

Introduced by Senator Oropeza

February 22, 2008

An act to amend Section 26708 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1567, as amended, Oropeza. Windshield: GPS device.

Existing law prohibits any person, except as specified, from driving any motor vehicle with any object or material, placed, displayed, installed, affixed, or applied in or upon the vehicle which obstructs or reduces the driver's clear view through the windshield or side windows.

This bill would additionally exempt from these provisions a portable Global Positioning System (GPS), which may be mounted ~~on the windshield or the dashboard of the vehicle~~ *in a 7-inch square in the lower corner of the windshield farthest removed from the driver or in a 5-inch square in the lower corner of the windshield nearest to the driver.*

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 26708 of the Vehicle Code is amended
- 2 to read:
- 3 26708. (a) (1) ~~No person shall~~ *A person shall not* drive any
- 4 motor vehicle with any object or material placed, displayed,

1 installed, affixed, or applied upon the windshield or side or rear
2 windows.

3 (2) ~~No person shall~~ *A person shall not* drive any motor vehicle
4 with any object or material placed, displayed, installed, affixed,
5 or applied in or upon the vehicle ~~which~~ *that* obstructs or reduces
6 the driver's clear view through the windshield or side windows.

7 (3) This subdivision applies to a person driving a motor vehicle
8 with the driver's clear vision through the windshield, or side or
9 rear windows, obstructed by snow or ice.

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

11 (1) Rearview mirrors.

12 (2) Adjustable nontransparent sunvisors ~~which~~ *that* are mounted
13 forward of the side windows and are not attached to the glass.

14 (3) Signs, stickers, or other materials ~~which~~ *that* are displayed
15 in a 7-inch square in the lower corner of the windshield farthest
16 removed from the driver, signs, stickers, or other materials ~~which~~
17 *that* are displayed in a 7-inch square in the lower corner of the rear
18 window farthest removed from the driver, or signs, stickers, or
19 other materials ~~which~~ *that* are displayed in a 5-inch square in the
20 lower corner of the windshield nearest the driver.

21 (4) Side windows ~~which~~ *that* are to the rear of the driver.

22 (5) Direction, destination, or termini signs upon a passenger
23 common carrier motor vehicle or a schoolbus, if those signs do
24 not interfere with the driver's clear view of approaching traffic.

25 (6) Rear window wiper motor.

26 (7) Rear trunk lid handle or hinges.

27 (8) The rear window or windows, ~~when~~ *if* the motor vehicle is
28 equipped with outside mirrors on both the left- and right-hand
29 sides of the vehicle that are so located as to reflect to the driver a
30 view of the highway through each mirror for a distance of at least
31 200 feet to the rear of the vehicle.

32 (9) A clear, transparent lens affixed to the side window opposite
33 the driver on a vehicle greater than 80 inches in width and ~~which~~
34 *that* occupies an area not exceeding 50 square inches of the lowest
35 corner toward the rear of that window and ~~which~~ *that* provides the
36 driver with a wide-angle view through the lens.

37 (10) Sun screening devices meeting the requirements of Section
38 26708.2 installed on the side windows on either side of the
39 vehicle's front seat, if the driver or a passenger in the front seat
40 has in his or her possession a letter or other document signed by

1 a licensed physician and surgeon certifying that the person must
2 be shaded from the sun due to a medical condition, or has in his
3 or her possession a letter or other document signed by a licensed
4 optometrist certifying that the person must be shaded from the sun
5 due to a visual condition. The devices authorized by this paragraph
6 shall not be used during darkness.

7 (11) An electronic communication device affixed to the center
8 uppermost portion of the interior of a windshield within an area
9 that is not greater than 5 inches square, if the device provides either
10 of the following:

11 (A) The capability for enforcement facilities of the Department
12 of the California Highway Patrol to communicate with a vehicle
13 equipped with the device.

14 (B) The capability for electronic toll and traffic management
15 on public or private roads or facilities.

16 (12) A portable Global Positioning System (GPS), which may
17 ~~be mounted on the windshield or the dashboard of the vehicle.~~ *be*
18 *mounted in a 7-inch square in the lower corner of the windshield*
19 *farthest removed from the driver or in a 5-inch square in the lower*
20 *corner of the windshield nearest to the driver.*

21 (c) Notwithstanding subdivision (a), transparent material may
22 be installed, affixed, or applied to the topmost portion of the
23 windshield if the following conditions apply:

24 (1) The bottom edge of the material is at least 29 inches above
25 the undepressed driver's seat when measured from a point 5 inches
26 in front of the bottom of the backrest with the driver's seat in its
27 rearmost and lowermost position with the vehicle on a level
28 surface.

29 (2) The material is not red or amber in color.

30 (3) There is no opaque lettering on the material and any other
31 lettering does not affect primary colors or distort vision through
32 the windshield.

33 (4) The material does not reflect sunlight or headlight glare into
34 the eyes of occupants of oncoming or following vehicles to any
35 greater extent than the windshield without the material.

36 (d) Notwithstanding subdivision (a), clear, colorless, and
37 transparent material may be installed, affixed, or applied to the
38 front side windows, located to the immediate left and right of the
39 front seat if the following conditions are met:

- 1 (1) The material has a minimum visible light transmittance of
2 88 percent.
- 3 (2) The window glazing with the material applied meets all
4 requirements of Federal Motor Vehicle Safety Standard No. 205
5 (49 C.F.R. 571.205), including the specified minimum light
6 transmittance of 70 percent and the abrasion resistance of AS-14
7 glazing, as specified in that federal standard.
- 8 (3) The material is designed and manufactured to enhance the
9 ability of the existing window glass to block the sun's harmful
10 ultraviolet A rays.
- 11 (4) The driver has in his or her possession, or within the vehicle,
12 a certificate signed by the installing company certifying that the
13 windows with the material installed meet the requirements of this
14 subdivision and identifies the installing company and the material's
15 manufacturer by full name and street address, or, if the material
16 was installed by the vehicle owner, a certificate signed by the
17 material's manufacturer certifying that the windows with the
18 material installed according to manufacturer's instructions meets
19 the requirements of this subdivision and identifies the material's
20 manufacturer by full name and street address.
- 21 (5) If the material described in this subdivision tears or bubbles,
22 or is otherwise worn to prohibit clear vision, it shall be removed
23 or replaced.