

**U.S. Department of Transportation
Federal Motor Carrier Safety Administration**

61200 New Jersey Avenue SE
Washington, DC

October 12, 2011

Refer To: MC-PSV

Mr. Darrell L. Smith
Executive Director
International Window Film Association
P.O. Box 3871
Martinsville, VA 24115

Dear Mr. Smith:

Thank you for your September 26 letter requesting guidance regarding the use of "clear" window films on commercial motor vehicles (CMV) under the Federal Motor Carrier Safety Regulations (FMCSR). Your letter was forwarded to the Office of Bus and Truck Standards and Operations for response.

The FMCSA is the agency in the Department of Transportation responsible for safety regulations concerning motor carrier operations. Our regulations include certain requirements for motor carrier safety management controls, driver qualifications, and CMV equipment necessary for safe operations.

Section 393.60(d) of the FMCSRs permits the coloring or tinting of windshields and the windows to the immediate right and left of the driver on CMVs, provided that the parallel luminous transmittance through the colored or tinted glazing is not less than 70 percent of the light at normal incidence in those portions of the windshield or windows. Additionally, FMCSA has published regulatory guidance to section 393.60 that addresses this specific issue as follows:

Question 1: May windshields and side windows be tinted?

Guidance: Yes, as long as the light transmission is not restricted to less than 70 percent of normal (refer to the American Standards Association publication Z26.1-1966 and Z26.1a-1969).

The regulatory text of section 393.60(d), and the corresponding regulatory guidance on window tinting, is sufficiently clear with respect to the permissible use of "clear" window films provided that such films permit at least 70 percent of the normal light to be transmitted. We do not believe that additional guidance is necessary.

While you state that "...historically, the enforcement community and the trucking industry have clearly taken the position that "no" film was allowed on any vehicle operated as a commercial vehicle," such a position is clearly contrary to the existing regulations and associated guidance as outlined above. If you are aware of specific instances where compliant window films have been disallowed, we encourage you to contact our Office of Enforcement and Compliance to address any such inconsistencies.

I hope this information is helpful. Should you need additional information or assistance, please contact Mr. Mike Huntley, at (202) 366-4325 or by e-mail at michael.huntley@dot.gov.

Sincerely,
Larry W. Minor
Associate Administrator for Policy