

**ROAD TRAFFIC (WINDSCREEN TRANSPARENCY)  
ACT, 1998**

**Principal Act**

**Act. No. 1998-17**

*Commencement*

6.8.1998

*Assent*

2.4.1998

Amending  
enactments

Relevant current  
provisions

Commencement  
date

1999-05

ss. 3(3)(c) & 3(5)

25.3.1999

1999-25

s. 2

21.10.1999

2003-15

ss. 3(1) & (2)

1.8.2003

**ARRANGEMENT OF SECTIONS.**

Section

1. Title and commencement.
2. Driving with improper windscreen or windows.
3. Glass in windows.

**SCHEDULE 1**

Light transmission test

**SCHEDULE 2**

Vision Reference Zones

AN ACT TO CREATE OFFENCES IN RELATION TO ROAD VEHICLE WINDOWS OF A CERTAIN OPAQUENESS.

## **Title and commencement.**

1. This Act may be cited as the Road Traffic (Windscreen Transparency) Act 1998 and shall come into effect on such day as the Government may, by notice in the Gazette, appoint.

## **Driving with improper windscreen or windows.**

2.(1) Subject to subsections (2) and (3), a person who uses on a road a motor vehicle or trailer registered in Gibraltar which is equipped with a windscreen or other window which contravenes the conditions set out in section 3 or causes or permits such a motor vehicle or trailer to be so used, shall commit an offence and shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(2) The Minister may, on the recommendation of the Chief Motor Vehicle Examiner, issue a certificate exempting from sub-section (1)–

- (a) a particular motor vehicle or trailer with an arrangement of windows, or
- (b) all motor vehicles or trailers conforming to a specified make and model, which is certified by the manufacturer as only sold with as arrangement of windows,

which the Minister is satisfied is sufficiently transparent to enable an outside observer with reasonable eyesight to see the occupants clearly enough to be able to recognise them later.

(3) In this section, “Minister” means the Minister with responsibility for transport.

## **Glass in windows.**

3.(1) Save as provided in sub-section (4)–

- (a) windscreens shall have a visual transmission for light of not less than 75 per cent;
- (b) subject to paragraph (c) windows shall have a visual transmission of light of not less than 70 per cent;

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- (c) windows, other than those on either side of the front seats, may have a visual transmission for light of less than 70 per cent if these windows are the standard manufacturer's specification windows for the vehicle and are supplied with the vehicle at the time of its manufacture as standard and not as an optional specification.

(2) A person who increases the opacity of any window irrespective of whether this is effected by applying plastic film or medium, aerosol spray paint or otherwise, except in relation to a blind or shade for the protection of a baby or child from the sun, is guilty of an offence and liable, on summary conviction, to a fine up to level 3 on the standard scale.

(3) The percentage specified above are those which would be produced when a windscreen or window (as the case may be) is tested with the apparatus and equipment in accordance with the procedures set out in Schedule 1.

(4) Sub-section (1) does not apply to –

- (a) any part of a windscreen or rear window which is outside the vision reference zone;
- (b) windows in a motor ambulance which are not wholly or partly in front of or on either side of any part of the driver's seat;
- (c) windows in an omnibus, a public service vehicle, goods vehicle, locomotive, or motor tractor other than windows which–
  - (i) are wholly or partly in front of or on either side of any part of the driver's seat;
  - (ii) face the rear of the vehicle; or
  - (iii) form the whole or part of a door giving access to or from the exterior of the vehicle;
- (d) a security vehicle.

(5) For the purposes of this Act a window at the rear of the vehicle–

- (a) is deemed to face the rear of the vehicle if the inner surface of such window is at an angle exceeding 30 degrees to the longitudinal axis of the vehicle; and

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- (b) shall have a vision reference zone at least equal to that of the primary vision area depicted at Figure 2A of Schedule 2.

(6) In this Act –

“goods vehicle”, “motor tractor”, “motor vehicle”, “omnibus”, “public service vehicle”, “road” and “trailer” have the meanings respectively given to them in section 2 of the Traffic Act;

“security vehicle” means a motor vehicle which is constructed (and not merely adapted) for the carriage of either –

- (a) persons who are likely to require protection from any criminal offence involving violence; or
- (b) dangerous substances, bullion, money, jewellery, documents or other goods or burden which, by reason of their nature or value, are likely to require protection from any criminal offence;

“vision reference zone” means that part of a windscreen which is shown so marked and hatched on the diagrams set out in Schedule 2;

“windscreen” includes a windshield.

## SCHEDULE 1

Section 3(2)

**Light transmission test****Apparatus.**

1(1) Light source consisting of an incandescent lamp with its filament contained within a parallelepiped measuring 1.5 mm x 1.5 mm x 3 mm. The voltage at the lamp filament shall be such that the colour temperature is  $2856 \pm 50\text{K}$ . This voltage shall be stabilized within  $\pm 1/1000$ . The instrument used to check the voltage shall be of appropriate accuracy.

(2) Optical system consisting of a lens with a focal length of at least 500 mm and corrected for chromatic aberrations. The full aperture of the lens shall not exceed  $f/20$ . The distance between the lens and the light source shall be adjusted in order to obtain a light beam which is substantially parallel.

(3) A diaphragm shall be inserted to limit the diameter of the light beam to  $7 \pm 1$  mm. This diaphragm shall be situated at a distance of  $100 \pm 50$  mm from the lens on the side remote from the light source. The point of measurement shall be taken at the centre of the light beam.

**Measuring Equipment.**

2.(1) The receiver shall have a relative spectral sensitivity in substantial agreement with the relative spectral luminous efficiency for the International Commission on Illumination (ICI) standard photometric observer for photopic vision. The sensitive surface of the receiver shall be covered with a diffusing medium and shall have at least twice the cross-section of the parallel light beam emitted by the optical system. If an integrating sphere is used, the aperture of the sphere shall have a cross-sectional area at least twice that of the parallel portion of the beam.

(2) The linearity of the receiver and the associated measuring instrument shall be better than 2 per cent of the effective part of the scale.

(3) The receiver shall be centered on the axis of the light beam.

**Procedure.**

3.(1) The sensitivity of the measuring system shall be adjusted in such a way that the instrument indicating the response of the receiver indicates 100 divisions when the glass pane is not inserted in the light path.

- (2) When no light is falling on the receiver, the instrument shall read zero.
- (3) The glass pane shall be placed at a distance from the receiver equal to approximately five times the diameter of the receiver. The glass pane shall be inserted between the diaphragm and the receiver and its orientation adjusted in such a way that the angle of incidence of the light beam is equal to  $0 \pm 5^\circ$ . The regular transmittance shall be measured on the glass pane, and for every point measured the number of divisions, n, shown on the measuring instrument, shall be read. The regular transmittance  $T_r$  is equal to  $n/100$ .
- (4) In the case of windscreens and rear windows, alternative test methods may be applied using a test piece cut from the flattest part of a windscreen or rear window or a specially-prepared flat square with material and thickness characteristics identical to those of the actual windscreen or rear window, the measurements being taken normal (perpendicular) to the glass pane.
- (5) For windscreens and rear windows the test shall be carried out in the vision reference zone.

## Indices of difficulty of the secondary characteristics.

4.	<u>Colourless</u>	<u>Tinted</u>
Colouring of the glass	1	2
Colouring of the interlayer (in the case of laminated windscreens)	1	2
	<u>not included</u>	<u>included</u>
Shade and/or obscuration bands	1	2

The other secondary characteristics are not involved.

## Interpretation.

5. In paragraph 4:

“secondary characteristic” means a characteristic capable of modifying the optical and/or mechanical properties of a glass pane in a way which is of significance to the function which the glass pane is

intended to perform in a vehicle. The extent of such modification is assessed in relation to the indices of difficulty;

“indices of difficulty” covers a two-stage grading system applying to the variations observed in practice in each secondary characteristic. A change from index “1” to index “2” indicates the need for additional tests.

**Interpretation of Results.**

6. The regular transmittance measured according to the procedure laid down in paragraph 3 in the case of –

(a) windscreens, shall not be less than 75 percentage;

and

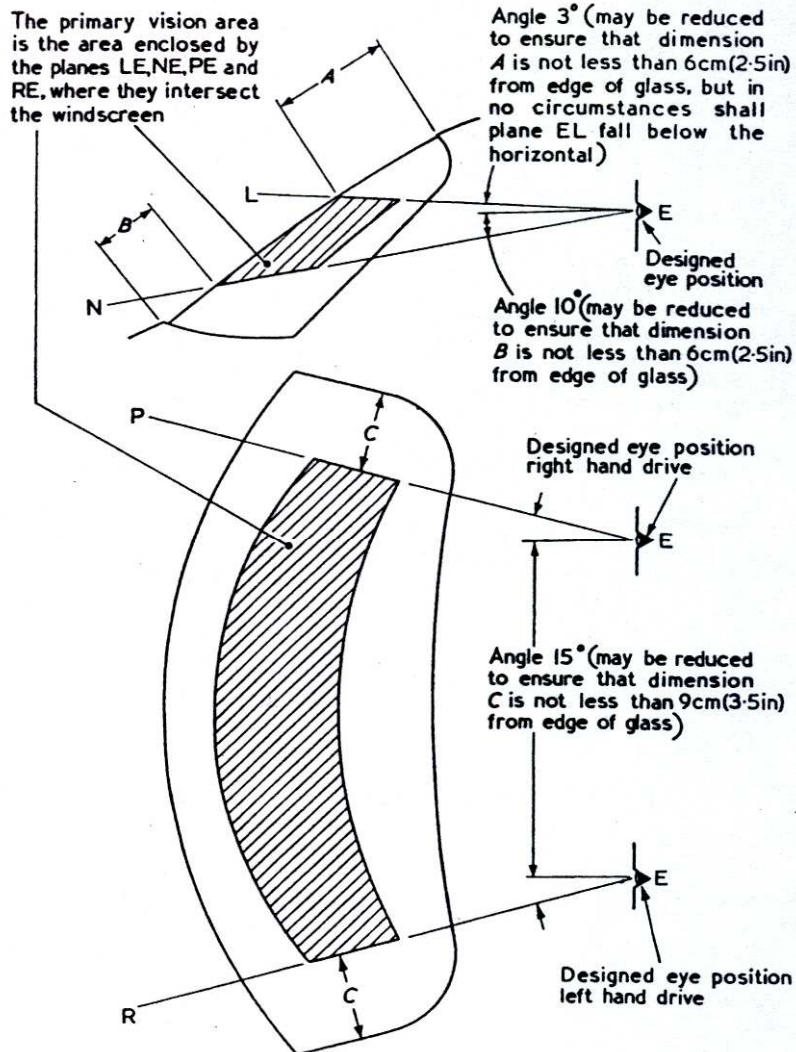
(b) in the case of windows other than windscreens, shall not be less than 70 percentage.



SCHEDULE 2

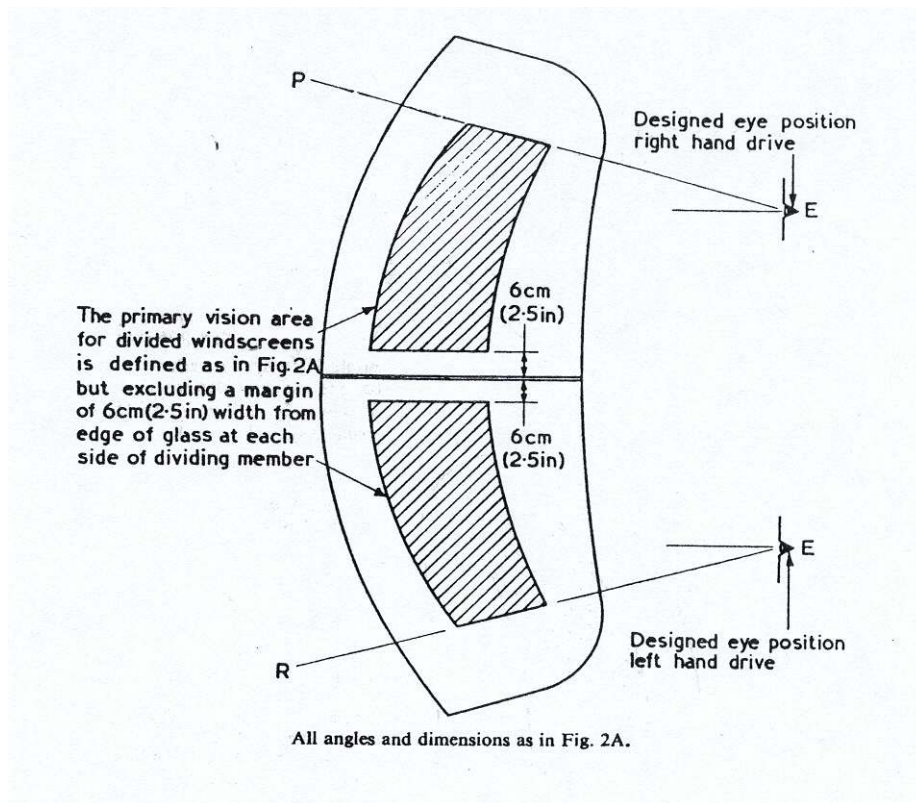
Section 3(5)

Vision Reference Zones



This is the figure 2A referred to in the diagram below.

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This is the figure 2A referred to in the diagram below.