

**MOTOR VEHICLE NOISE EMISSION
STANDARDS**

2010 GENERAL SESSION
STATE OF UTAH

Chief Sponsor: Patricia W. Jones

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies the Motor Vehicles Code by amending motor vehicle noise emission standards.

Highlighted Provisions:

This bill:

- ▶ provides definitions;
- ▶ establishes maximum noise emission standards for a motor vehicle being operated on a highway;
- ▶ prohibits a person from operating a motor vehicle that produces unusual or excessive noise on a highway; and
- ▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

41-6a-1626, as renumbered and amended by Laws of Utah 2005, Chapter 2



28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **41-6a-1626** is amended to read:

30 **41-6a-1626. Mufflers -- Prevention of noise, smoke, and fumes -- Air pollution**
31 **control devices.**

32 (1) As used in this section:

33 (a) "A-weighted sound level" means the sound pressure level measured by the use of an
34 instrument with the metering characteristics and A-weighting frequency response prescribed
35 for sound level meters.

36 (b) "Excessive or unusual noise" means any sound made by a passenger motor vehicle
37 or a motorcycle at any time under any condition of grade, acceleration, or deceleration which
38 exceeds 90 db(A) on a highway with a posted speed limit of more than 35 miles per hour or 86
39 db(A) on a highway with a posted speed limit of 35 miles per hour or less:

40 (i) measured using an A-weighted sound level; and

41 (ii) based on a distance of 50 feet from the centerline of travel.

42 [~~(1)~~] (2) (a) A vehicle shall be equipped, maintained, and operated to prevent excessive
43 or unusual noise.

44 (b) A motor vehicle shall be equipped with a muffler or other effective noise
45 suppressing system in good working order and in constant operation.

46 (c) A person may not use a muffler cut-out, bypass, or similar device on a vehicle.

47 (d) A person may not operate a motor vehicle which produces excessive or unusual
48 noise on a highway.

49 [~~(2)~~] (3) (a) Except while the engine is being warmed to the recommended operating
50 temperature, the engine and power mechanism of a:

51 (i) gasoline-powered motor vehicle may not emit visible contaminants during
52 operation;

53 (ii) diesel engine manufactured on or after January 1, 1973, may not emit visible
54 contaminants of a shade or density darker than 20% opacity; and

55 (iii) diesel engine manufactured before January 1, 1973, may not emit visible
56 contaminants of a shade or density darker than 40% opacity.

57 (b) A person who violates the provisions of Subsection [~~(2)~~] (3)(a) is guilty of a class C
58 misdemeanor.

59 ~~[(3)]~~ (4) (a) A motor vehicle equipped by a manufacturer with air pollution control
60 devices shall maintain the devices in good working order and in constant operation.

61 (b) For purposes of the first sale of a vehicle at retail, an air pollution control device
62 may be substituted for the manufacturer's original device if the substituted device is at least as
63 effective in the reduction of emissions from the vehicle motor as the air pollution control
64 device furnished by the manufacturer of the vehicle as standard equipment for the same vehicle
65 class.

66 (c) A person who renders inoperable an air pollution control device on a motor vehicle
67 is guilty of a class B misdemeanor.

68 ~~[(4)]~~ (5) Subsection ~~[(3)]~~ (4) does not apply to a motor vehicle altered and modified to
69 use clean fuel, as defined under Section 59-13-102, when the emissions from the modified or
70 altered motor vehicle are at levels that comply with existing state or federal standards for the
71 emission of pollutants from a motor vehicle of the same class.

Legislative Review Note
as of 1-26-10 9:12 AM

Office of Legislative Research and General Counsel

S.B. 106 - Motor Vehicle Noise Emission Standards

Fiscal Note

2010 General Session
State of Utah

State Impact

Enactment of this bill will not require additional appropriations.

Individual, Business and/or Local Impact

Enactment of this bill likely will not result in direct, measurable costs and/or benefits for individuals, businesses, or local governments.
