



GOVERNMENT OF THE DISTRICT OF COLUMBIA OFFICE OF POLICE COMPLAINTS

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PCB POLICY REPORT #26-4: Window Tint Enforcement

Summary:

The Metropolitan Police Department's (MPD) traffic enforcement mission requires policies and practices that promote roadway safety and support constitutional policing. MPD's official policy on traffic enforcement, General Order 303.01, states that traffic enforcement must be conducted without bias and directs members to enforce traffic in accordance with department policies and procedures and District law.¹ Yet, the Office of Police Complaints (OPC)² has received numerous complaints involving MPD members' unlawful enforcement of the District's vehicular window tint law.³ In reviewing these cases, OPC noticed a concerning trend of officers stopping vehicles for window tint violations and issuing Notices of Infraction (NOI) without measuring the tint or otherwise investigating the alleged infraction(s), which violates MPD's general orders and District code. OPC also learned through complaint investigations and MPD's official Instagram⁴ page that officers consistently misconstrue D.C. Code by stopping and ticketing motorists and informing them front windshields cannot contain any tint whatsoever, which is legally inaccurate.

Window tint enforcement presents a particular need for policy clarity because improper enforcement may result in unnecessary vehicle stops, inconsistent application of the law, and disproportionate impacts on communities that have historically experienced higher levels of police contact.⁵ Specifically, the cases wherein officers stop vehicles for window tint but then solely investigate other crimes such as guns and drugs, give the impression of pretextual stops, whether or not that is the intention. The Police Complaints Board (PCB) is issuing this policy

¹ Metropolitan Police Department, General Order GO-SPT-303.01, Traffic Enforcement, at 1, available at: https://go.mpdonline.com/GO/GO_303_01.pdf.

² The Police Complaints Board (PCB) is issuing this report pursuant to D.C. Code § 5-1104(d), which authorizes the Board to recommend to the District of Columbia Mayor, Council, MPD Police Chief, and the Director of District of Columbia Housing Authority reforms that have the potential to improve the complaint process or reduce the incidence of police misconduct.

³ The PCB issued a policy recommendation on window tint enforcement in 2013. The report focused on enforcement of tint in the context of biased policing, as well as concerns about the impact of the window tint law on out-of-state motorists. That report is available here: <https://policecomplaints.dc.gov/node/727212>.

⁴ On MPD's official Instagram account (@dcpolicedept), a video on window tint claims that tint on front windshields is prohibited. Specifically, MPD Sergeant Thorne states "Your front windshield should have no tint on it below the AS-1 line." This is in direct conflict with D.C. Code. The Instagram post is available here: <https://www.instagram.com/reel/DFvY6BIKDKJ/?hl=en>.

⁵ See <https://www.vera.org/news/end-police-stops-for-minor-infractions>.

report to recommend that MPD update its training to teach officers proper procedures for window tint enforcement under District law and MPD's general orders, strengthen oversight regarding window tint enforcement, and ensure that stops for suspected window tint violations are conducted in an unbiased manner that promotes roadway safety while protecting constitutional rights and maintaining public confidence.

Applicable Law and Directive:

District law establishes a measurable window tint standard based on light transmittance. Subsection (a) of D.C. Code § 50-2207.02 provides in part, "No motor vehicle, other than a mini-van, may be operated or parked upon the public streets or spaces of the District of Columbia with: (A) A front windshield or front side windows that allow less than 70% light transmittance; or (B) A rear windshield or rear side windows that allow less than 50% light transmittance."⁶ The penalty for a vehicle found in violation of the statute is a \$50 citation.⁷ In addition, motorists cited under this section must present their vehicles at an official District Inspection Station within five days to prove that the illegal tint has been removed.⁸ The penalty for not removing the illegal tint is a fine of up to \$1,000 for the initial infraction, and up to \$5,000 for subsequent infractions.⁹ Failure to comply can also result in suspension¹⁰ of the vehicle's registration.¹¹

Notably, even if the windows of vehicles registered outside the District are currently in compliance with the home state's window tint laws, the motorist is subject to District law. In *United States v. Walters*, police stopped the defendant based on the belief that the windows of his Maryland-registered vehicle were too darkly tinted in violation of D.C. Code.¹² A tint meter test revealed that the front driver's side window permitted only 10 percent of available light to pass through, which is significantly less than the 70 percent light transmittance that the District requires. The vehicle's windows were also in violation of Maryland's tint law (minimum 35 percent light transmittance). The question before the Court was whether an officer's reasonable suspicion that a vehicle's windows are too heavily tinted must be based on the District's tint-level limits or those of the state in which the vehicle is registered. The U.S. District Court for the District of Columbia held that the District limits apply because "District of Columbia law provides that no vehicle may be operated or parked upon the public streets or spaces of the District of Columbia with a 'front windshield or front side windows that allow less than 70 percent light transmittance,' regardless of where the car is registered."¹³ Thus, the only lawful tint levels for motorists operating or parking within the District are those specified in the D.C. Code.

⁶ Code of the District of Columbia § 50-2207.02. Tinted windows prohibited., available at <https://code.dccouncil.gov/us/dc/council/code/sections/50-2207.02>.

⁷ D.C. Code § 50-2207.02(c).

⁸ D.C. Code § 50-2207.02(d)(1).

⁹ D.C. Code § 50-2207.02(d)(2) & (e).

¹⁰ D.C. Code § 50-2207.02(n)(2).

¹¹ The provisions of this statute, however, do not apply to certain classes of vehicles, including: limousines; ambulances; buses; hearses; church-owned vehicles; all official government vehicles; vehicles with tinted windows installed by the manufacturer prior to purchase (as distinguished from "aftermarket" tint films applied after purchasing a vehicle) and, vehicles exempted by the Director of the DMV because the owner of the vehicle has a medical condition requiring windows that allow less light than otherwise permitted. See D.C. Code § 50-2207.02(h).

¹² *United States v. Walters*, 563 F. Supp. 2d 45 (D.D.C. 2008).

¹³ *Id.* at 48 (citing D.C. Code § 50-2207.02(a)(1)(A)).

MPD General Order 303.01, Traffic Enforcement, clearly explicates the procedure officers must follow for window tint enforcement.¹⁴ General Order 303.01 explains, “Members with reasonable suspicion to investigate a window tint violation shall:

1. *Advise the operator* that reasonable suspicion exists to believe that the window tint may exceed the maximum allowance and that the vehicle’s glass will be measured and a determination will be made whether an exemption pursuant to DC Official Code § 50-2207.02 exists (e.g., operators who possess a medical waiver from their jurisdiction are exempt from District window tint laws. Proof of authorization varies from state-to-state).
2. Members shall then *conduct measurements* using a department-issued or authorized window tint meter.¹⁵ The policy cautions, ‘Only members who have completed department window tint meter training shall perform window tint measurements and issue NOIs for window tint violations.’¹⁶
3. If measurements indicate a violation, *inform the violator to remove the window tint* pursuant to DC Official Code § 50-2207.02. If an NOI is issued, members shall advise the violator that if the motor vehicle is not brought into compliance within five days, subsequent violations may incur higher fines and the motor vehicle may require inspection by an official District inspection station. Tint shall not be removed during the traffic stop.”¹⁷

Thus, the process for officers is to state the reason for the stop, measure the window tint, inform the operator of the violation, if any exists, and then issue an NOI *or* a warning NOI.¹⁸ This language establishes that the violation determination may not be based solely on an officer’s visual observation that window tints appear dark. Rather, the enforcement decision depends on a measurement showing that the vehicle’s tint exceeds the lawful tint threshold. Because GO-303.01 requires measurement before enforcement action based on tint can occur, an officer cannot issue an NOI for illegal tint without first obtaining the required measurement.

In the context of tint, MPD’s traffic enforcement policy provides officers with specific enforcement requirements – officers must be trained in window tint and must carry and utilize department-issued or authorized tint meters to measure the window’s light transmission before taking any enforcement action. Thus, where an officer is not trained to use a tint meter, does not possess a compliant tint meter, or does not perform the required measurement, the officer cannot complete the enforcement process contemplated by GO-303.01. A traffic stop for a suspected tint violation without these elements then becomes an investigative detention for an offense the officer is unable to confirm or resolve through the procedures MPD itself has established. If a member conducts a traffic stop to investigate tint, but the officer lacks the tools or training

¹⁴ General Order 303.01 informs members, “The Traffic Safety and Specialized Enforcement Section (TSSES) shall manage the window tint meter program and ensure that all tint meters used for window tint enforcement remain in compliance with the law and are operational according to manufacturer recommendations.” See MPD GO 303.01, at 9.

¹⁵ MPD GO 303.01, at 8.

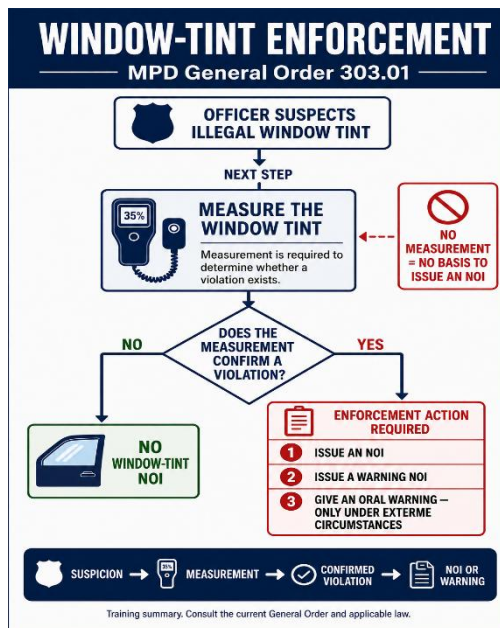
¹⁶ *Id.*

¹⁷ *Id.* at 9.

¹⁸ In every traffic stop for a traffic violation, MPD GO 303.01 requires members to issue an NOI, a warning NOI, or an oral warning under certain extreme circumstances. See MPD GO 303.01, at 2.

necessary to determine conclusively whether the tint is unlawful, OPC posits that the stop is per se unreasonable as the stop cannot achieve its stated enforcement objective.

Moreover, when laying out the procedure for enforcing violations, General Order 303.01 reads, “If measurements indicate a violation, inform the violator to remove the window tint pursuant to DC Official Code § 50-2207.02. *If* an NOI is issued...” Yet, an earlier section of the general order mandates, “In *each instance* of a traffic stop for a traffic violation, members **shall** issue a notice of infraction (NOI), issue a warning NOI, or under extreme circumstances an oral warning may be given.”¹⁹ MPD should update General Order 303.01 to clarify that for every traffic stop for a window tint violation, officers must issue an NOI or a warning NOI. This requirement presupposes that officers have investigated the alleged tint offense underlying the stop; however, the OPC cases belie this presupposition.



OPC Cases:

OPC acknowledges that regulation of window tint is important because deeply tinted windows on motor vehicles can impair a driver’s vision, especially at night, and this decreased visibility can contribute to accidents.²⁰ Tinted windows can also threaten the safety of law enforcement personnel when they approach a vehicle during a traffic stop because officers may not be able to see into the vehicle to detect a potentially dangerous situation.²¹ Dark windows can also hinder the proper identification of suspects who commit crimes and flee in vehicles with deeply tinted windows.²²

Thus, although it is lawful and reasonable for police officers to conduct traffic stops based on reasonable suspicion that a vehicle’s tint is too dark, if the window tint is merely a pretext to investigate another suspected crime,²³ these detentions can run afoul of the Equal Protection Clause of the Fourteenth Amendment.²⁴ Several of the OPC cases below demonstrate that the purported purpose of the stop was window tint, but officers in many instances never measured or otherwise investigated the tint. This is not to say that an officer cannot make a stop based on tint and then investigate other crimes. However, discretionary traffic stops²⁵ based on

¹⁹ MPD GO 303.01, at 2.

²⁰ See <https://rosap.nhtl.bts.gov/view/dot/19355>.

²¹ *Id.*

²² *Id.*

²³ See *Whren v. United States*, 517 U.S. 806 (1996).

²⁴ *Id.* at 813 (“We of course agree with petitioners that the Constitution prohibits selective enforcement of the law based on considerations such as race. But the constitutional basis for objecting to intentionally discriminatory application of laws is the Equal Protection Clause, not the Fourth Amendment.”) Although the Fourteenth Amendment applies only to the states, its equal protection guarantees have been read into the Fifth Amendment and apply to the District of Columbia. See *Bolling v. Sharpe*, 347 U.S. 497, 499–500 (1954).

²⁵ See <https://www.urban.org/urban-wire/police-traffic-stops-have-little-do-public-safety>.

these minor violations can lead to wrongful detentions, vehicle searches, arrests, uses of force, and police complaints subjecting the department and District to liability.²⁶ The below cases highlight the need for additional training for officers on conducting lawful stops for tint violations, properly investigating the suspected violations, taking proper enforcement action, such as issuing an NOI, and understanding District law concerning tint levels for front windshields.

Case Example #1:

In February 2016, the complainant alleged that the subject officer harassed him by issuing him two NOIs for window tint without measuring the tint. A Complaint Examiner sustained the harassment allegations as the evidence revealed that the subject officer violated D.C. Code § 50-2207.02 and MPD Special Order 95.14, Motor Vehicle Tinted Window Amendment Act of 1994, which provided that a tint meter will be used by MPD to measure window illumination. Special Order 95.14 provided, “Operators shall not be cited for a violation of the act unless a window illumination check has been performed using a tint meter.” Despite the governing law and policy, the subject officer told OPC he made the determination to issue the complainant an NOI for tinted windows based upon a visual inspection made from the inside of his MPD cruiser. The subject officer said he did not inspect the vehicle or use a tint meter. The NOI also did not list the window tint or illumination percentage to document that the complainant's vehicle was in violation. The day after the initial NOI was issued, the subject officer stopped the complainant again and issued the complainant another NOI for tint violation, again without measuring the windows.²⁷

Case Example #2:

In November 2016, the subject officer issued the complainant a tint NOI based solely on a visual observation of what he believed was unlawful window tint. The subject officer also issued an NOI with a \$1000 fine for the unlawful tint and cited DC Mun. Regs. tit. 18 § 734.15 as giving him the authority to issue a \$1,000 ticket, but that regulation had been repealed more than a decade ago. Thus, there was no lawful basis for the subject officer to issue the \$1,000 fine in excess of the \$50 fine listed in § 50-2207.02(c). Consequently, the Complaint Examiner sustained the allegations of harassment against the subject officer.²⁸

Case Example #3:

In September 2017, the subject officer issued the complainant an NOI for window tint without having conducted a window tint test or listing the percentage of light transmittance in the NOI. The subject officer also issued an NOI for an obstructed windshield as he claimed the complainant's windshield was tinted. The Complaint Examiner sustained the harassment

²⁶ See David A. Harris, “Driving While Black” and All Other Traffic Offenses: The Supreme Court and Pretextual Traffic Stops, 87 J. Crim. L. & Criminology 544, 546 (1997) (“[O]nce police stop a car, they often search it, either by obtaining consent, using a drug sniffing dog, or by some other means. In fact, searching cars for narcotics is perhaps the major motivation for making these stops,”) available at <https://scholarlycommons.law.northwestern.edu/jclc/vol87/iss2/5/>.

²⁷ OPC Case No. 16-0148, available [here](#).

²⁸ OPC Case No. 17-0084, available [here](#).

allegations for bad tickets,²⁹ as not only did the subject officer violate MPD policy by failing to measure the window or windshield tint, but he also misconstrued District law by believing that windshields could not contain any tint, which is incorrect. D.C. Code § 50–2207.02(a)(1)(A) merely prohibits, “a front windshield or front windows that allow less than 70% light transmittance;...”³⁰

Case Example #4:

In June 2019, a Complaint Examiner sustained a harassment allegation for an unlawful stop for window tint. The subject officer initiated a traffic stop that he claimed was for a window tint violation, but then prolonged the traffic stop for over an hour to wait for a K-9 unit to sweep the complainant’s vehicle. The officer never tested the window or otherwise investigated the tint violation. The Complaint Examiner concluded that the subject officer harassed the complainant by unlawfully detaining him far beyond the time needed to investigate the subject officer’s suspicions about the car’s window tints.³¹

Case Example #5:

In October 2023, the complainant alleged the subject officer harassed him by issuing him an unlawful ticket for his window tint. The subject officer told OPC he used the tint meter on the complainant’s front driver side window, but it was not captured by his body-worn camera (BWC) due to the angle. However, for the windshield, the officer claimed he was able to tell it was illegally tinted by “eyeballing it.” The officer explained that windshields cannot be tinted below the AS-1 line. The officer said he did not test the windshield; he only tested the front driver’s side window since his tint meter was only capable of testing the side windows. He told OPC that the tint ticket would probably be dismissed since he did not list the percentage of the reading on the ticket like he normally did for other traffic stops. OPC referred this case to MPD so that the subject officer could receive policy training pursuant to D.C. Code § 5-1107(g)(6) for two reasons. First, OPC’s review of the officer’s BWC footage revealed that he did not, in fact, measure the complainant’s window tint with a tint reader. Second, the officer incorrectly informed the operator that he could not have any tint below the AS-1 line on the front windshield, when D.C. Code § 50–2207.02(a)(1)(A) merely prohibits “A front windshield or front side windows that allow less than 70% light transmittance...”³²

Case Example #6:

Additionally, in June 2024, OPC referred the subject officer in the complaint to MPD so that he could receive policy training for an unlawful stop for a window tint violation. The subject officer stopped the complainant for a window tint violation but never measured the window tints as he claimed he did not have a tint reader. He also gave the complainant a verbal warning, which violates MPD General Order 303.01, as no extreme circumstances existed.³³ OPC found

²⁹ OPC Case No. 17-0709 & 17-0729, available [here](#).

³⁰ D.C. Code § 50–2207.02(a)(1)(A).

³¹ OPC Case No. 19-0550, available [here](#).

³² OPC Case No. 24-0008.

³³ Pursuant to GO-SPT-303.01 (Traffic Enforcement), verbal warnings shall only be given under extreme circumstances (e.g., receipt of a radio assignment requiring immediate response, motorist was en route to a hospital for emergency treatment of a sick

that the officer violated the aforementioned general order by failing to measure the complainant's window tints and failing to properly document the traffic stop. During his interview, the officer could not recall the specific violation that prompted the traffic stop and claimed that his unit not having a ticket writer was the reason for him not giving a written warning. Ultimately, the officer did not articulate reasonable suspicion to conduct the traffic stop, nor did he develop probable cause to issue a ticket.³⁴

Case Example #7:

Officers stopped the complainant in his vehicle for suspected illegal tint but never investigated the tint. The subject officer told the complainant he was stopped for window tints, asked for his license, registration, and insurance, and then immediately asked if he had any weapons or narcotics. The complainant replied in the negative. Officers then stepped the complainant out of his vehicle stating that he appeared nervous and that the subject officer saw a concealed weapons permit in his wallet. The officers patted him down and found no contraband. None of the officers mentioned his window tint after the initial interaction, nor did they measure the tint level on any of the windows. The complainant was not issued a ticket, warning, or repair order for his window tint nor for any other traffic violation, and he was not given any report information for the stop. The subject officer told OPC during her interview that window tint was the only reason for the stop and that she did not measure because any front windshield tint is illegal, which is inaccurate. She also mistakenly said officers do not need to measure front windshields.³⁵

Open Cases:

As of August 2026, OPC has at least 10 open cases with complaints about unlawful stops for window tint violations. Despite window tints being the reason for these stops, officers in more than half of these cases investigated other suspected crimes, mainly weapons and drugs, but never investigated the suspected window tint violations. In every one of these cases, officers misconstrued the window tint law and failed to follow MPD's policies under General Order 303.01.

Recommendations:

In order to comply with District law and MPD policies and increase the public's trust in its police force, the PCB recommends:

1. Officers should not initiate window tint stops as the primary law enforcement objective without proper equipment and training.

MPD should clarify to its officers that they should not initiate traffic stops based primarily or solely on suspected illegal window tint when they lack a tint meter or have not been properly trained in evaluating window tint. While General Order 303.01 is clear that members

or injured passenger). In the occasion that verbal warning is issued, members shall document the details of the stop, including a justification of the extreme circumstances, in RMS using an incident report.”

³⁴ OPC Case No. 24-0631.

³⁵ OPC Case No. 25-0993.

must obtain tint measurement before initiating enforcement action for suspected tint violations unless another independent traffic or safety violation provides a lawful basis for the stop, the OPC cases demonstrate that officers do not know this, or do not practice it. If officers stop vehicles on suspicion of unlawful window tint, they must investigate that suspected violation and properly document and enforce any violations discovered. MPD should reinforce that members must: measure window tint using approved equipment; document the measurement; issue the appropriate NOI or written warning consistent with policy; and, avoid relying solely on personal observation to determine a measurable statutory violation. MPD can achieve this by conducting training during roll-call, during its annual professional development training (PDT), and by updating its training for new recruits.

2. Correct Academy Training and Member Guidance Regarding Windshield Tint.

MPD should also revise academy training materials and internal guidance to clarify that District law does not prohibit *all* windshield tint. MPD officers and officials have incorrectly stated that windshields may not contain any level of tint. However, D.C. Official Code § 50-2207.02 provides that front windshields and front side windows must allow the same level of light: at least 70% light transmittance.³⁶ MPD should immediately update training materials, roll-call guidance, and public-facing information, particularly the Instagram video noted in this report to accurately reflect the statute.

3. Clarify GO-SPT-303.01 Section II.I.2.b.

The current language in General Order 303.01 regarding window tint enforcement states that members *shall* issue an NOI or warning NOI for each instance of a traffic stop for a traffic violation; however, the window tint section states that if measurements indicate a violation, members should inform the violator to remove the tint pursuant to D.C. Official Code § 50-2207.02 and states “*If* an NOI is issued...” This wording suggests that issuing an NOI is discretionary after a confirmed tint violation. MPD should revise the language to make it clear that a confirmed tint violation after measurement requires issuance of the appropriate NOI or written enforcement action as it would with any other traffic infraction. The only discretion available is the enforcement option specifically permitted under the warning provisions of GO-SPT-303.01 Section II.A.6; and, an officer may not treat issuance of an NOI as optional after establishing a violation through measurement. Clear language prevents inconsistent enforcement among members and ensures similar violations receive similar treatment. Subsequent training for new and veteran officers would also provide much needed clarity regarding the appropriate use of NOIs. MPD can conduct these trainings during roll-call, at PDT, and should update its training for new recruits.

4. Review tint enforcement practices to ensure non-biased policing.

Traffic enforcement practices must be evaluated not only by whether an individual stop is lawful, but also by whether enforcement patterns create disproportionate burdens on certain communities. Research on police traffic enforcement has consistently identified racial disparities

³⁶ D.C. Code § 50-2207.02(a)-(b) (Tinted windows prohibited). The statute requires front windshield and front side windows to allow at least 70% light transmittance and permits limited windshield tint above the AS-1 line or within five inches from the top of the windshield.

in traffic stops and enforcement outcomes. A large-scale analysis of traffic stops found that Black drivers were stopped at higher rates relative to their population share and experienced different enforcement outcomes compared with White drivers, even after accounting for factors such as location and time.³⁷ Because window tint violations are often minor equipment violations and may serve as the initial basis for a vehicle stop, MPD should evaluate whether tint enforcement is being used as a pretext for broader investigations rather than as a genuine traffic safety measure.

To assess for biased policing, MPD should conduct regular analysis of tint-related stops, including: race and ethnicity of drivers stopped; geographic distribution of tint stops; and, whether stops resulted in warnings, NOIs, searches, arrests, or additional investigations. MPD should specifically review whether enforcement patterns show concentration in historically over-policed neighborhoods and whether enforcement decisions differ across communities. OPC notes that a number of complaints have demonstrated that officers told complainants they were stopped due to tint violations, but then officers did not ever measure, investigate, or document window tint violations, but instead investigated other crimes related to weapons and drugs.³⁸ The purpose of this review is not to prohibit lawful enforcement. Rather, it is to ensure that a minor equipment violation is not disproportionately used as a gateway to initiate unnecessary police contact with certain populations.

³⁷ See Pierson, E., Simoiu, C., Overgoor, J. et al. A large-scale analysis of racial disparities in police stops across the United States. *Nat Hum Behav* 4, 736–745 (2020), available at <https://doi.org/10.1038/s41562-020-0858-1>.

³⁸ OPC provided this report to MPD for review and comment. MPD agreed with all four recommendations and noted that the department would: issue a reminder to members that they should not initiate window tint stops without proper equipment and training; include a refresher in an upcoming roll call training re-enforcing the law and MPD policy regarding window tint; and, update the language in GO-SPT-303.01 to ensure it is clear that a confirmed tint violation after measurement requires issuance of the appropriate NOI or written enforcement action. MPD also noted that the District of Columbia's Highway Safety Office engaged the University of Connecticut Institute for Municipal and Regional Policy (UConn) to conduct independent analyses of MPD traffic stop data. UConn employed the research design recommended by The Lab@DC to juxtapose stops made in daylight with those made in the dark. The initial study and the subsequent study found no evidence that MPD officers were more likely to stop Black or Hispanic drivers during daylight hours compared to darkness. Those reports are available here: <https://imrp-dpp.media.uconn.edu/wp-content/uploads/sites/3351/2025/06/MPD-Traffic-Stop-Study-2019-23.pdf>; <https://imrp-dpp.media.uconn.edu/wp-content/uploads/sites/3351/2026/07/2023-24-MPD-Traffic-Stop-Study.pdf>.