

26 (1) (a) A vehicle shall be equipped, maintained, and operated to prevent excessive or  
27 unusual noise.

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

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

31 (2) (a) Except while the engine is being warmed to the recommended operating  
32 temperature, the engine and power mechanism of a~~[(i)]~~ gasoline-powered motor vehicle may  
33 not emit visible contaminants during operation~~[;]~~.

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

36 ~~[(iii) diesel engine manufactured before January 1, 1973, may not emit visible  
37 contaminants of a shade or density darker than 40% opacity.]~~

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

40 (b) (i) A diesel engine manufactured on or after January 1, 2008, may not emit visible  
41 contaminants during operation:

42 (A) except while the engine is being warmed to the recommended operating  
43 temperature ~~§~~→ or under a heavy tow ←~~§~~ ; or

44 (B) unless the diesel engine is in a vehicle with a manufacturer's gross vehicle weight  
45 rating in excess of 26,000 pounds.

46 (ii) A diesel engine manufactured before January 1, 2008, may not emit visible  
47 contaminants of a shade or density that obscures a contrasting background by more than 20%,  
48 for more than five consecutive seconds:

49 (A) except while the engine is being warmed to the recommended operating  
50 temperature ~~§~~→ or under a heavy tow ←~~§~~ ; or

51 (B) unless the diesel engine is in a vehicle with a manufacturer's gross vehicle weight  
52 rating in excess of 26,000 pounds.

53 (c) A violation of Subsection (2)(a) or (b) is a:

54 (i) class C misdemeanor on the first offense; and

55 (ii) class B misdemeanor on the second or subsequent offense.

56 (3) (a) ~~[A]~~ If a motor vehicle is equipped by a manufacturer with air pollution control