazing as required by federal safety-glazing material standards, is required on every motor vehicle which is operated on the public highways, roads, and streets, except on a motorcycle or implement of husbandry.
- (2) A person shall not operate any motor vehicle on any public highway, road, or street with any sign, sunscreening material, product, or covering attached to, or located in or upon, the windshield, except the following:
  - (a) A certificate or other paper required to be displayed by law.
  - (b) Sunscreening material along a strip at the top of the windshield, so long as such material is transparent and does not encroach upon the driver's direct forward viewing area as more particularly described and defined in Federal Motor Vehicle Safety Standards No. 205 as the AS/1 portion of the windshield.
  - (c) A device, issued by a governmental entity as defined in s. [334.03](#), or its designee, for the purpose of electronic toll payments.
- (3) The windshield on every motor vehicle shall be equipped with a device for cleaning rain, snow, or other moisture from the windshield, which device shall be constructed as to be controlled or operated by the driver of the vehicle.
  - (4) Every windshield wiper upon a motor vehicle shall be maintained in good working order.
- (5) Grove equipment, including "goats," "highlift-goats," grove chemical supply tanks, fertilizer distributors, fruit-loading equipment, and electric-powered vehicles regulated under the provisions of s. [316.267](#), are exempt from the requirements of this section. However, such electric-powered vehicles shall have a windscreen approved by the department sufficient to give protection from wind, rain, or insects, and such windscreen shall be in place whenever the vehicle is operated on the public roads and highways.
- (6) A former military vehicle is exempt from the requirements of this section if the department determines that the exemption is necessary to maintain the vehicle's accurate military design and markings. However, whenever the vehicle is operating on the public roads and highways, the operator and passengers must wear eye-protective devices approved by the department. For purposes of this subsection, "former military vehicle" means a vehicle, including a trailer, regardless of the vehicle's size, weight, or year of manufacture, that was manufactured for use in any country's military forces and is maintained to represent its military design and markings accurately.
- (7) A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

**History.**--s. 1, ch. 84-296; s. 15, ch. 93-164; s. 208, ch. 99-248; s. 1, ch. 2003-286; s. 1, ch. 2005-47.

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### **316.2953 Side windows; restrictions on sunscreening material.**

--A person shall not operate any motor vehicle on any public highway, road, or street on which vehicle the side wings and side windows on either side forward of or adjacent to the operator's seat are composed of, covered by, or treated with any sunscreening material or other product or covering which has the effect of making the window nontransparent or which would alter the window's color, increase its reflectivity, or reduce its light transmittance, except as expressly permitted by this section. A sunscreening material is authorized for such windows if, when applied to and tested on the glass of such windows on the specific motor vehicle, the material has a total solar reflectance of visible light of not more than 25 percent as measured on the nonfilm side and a light transmittance of at least 28 percent in the visible light range. A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

**History.**--s. 1, ch. 84-296; s. 1, ch. 91-42; s. 209, ch. 99-248.

**316.2954 Windows behind the driver; restrictions on sunscreening material.--**

- (1) A person shall not operate any motor vehicle on any public highway, road, or street on which vehicle any windows behind the driver are composed of, covered by, or treated with any suncreening material, or other product or material which has the effect of making the window nontransparent or which would alter the window's color, increase its reflectivity, or reduce its light transmittance, except as specified below:
  - (a) Sunscreening material consisting of film which, when applied to and tested on the rear window glass of the specific motor vehicle, has a total solar reflectance of visible light of not more than 35 percent as measured on the nonfilm side and a light transmittance of at least 15 percent in the visible light range; however, sunscreening material which, when applied to and tested on the rear window glass of the specific motor vehicle, has a total solar reflectance of visible light of not more than 35 percent as measured on the nonfilm side and a light transmittance of at least 6 percent in the visible light range may be used on multipurpose passenger vehicles.
  - (b) Perforated suncreening material which, when tested in conjunction with existing glazing or film material, has a total reflectance of visible light of not more than 35 percent and a light transmittance of no less than 30 percent. For those products or materials having different levels of reflectance, the highest reflectance from the product or material will be measured by dividing the area into 16 equal sections and averaging the overall reflectance. The measured reflectance of any of those sections may not exceed 50 percent.
  - (c) Louvered materials, if the installation of the materials does not reduce driver visibility by more than 50 percent.
  - (d) Privacy drapes, curtains and blinds, provided such covering is in an open and secure position when the motor vehicle is being operated on any public highway, road, or street.
- (2) A person shall not operate any motor vehicle upon any public highway, road, or street, on which vehicle the rear window is composed of, covered by, or treated with any material which has the effect of making the window nontransparent, unless the vehicle is equipped with side mirrors on both sides that meet the requirements of s. [316.294](#).
- (3) A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

**History.--**s. 1, ch. 84-296; s. 2, ch. 91-42; s. 210, ch. 99-248.

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**316.29545 Window suncreening exclusions; medical exemption; certain law enforcement vehicles exempt.--**

- (1) The department shall issue medical exemption certificates to persons who are afflicted with Lupus or similar medical conditions which require a limited exposure to light, which certificates shall entitle the person to whom the certificate is issued to have suncreening material on the windshield, side windows, and windows behind the driver which is in violation of the requirements of ss. [316.2951](#)-316.2957. The department shall provide, by rule, for the form of the medical certificate authorized by this section. At a minimum, the medical exemption certificate shall include a vehicle description with the make, model, year, vehicle identification number, medical exemption decal number issued for the vehicle, and the name of the person or persons who are the registered owners of the vehicle. A medical exemption certificate shall be nontransferable and shall become null and void upon the sale or transfer of the vehicle identified on the certificate.
- (2) The department shall exempt all law enforcement vehicles used in undercover or canine operations from the window suncreening requirements of ss. [316.2951](#)-316.2957.
- (3) The department may charge a fee in an amount sufficient to defray the expenses of issuing a medical exemption certificate as described in subsection (1).

**History.--**s. 14, ch. 2000-313.

**316.2955 Window sunscreening material; compliance labeling; tolerances.--**

- (1) Each installer or seller of sunscreening material shall provide a pressure-sensitive, self-destructive, nonremovable, vinyl-type film label to the purchaser stating that the material complies with the provisions of ss. [316.2951](#)-316.2954. Each such installer shall affix the required label to the inside left door jamb of the motor vehicle. In addition, the label shall state the trade name of the material and the installer's or seller's business name. Labeling is not required for factory glazing which complies with Federal Motor Vehicle Safety Standard No. 205.
- (2) Every percentage measurement required by ss. [316.2951](#)-316.2954 is subject to a tolerance of plus or minus 3 percent.
- (3) The department shall adopt rules approving light transmittance measuring devices for use in making measurements required by ss. [316.2951](#)-316.2954. A witness otherwise qualified to testify shall be competent to give testimony regarding the percentage of light transmission when the testimony is derived from the use of an approved device. The reading from an approved device is presumed accurate and shall be admissible into evidence in the trial of any infraction arising under ss. [316.2951](#)-316.2954.

**History.**--s. 1, ch. 84-296; s. 24, ch. 94-306.

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**316.2956 Violation of provisions relating to windshields, windows, and sunscreening material; penalties.--**

- (1) Any person who operates a motor vehicle on which, after June 20, 1984, material was installed in violation of ss. [316.2951](#)-316.2954 commits a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.
- (2) The replacement or repair of any material legally installed is not a violation of ss. [316.2951](#)-316.2954.
- (3) Any person who sells or installs sunscreening material in violation of any provision of ss. [316.2951](#)-316.2955 is guilty of a misdemeanor of the second degree, punishable as provided in s. [775.082](#) or s. [775.083](#).

**History.**--s. 1, ch. 84-296; s. 15, ch. 86-185; s. 211, ch. 99-248.