

House Bill 3136

Sponsored by Representative NATHANSON; Representative MATTHEWS

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Allows court to dismiss citation issued for offense of operating vehicle with illegal window tinting, or to reduce fine that court would otherwise have imposed for offense, if defendant establishes that tinting has been modified to comply with statutory requirements.

A BILL FOR AN ACT

1
2 Relating to vehicle windows; amending ORS 815.222.

3 **Be It Enacted by the People of the State of Oregon:**

4 **SECTION 1.** ORS 815.222 is amended to read:

5 815.222. (1) A person commits the offense of illegal window tinting if the person applies window
6 tinting material that does not comply with ORS 815.221 or applies window tinting material to a
7 window of a motor vehicle that is not authorized by ORS 815.221 to be equipped with window tinting
8 material.

9 (2) A person commits the offense of operating a vehicle with illegal window tinting if the person
10 operates a vehicle registered or required to be registered in Oregon that is equipped with window
11 tinting material that is not in compliance with or authorized by ORS 815.221.

12 (3) Each offense described in this section is a Class B traffic violation.

13 (4) **A court may dismiss a citation issued for violation of subsection (2) of this section,**
14 **or reduce the fine that the court would otherwise have imposed for the offense, if the de-**
15 **fendant establishes to the satisfaction of the court that after the citation for the offense was**
16 **issued the windows of the vehicle were modified to comply with the requirements of ORS**
17 **815.221. In determining whether the windows of the vehicle were modified to comply with the**
18 **requirements of ORS 815.221, the court may consider:**

19 (a) **A receipt from a business for removing non-conforming window tinting or installation**
20 **of conforming window tinting;**

21 (b) **A written statement by a law enforcement officer indicating that the window tinting**
22 **was modified to comply with the requirements of ORS 815.221; and**

23 (c) **Any other evidence produced by the defendant to show modification or removal of the**
24 **nonconforming window tinting.**

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.