

1 19A NCAC 03D .0551 is proposed for readoption without substantive changes as follows:

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3 **19A NCAC 03D .0551 WINDOW TINTING**

4 (a) All stations performing window tinting inspections shall have a light meter or photometer which has been
5 properly tested and approved by the Commissioner of Motor Vehicles. Stations which do not have an approved light
6 meter shall not inspect vehicles with applications of after-factory window tinting. Stations are not required to
7 maintain a light meter in order to perform safety inspections on vehicles without after-factory window tinting.

8 (1) The inspection mechanic shall determine if the vehicle has after-factory window tinting prior to
9 beginning the inspection. The mechanic may use an automotive film check card or knowledge of
10 window tinting techniques to determine if a vehicle has after-factory tint applied to any window of
11 the vehicle.

12 (2) If a station determines a vehicle has after-factory window tinting but does not have an approved
13 light meter, the mechanic must inform the customer he is unable to perform the inspection. The
14 station may not charge for any portion of the inspection.

15 (b) All windows with applications of after-factory window tinting shall be inspected with an approved photometer
16 which is properly calibrated and functioning. An inspection mechanic shall not inspect an after-factory tinted
17 window of a vehicle for which the Division has issued a medical exception permit pursuant to G.S. 20-127(f).

18 (c) Prior to performing a test on a vehicle, the mechanic shall test the photometer for accuracy by checking the
19 calibration against a reference sample of glass provided by the manufacturer. If the photometer indicates the device
20 exceeds the net light transmission by ~~±~~plus or ~~-~~minus three percentage points, the unit shall be considered out of
21 calibration and may not be used until properly calibrated. The unit's digital display must also be checked to ensure
22 all digital display segments are lit and ~~properly~~ functioning.

23 (1) The reference glass sample must be clean and free of dirt prior to performing the calibration
24 check.

25 (2) If a reference glass sample has been broken or is missing, the test shall not be performed and the
26 mechanic shall inform the customer he is unable to perform the inspection.

27 (3) If a digital display segment is not functioning, the test shall not be performed and the mechanic
28 shall inform the customer he is unable to perform the inspection. The unit may not be used until it
29 is repaired.

30 (4) The windows to be tested shall be clean and free of dirt or moisture.

31 (d) The test shall be performed according to the photometer manufacturer's recommendations.

32 (e) Window tint shall fail safety inspection if:

33 (1) Any window on the vehicle with after-factory tint has a light transmittance of less than 32%.

34 (2) The tint on any window is red, yellow, or amber.

35 (3) The tint on the windshield extends more than five inches below the top of the windshield or is
36 below the AS1 line of the windshield, whichever measurement is longer.

37 (4) The light reflectance of a tinted window is not 20% or less.

- 1 (f) Window tinting on vehicles with after-factory window tint shall not be inspected if the vehicle is exempt from
2 the window tinting restrictions under G.S. 20-127(c).
- 3 (g) The mechanic shall collect the fee as specified in G.S. 20-183.7(a) for performing the inspection.
- 4 (h) The fee for inspecting window tinting may only be charged for vehicles with after-factory tint applied. If the
5 light transmission exceeds 65%, the vehicle shall not be considered to have after-factory tint and the mechanic shall
6 not charge the fee as specified in G.S. 20-183.7(a).
- 7 (i) Standards for devices used to measure light transmittance through vehicle windshields and windows are as
8 provided in this section. These standards include but are not limited to portable devices used within the State of
9 North Carolina to measure light transmittance through vehicle windshields and windows pursuant to G.S. 20-127.
10 These devices shall be provided with a standard reference sample and procedure for taking readings utilizing the
11 reference sample. The device light source shall be mid-range in the visible spectrum (560nm +/- 20nm) and shall not
12 emit in the ultraviolet and infrared portions of the electromagnetic spectrum.
- 13 (j) The standardization of glass reference samples shall be traceable to the National Institute of Standards and
14 Technology (NIST).

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16 *History Note:* Filed as a Temporary Adoption Eff. November 1, 1995 for a period of 180 days or until the
17 permanent rule becomes effective, whichever is sooner;

18 *Authority* G.S. 20-2; 20-39; 20-127; ~~20-183.6(a)~~; 20-183.7(a);

19 *Eff.* February 1, 1996.