

AMENDED IN SENATE MAY 7, 2008
AMENDED IN SENATE APRIL 14, 2008
AMENDED IN SENATE MARCH 25, 2008

SENATE BILL

No. 1567

Introduced by Senator Oropeza

February 22, 2008

An act to amend Section 26708 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1567, as amended, Oropeza. Windshield: GPS device.

Existing law prohibits any person, except as specified, from driving any motor vehicle with any object or material, placed, displayed, installed, affixed, or applied in or upon the vehicle which obstructs or reduces the driver's clear view through the windshield or side windows.

This bill would additionally exempt from these provisions a portable Global Positioning System (GPS), which may be mounted in a 7-inch square in the lower corner of the windshield farthest removed from the driver or in a 5-inch square in the lower corner of the windshield nearest to the driver, if specified conditions are met.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 26708 of the Vehicle Code is amended
- 2 to read:

1 26708. (a) (1) A person shall not drive any motor vehicle with
2 any object or material placed, displayed, installed, affixed, or
3 applied upon the windshield or side or rear windows.

4 (2) A person shall not drive any motor vehicle with any object
5 or material placed, displayed, installed, affixed, or applied in or
6 upon the vehicle that obstructs or reduces the driver's clear view
7 through the windshield or side windows.

8 (3) This subdivision applies to a person driving a motor vehicle
9 with the driver's clear vision through the windshield, or side or
10 rear windows, obstructed by snow or ice.

11 (b) This section does not apply to any of the following:

12 (1) Rearview mirrors.

13 (2) Adjustable nontransparent sunvisors that are mounted
14 forward of the side windows and are not attached to the glass.

15 (3) Signs, stickers, or other materials that are displayed in a
16 7-inch square in the lower corner of the windshield farthest
17 removed from the driver, signs, stickers, or other materials that
18 are displayed in a 7-inch square in the lower corner of the rear
19 window farthest removed from the driver, or signs, stickers, or
20 other materials that are displayed in a 5-inch square in the lower
21 corner of the windshield nearest the driver.

22 (4) Side windows that are to the rear of the driver.

23 (5) Direction, destination, or termini signs upon a passenger
24 common carrier motor vehicle or a schoolbus, if those signs do
25 not interfere with the driver's clear view of approaching traffic.

26 (6) Rear window wiper motor.

27 (7) Rear trunk lid handle or hinges.

28 (8) The rear window or windows, if the motor vehicle is
29 equipped with outside mirrors on both the left- and right-hand
30 sides of the vehicle that are so located as to reflect to the driver a
31 view of the highway through each mirror for a distance of at least
32 200 feet to the rear of the vehicle.

33 (9) A clear, transparent lens affixed to the side window opposite
34 the driver on a vehicle greater than 80 inches in width and that
35 occupies an area not exceeding 50 square inches of the lowest
36 corner toward the rear of that window and that provides the driver
37 with a wide-angle view through the lens.

38 (10) Sun screening devices meeting the requirements of Section
39 26708.2 installed on the side windows on either side of the
40 vehicle's front seat, if the driver or a passenger in the front seat

1 has in his or her possession a letter or other document signed by
2 a licensed physician and surgeon certifying that the person must
3 be shaded from the sun due to a medical condition, or has in his
4 or her possession a letter or other document signed by a licensed
5 optometrist certifying that the person must be shaded from the sun
6 due to a visual condition. The devices authorized by this paragraph
7 shall not be used during darkness.

8 (11) An electronic communication device affixed to the center
9 uppermost portion of the interior of a windshield within an area
10 that is not greater than 5 inches square, if the device provides either
11 of the following:

12 (A) The capability for enforcement facilities of the Department
13 of the California Highway Patrol to communicate with a vehicle
14 equipped with the device.

15 (B) The capability for electronic toll and traffic management
16 on public or private roads or facilities.

17 (12) A portable Global Positioning System (GPS), which may
18 be mounted in a 7-inch square in the lower corner of the windshield
19 farthest removed from the driver or in a 5-inch square in the lower
20 corner of the windshield nearest to the driver, if the system is used
21 only for door-to-door navigation while the motor vehicle is being
22 operated *and outside of an airbag deployment zone*.

23 (c) Notwithstanding subdivision (a), transparent material may
24 be installed, affixed, or applied to the topmost portion of the
25 windshield if the following conditions apply:

26 (1) The bottom edge of the material is at least 29 inches above
27 the undepressed driver's seat when measured from a point 5 inches
28 in front of the bottom of the backrest with the driver's seat in its
29 rearmost and lowermost position with the vehicle on a level
30 surface.

31 (2) The material is not red or amber in color.

32 (3) There is no opaque lettering on the material and any other
33 lettering does not affect primary colors or distort vision through
34 the windshield.

35 (4) The material does not reflect sunlight or headlight glare into
36 the eyes of occupants of oncoming or following vehicles to any
37 greater extent than the windshield without the material.

38 (d) Notwithstanding subdivision (a), clear, colorless, and
39 transparent material may be installed, affixed, or applied to the

1 front side windows, located to the immediate left and right of the
2 front seat if the following conditions are met:

3 (1) The material has a minimum visible light transmittance of
4 88 percent.

5 (2) The window glazing with the material applied meets all
6 requirements of Federal Motor Vehicle Safety Standard No. 205
7 (49 C.F.R. 571.205), including the specified minimum light
8 transmittance of 70 percent and the abrasion resistance of AS-14
9 glazing, as specified in that federal standard.

10 (3) The material is designed and manufactured to enhance the
11 ability of the existing window glass to block the sun's harmful
12 ultraviolet A rays.

13 (4) The driver has in his or her possession, or within the vehicle,
14 a certificate signed by the installing company certifying that the
15 windows with the material installed meet the requirements of this
16 subdivision and identifies the installing company and the material's
17 manufacturer by full name and street address, or, if the material
18 was installed by the vehicle owner, a certificate signed by the
19 material's manufacturer certifying that the windows with the
20 material installed according to manufacturer's instructions meets
21 the requirements of this subdivision and identifies the material's
22 manufacturer by full name and street address.

23 (5) If the material described in this subdivision tears or bubbles,
24 or is otherwise worn to prohibit clear vision, it shall be removed
25 or replaced.