

HOUSE BILL 1335

R5
HB 563/16 – ENV

7lr3454
CF SB 12

By: **Delegates Wilkins, Carr, Luedtke, Platt, Sanchez, and Tarlau**

Introduced and read first time: February 10, 2017

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Obstruction Hanging From Rearview Mirror – Enforcement**

3 FOR the purpose of providing for enforcement only as a secondary offense for a violation of
4 the prohibition under certain circumstances against a person driving a vehicle on a
5 highway with any object, material, or obstruction hanging from the rearview mirror
6 under certain circumstances.

7 BY repealing and reenacting, with amendments,
8 Article – Transportation
9 Section 21–1104
10 Annotated Code of Maryland
11 (2012 Replacement Volume and 2016 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
13 That the Laws of Maryland read as follows:

14 **Article – Transportation**

15 21–1104.

16 (a) A person may not drive a vehicle if it is so loaded or there is in the front seat
17 so many passengers as to:

18 (1) Obstruct the view of the driver to the front or sides of the vehicle; or

19 (2) Interfere with the control of the driver over the driving mechanism of
20 the vehicle.

21 (b) A passenger in a vehicle may not ride in any position where he:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



(1) Interferes with the view of the driver to the front or sides of the vehicle;
or

(2) Interferes with the control of the driver over the driving mechanism of the vehicle.

(c) (1) Except as provided in paragraph (2) of this subsection **AND SUBJECT TO PARAGRAPH (3) OF THIS SUBSECTION**, a person may not drive a vehicle on a highway with any object, material, or obstruction so located in or on the vehicle as to interfere with the clear view of the driver through the windshield.

(2) This subsection does not apply to:

(i) Required or permitted equipment of the vehicle;

(ii) Adjustable, nontransparent sun visors that are not attached to glass; or

(iii) Direction, destination, or termini signs on any passenger common carrier motor vehicle.

(3) (I) A PERSON MAY NOT DRIVE A VEHICLE ON A HIGHWAY WITH ANY OBJECT, MATERIAL, OR OBSTRUCTION HANGING FROM THE REARVIEW MIRROR THAT INTERFERES WITH THE CLEAR VIEW OF THE DRIVER THROUGH THE WINDSHIELD.

(II) A POLICE OFFICER MAY ENFORCE THIS PARAGRAPH ONLY AS A SECONDARY ACTION WHEN THE POLICE OFFICER DETAINS A DRIVER OF A MOTOR VEHICLE FOR A SUSPECTED VIOLATION OF ANOTHER PROVISION OF THE CODE.

(d) (1) Except as provided in paragraphs (2) and (3) of this subsection, a person may not drive a vehicle with any sign, poster, card, sticker, or other nontransparent material on the windshield, side wings, or side or rear windows of the vehicle.

(2) This subsection does not apply to:

(i) Materials placed on the windshield or rear window, within a 7 inch square area in the lower corner, or on the side windows of the vehicle to the rear of the driver, if the materials are placed so as not to interfere with the driver's clear view of traffic;

(ii) Direction, destination, or termini signs on any passenger common carrier motor vehicle; or

(iii) Electronic toll collection tags placed in the windshield of a vehicle in accordance with the regulations of the Maryland Transportation Authority.

1 (3) The Administration shall adopt regulations to exempt from the
2 provisions of paragraph (1) of this subsection materials placed on the windshield of a vehicle
3 in compliance with security measures required by a federal or State government agency
4 and approved by the Administration.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2017.