

**SENATE . . . . . No. 880**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Michael W. Morrissey**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

**An Act further regulating the site assignment process.**

PETITION OF:

NAME:

Michael W. Morrissey

DISTRICT/ADDRESS:

Norfolk and Plymouth

# The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

## AN ACT FURTHER REGULATING THE SITE ASSIGNMENT PROCESS.

*Whereas*, The deferred operation for this act would tend to defeat its purpose, which is forthwith to make to further regulate the site assignment process, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           **SECTION 1.** Notwithstanding any general or special law or rule or regulation to the contrary,  
2 noise produced by, or results from, a competitive motorized racing event which is held at a site  
3 sanctioned by a recognized sanctioning body for competitive motorized racing shall not be deemed a  
4 nuisance or a condition of air pollution if: such event is held at a site for which a permit had been issued  
5 to the owner or operator of such sanctioned site, on or before the effective date of this act, by the  
6 municipality in which the event was held; and the recipient of such permit is the same owner or operator  
7 holding the competitive motorized racing event. A competitive motorized racing event shall include heats  
8 and open practice (as those terms are customarily used in motor sports), provided they are required or  
9 encouraged by the sanctioning body or are otherwise necessary for the safe conduct of the event.

10           This act shall not prohibit a city or town from adopting by-laws or ordinances relative to noise or  
11 air pollution nor regulating competitive motorized racing events in such city or town.