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Title: Amending Chapter 10-800 of The Philadelphia Code, entitled "Safety," by adding a new Section prohibiting the ownership, use, possession or sale within the City of Philadelphia of any motor vehicle that uses tinted glass, all under certain terms and conditions.

Sponsors: Council President Verna

Indexes:

Code sections: 10-800 - Safety, 10-830 - Tinted Glass on Motor Vehicles

Attachments: 1. Bill No. 00076800.pdf

Date	Ver.	Action By	Action	Result	Tally
12/7/2000	0	CITY COUNCIL	Referred		
12/7/2000	0	CITY COUNCIL	Introduced	Pass	

Amending Chapter 10-800 of The Philadelphia Code, entitled "Safety," by adding a new Section prohibiting the ownership, use, possession or sale within the City of Philadelphia of any motor vehicle that uses tinted glass, all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Chapter 10-800 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 10-800. SAFETY

* * *

§10-830. Tinted Glass on Motor Vehicles.

(1) Legislative Findings. The Council finds that:

(a) Many motor vehicles operating on the streets of the City of Philadelphia have "tinted" windows or windshields.

(b) The use of tinted glass obstructs the view of police and other law enforcement officials into the vehicle, creating a dangerous situation when a law enforcement official must stop the vehicle, since the driver or passengers can hide a weapon or contraband.

(c) The use of tinted glass makes it difficult to identify the occupants of the vehicle, hindering the police and other law enforcement officials from doing their duties.

(d) The use of tinted glass creates an unsafe situation for motorists by decreasing visibility through the vehicle and making it difficult to see the traffic in front, in back, and beside the vehicle.

(e) The only benefits attained by the use of tinted glass are increased privacy and reduced sun glare for occupants of the vehicle. However, those benefits are outweighed by the dangers it creates for law enforcement officers and other motorists.

(f) The restrictions and controls that presently exist in the State Vehicle Code are inadequate to protect the police and the citizens of Philadelphia, making it necessary for the City to act in a proactive manner to prohibit the use of tinted glass within the City of Philadelphia.

(g) Therefore, the Council finds that prohibiting the ownership, use, possession, or sale within the City of Philadelphia of a motor vehicle that uses tinted glass will promote the public health, safety and welfare.

(2) Definitions.

(a) Tinted Glass. Glass which reduces the transmittance of light to below 70% or to a percentage which is less than the percentage permitted by Federal Motor Vehicle Safety Standard No. 205, Glazing Materials (49 CFR 571.205), in effect at the time of the vehicle's manufacture.

(b) Motor Vehicle. Any "motor vehicle" as defined in the Vehicle Code, 75 Pa.C.S. §102.

(3) Prohibited Conduct. No person shall own, use, possess, sell or otherwise transfer within the City of Philadelphia any motor vehicle that utilizes any tinted glass, with the following exceptions:

(a) Tinted glass may be used on the top twelve inches (12") of the front windshield of any motor

vehicle.

(b) This Section shall not prohibit the use of tinted glass which was installed on a motor vehicle registered in the Commonwealth of Pennsylvania on the effective date of this Section 10-830.

(c) Tinted glass may be used in the following listed vehicles, except that tinted glass shall always be prohibited on the front windshield (other than on the top twelve inches (12”) of the front windshield), the driver’s side front window and the passenger side front window of any motor vehicle:

(i) A motor vehicle owned by a funeral parlor or any similar organization or company involved in the burial of the deceased.

(ii) A police vehicle, fire department vehicle, ambulance, or any other emergency or law enforcement vehicle.

(iii) A vehicle owned by the City, State, Federal, or any other government.

(iv) A vehicle owned by an individual who can show a medical necessity for tinted glass or a vehicle owned by a person who is responsible for the transportation of such an individual, provided that a doctor’s certification of necessity is carried inside the vehicle.

(v) Any limousine, van, bus, or shuttle which is owned by a company or organization which provides transportation to the general public, provided that the vehicle is actually used for the transportation of the general public, including limousine services, shuttle services, public transportation, hotel and apartment building shuttle transportation, but not including carpools.

(vi) Motor vehicles for which the driver can produce a registration which shows that the vehicle is registered outside the City of Philadelphia.

(4) Penalty. Any person violating the provisions of this Section shall be subject to a fine of not less than one hundred dollars (\$100) for the first infraction and two hundred dollars (\$200) for each subsequent infraction.

SECTION 2. This Ordinance shall take effect ninety (90) days after the effective date of any legislation amending the Vehicle Code to permit the City to legislate with respect to the ownership, use, possession and sale of motor vehicles using tinted glass.

Explanation:

Italics indicate new matter added.