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AN ACT
RELATING TO MOTOR VEHICLES; ALTERING THE RESTRICTIONS ON SUN
SCREENING MATERIALS USED ON MOTOR VEHICLE WINDSHIELDS TO
ALIGN WITH FEDERAL LAW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 66-3-846.1 NMSA 1978 (being Laws
1997, Chapter 151, Section 2, as amended) is amended to read:

"66-3-846.1. SUN SCREENING MATERIAL ON WINDSHIELDS AND
WINDOWS--REQUIREMENTS--VIOLATION--PENALTY.--

A. A person shall not operate on any street or
highway a motor vehicle that is registered or required to be
registered in this state if that motor vehicle has a sun
screening material on the windshield or any window that does
not comply with the requirements of this section.

B. Except as otherwise provided in this section, a
sun screening material:

(1) when used in conjunction with the
windshield, shall be nonreflective, shall not be red, yellow
or amber in color and shall have a light transmission of at
least seventy percent; and

(2) when used in conjunction with the safety
glazing materials of the side wings or side windows located
at the immediate right and left of the driver, the side
windows behind the driver and the rearmost window shall be

1 nonreflective, shall have a light transmission of not less
2 than twenty percent and shall be used only on the windows of
3 a motor vehicle equipped with one right and one left outside
4 rearview mirror.

5 C. Each manufacturer shall:

6 (1) certify to the division that a sun
7 screening material used by that manufacturer is in compliance
8 with the nonreflectivity and light transmission requirements
9 of this section;

10 (2) provide a label not to exceed one and
11 one-half square inches in size that:

12 (a) is installed permanently and
13 legibly between the sun screening material and each glazing
14 surface to which it is applied;

15 (b) contains the manufacturer's name,
16 the date that the sun screening material was manufactured and
17 the percentage of light transmission; and

18 (c) is placed in the left lower corner
19 of each glazing surface when facing the motor vehicle from
20 the outside; and

21 (3) include instructions with the sun
22 screening material for proper installation, including the
23 affixing of the label specified in this subsection.

24 D. A person shall not:

25 (1) offer for sale or for use any sun

1 screening material for motor vehicle use not in compliance
2 with this section; or

3 (2) install any sun screening material on
4 motor vehicles intended for operation on any street or
5 highway without permanently affixing the label specified in
6 Subsection C of this section.

7 E. The provisions of this section do not apply to
8 a motor vehicle registered in this state in the name of a
9 person, or the person's legal guardian, who has an affidavit
10 signed by a physician or an optometrist licensed to practice
11 in New Mexico that states that the person has a physical
12 condition that makes it necessary to equip the motor vehicle
13 with sun screening material that is in violation of this
14 section. The affidavit shall be in the possession of the
15 person with such a physical condition, or the person's legal
16 guardian, at all times while being transported in the motor
17 vehicle.

18 F. The light transmission requirement of this
19 section does not apply to windows behind the driver on truck
20 tractors, buses, recreational vehicles, multipurpose
21 passenger vehicles or motor homes. The provisions of this
22 section shall not apply to motor vehicle glazing that
23 complies with federal motor vehicle safety standards.

24 G. The provisions of this section do not apply to
25 motor vehicles that have sun screening material on the

1 windshield or any window prior to July 1, 1997.

2 H. As used in this section:

3 (1) "light transmission" means the ratio of
4 the amount of total light that passes through a product or
5 material, expressed in percentages, to the amount of the
6 total light falling on the product or material;

7 (2) "manufacturer" means any person engaged
8 in the manufacturing or assembling of sun screening products
9 or materials designed to be used in conjunction with motor
10 vehicle glazing materials for the purpose of reducing the
11 effects of the sun;

12 (3) "nonreflective" means designed to absorb
13 light rather than to reflect it; and

14 (4) "sun screening material" means any film
15 material, substance, device or product that is designed to be
16 used in conjunction with motor vehicle safety glazing
17 materials for reducing the effects of the sun.

18 I. A person who violates a provision of this
19 section is guilty of a penalty assessment misdemeanor."

20 SECTION 2. EFFECTIVE DATE.--The effective date of the
21 provisions of this act is July 1, 2023. _____