

**ASSEMBLY BILL**

**No. 1942**

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**Introduced by Assembly Member Fletcher**

February 17, 2010

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

LEGISLATIVE COUNSEL'S DIGEST

AB 1942, as introduced, Fletcher. Windshield: video event recorder.

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 that obstructs or reduces the driver's clear view through the windshield or side windows.

This bill would additionally exempt from these provisions a video event recorder that has the capability of monitoring driver performance, which may be mounted 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 and outside of an airbag deployment zone.

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) A person shall not drive any motor vehicle with
- 4 any object or material placed, displayed, installed, affixed, or
- 5 applied upon the windshield or side or rear windows.

- 1 (2) A person shall not drive any motor vehicle with any object
- 2 or material placed, displayed, installed, affixed, or applied in or
- 3 upon the vehicle that obstructs or reduces the driver's clear view
- 4 through the windshield or side windows.
- 5 (3) This subdivision applies to a person driving a motor vehicle
- 6 with the driver's clear vision through the windshield, or side or
- 7 rear windows, obstructed by snow or ice.
- 8 (b) This section does not apply to any of the following:
- 9 (1) Rearview mirrors.
- 10 (2) Adjustable nontransparent sunvisors that are mounted
- 11 forward of the side windows and are not attached to the glass.
- 12 (3) Signs, stickers, or other materials that are displayed in a
- 13 7-inch square in the lower corner of the windshield farthest
- 14 removed from the driver, signs, stickers, or other materials that
- 15 are displayed in a 7-inch square in the lower corner of the rear
- 16 window farthest removed from the driver, or signs, stickers, or
- 17 other materials that are displayed in a 5-inch square in the lower
- 18 corner of the windshield nearest the driver.
- 19 (4) Side windows that are to the rear of the driver.
- 20 (5) Direction, destination, or terminus signs upon a passenger
- 21 common carrier motor vehicle or a schoolbus, if those signs do
- 22 not interfere with the driver's clear view of approaching traffic.
- 23 (6) Rear window wiper motor.
- 24 (7) Rear trunk lid handle or hinges.
- 25 (8) The rear window or windows, if the motor vehicle is
- 26 equipped with outside mirrors on both the left- and right-hand
- 27 sides of the vehicle that are so located as to reflect to the driver a
- 28 view of the highway through each mirror for a distance of at least
- 29 200 feet to the rear of the vehicle.
- 30 (9) A clear, transparent lens affixed to the side window opposite
- 31 the driver on a vehicle greater than 80 inches in width and that
- 32 occupies an area not exceeding 50 square inches of the lowest
- 33 corner toward the rear of that window and that provides the driver
- 34 with a wide-angle view through the lens.
- 35 (10) Sun screening devices meeting the requirements of Section
- 36 26708.2 installed on the side windows on either side of the
- 37 vehicle's front seat, if the driver or a passenger in the front seat
- 38 has in his or her possession a letter or other document signed by
- 39 a licensed physician and surgeon certifying that the person must
- 40 be shaded from the sun due to a medical condition, or has in his

1 or her possession a letter or other document signed by a licensed  
2 optometrist certifying that the person must be shaded from the sun  
3 due to a visual condition. The devices authorized by this paragraph  
4 shall not be used during darkness.

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

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

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

14 (12) A portable Global Positioning System (GPS), which may  
15 be mounted in a 7-inch square in the lower corner of the windshield  
16 farthest removed from the driver or in a 5-inch square in the lower  
17 corner of the windshield nearest to the driver and outside of an  
18 airbag deployment zone, if the system is used only for door-to-door  
19 navigation while the motor vehicle is being operated.

20 (13) *A video event recorder with the capability of monitoring*  
21 *driver performance to improve driver safety, which may be*  
22 *mounted in a 7-inch square in the lower corner of the windshield*  
23 *farthest removed from the driver or in a 5-inch square in the lower*  
24 *corner of the windshield nearest to the driver and outside of an*  
25 *airbag deployment zone.*

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

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

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

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

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

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