

Seventy-Eighth Oregon Legislative Assembly - 2015 Regular Session
STAFF MEASURE SUMMARY
House Committee On Transportation and Economic Development

MEASURE: SB 463 A
CARRIER: Rep. Davis

Fiscal: No Fiscal Impact
Revenue: No Revenue Impact

Action Date: 06/01/15

Action: Do Pass.

Meeting Dates: 05/18, 06/01

Vote:

Yeas: 7 - Bentz, Davis, Gorsek, Hack, Lively, McKeown, McLain

Prepared By: Patrick Brennan, Committee Administrator

WHAT THE MEASURE DOES:

Allows vehicle to use window tinting that is darker than otherwise allowed if registered owner, or person in registered owner's household, has certain physical condition, provided that person shows police officer a prescription or letter on letterhead from a physician or optometrist. Authorizes court to dismiss a citation issued for the offense of operating a vehicle with illegal window tinting, or to reduce the fine that the court would otherwise impose for the offense, if the defendant establishes that, at the time the offense was committed, the defendant or a person in the same household as the defendant had a physical condition that requires lower light transmittance.

ISSUES DISCUSSED:

- Eases compliance with window tinting requirement

EFFECT OF COMMITTEE AMENDMENT:

No amendment.

BACKGROUND:

Current law requires drivers who are stopped for having window tinting that exceeds statutory limits to present an affidavit signed by a physician or optometrist to the officer at the time of stop in order to avoid a citation. Few defendants have such a document at the time of the stop, but many are able to acquire one after the citation. The defendants appear in court expecting that the citation be dismissed, but the court currently lacks the authority to do so. The driver ends up with a conviction on their driving record and a fine.

Senate Bill 463-A allows the defendant in such situations to prove a valid need for the window tint, supported by a physician or optometrist, after the citation is issued and permits the court to dismiss the citation. The measure also broadens the exclusive use of an affidavit because the document not familiar to physicians and optometrists. A letter on the professional's letterhead or a prescription is as effective and familiar to the professionals.