



Tinted Vehicle Glass Enforcement Procedure

This procedure is part of North Yorkshire Police policy to which all Chief Constable personnel and the functions provided by the Police, Fire and Crime Commissioner are required to adhere.

Procedure Statement

There has been an increasing trend for owners of motor vehicles to have the side windows and windscreen tinted, most commonly by the application of tinted film. The implications of this modification are two-fold:

- road safety – drivers may be less able to see other road users, particularly vulnerable road users such as pedal cycles, motorcyclists, and pedestrians
- detection of offences – police officers are unable to see inside of the vehicle, thus hindering their ability to identify drivers or passengers who may be committing offences, such as failing to wear seat belts and indeed more serious offences such as driving whilst disqualified

The degree of tint applied to the windows of a vehicle is not a component scrutinised during its annual Ministry of Transport (MOT) test. Therefore, in the absence of any other form of authoritative intervention, motorists are often unaware that driving a vehicle with certain windows tinted above a prescribed level, means they are committing an offence for which they could be prosecuted.

Where it appears that the degree of tinting is sufficient to warrant attention, then the appropriate checks should be carried out. Only suitably trained and certified officers using an approved calibrated device should conduct these checks. The device currently on issue is known as 'Tintman' Photoptic Window Tint Meter (referred to as Tintman).

Glass tested, which is found to fall outside those limits contained within the appropriate legislation may result in prosecution.

Process

This procedure covers situations where vehicles with excessively tinted glass are encountered, whether by specific checks aimed at tackling this problem or indeed those that are encountered through routine patrolling. The aim is to outline operating procedures for police use of Tintman.

Tinted Windscreens and Windows

The only suitable tool for enforcement purposes is Tintman, manufactured by Turnkey Instruments Limited. Only officers who have successfully completed a training course will be certified to use this equipment.

Prosecution

The law states that:

- a front windscreen should allow 75% visual light transmission (VLT)
- front side windows should allow 65% VLT

Those vehicles found to have tinted glass below NYP thresholds will be dealt with by way of a Traffic Offence Report (TOR), code RC86980 (Use a motor vehicle on a road when there was insufficient transmission of light through the vehicle glass).

If a vehicle has a heavy tint/spray, officers should request assistance from an NYP Roads Policing Group (RPG) officer for the purpose of issuing a prohibition notice (PG9).

If there are no NYP RPG Officers available consideration should be given to requesting the assistance of Driver and Vehicle Standards Agency (DVSA) (only available during office hours) who can also issue a prohibition notice.

The thresholds for this are:

- Less than 30% visual light transmission is an immediate prohibition and can be dealt with by PG9 trained and authorised officers
- more than 30% but less than 45% visual light transmission would be a delayed prohibition which cannot be dealt with by North Yorkshire police PG9 trained and authorised officers
- More than 45% but less than 65% visual light transmission would be an inspection notice

Removal of Tinted Film/Spray

It is the owner's/driver's/rider's responsibility to remove tinted film/spray found to be outside the tolerance levels prescribed. Police officers **MUST NOT** remove or assist in the removal of film at the owner's request or at their own discretion.

Where a vehicle is found to have heavily tinted film/spray on the front side windows and it is not possible for the driver to remove the tint prior to continuing their journey, or the driver refuses to remove it, then the reporting officer should request the vehicle be driven with its front side windows open where practicable.

Tinted Visors

A pragmatic approach is necessary in relation to tinted visors due to the many variables and anomalies that can be applied. Only cases where there is an obvious danger should a prosecution be considered.

Tintman should not be used as a means of measuring the tint on motorcycle visors, motorcycle screens or other such items as the device should be used on a flat surface. However, other offences may be considered.

In certain conditions i.e. bright sunlight, road legal visors can aid a rider. However, in darkness or severely reduced visibility, heavily tinted visors will obstruct the riders' vision and prosecution may be considered for other offences. It is not a legal requirement to fit a visor.

Responsibilities

Accredited Roads Policing Officers

- Responsible for the provision of training in the use of Tintman to other officers. Only officers who have successfully completed a training course will be certified to use this equipment

Roads Policing Sergeants

- Ensure that the equipment on issue for use by their officers is returned to the manufacturer (Turnkey Instruments Ltd) for calibration annually and update the calibration log on the Roads Policing subsite

Definition of Special Terms N/A