

Senator Patricia W. Jones proposes the following substitute bill:

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 provisions relating to noise suppressing system standards for exhaust muffler systems on motor vehicles.

Highlighted Provisions:

This bill:

▶ provides that a motor vehicle shall be equipped with a muffler that:

- is installed by the original manufacturer of the vehicle and is not modified or meets specifications equivalent to the muffler installed by the original manufacturer of the vehicle and is not modified; and

- is in compliance with federal law; ~~§~~→ **and**

~~[→ provides that a person may not operate a motor vehicle which produces excessive or unusual noise on a highway; and] ←~~ ~~§~~

▶ makes technical changes.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None



26 **Utah Code Sections Affected:**

27 AMENDS:

28 **41-6a-1626**, as renumbered and amended by Laws of Utah 2005, Chapter 2

29

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

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

32 **41-6a-1626. Mufflers -- Prevention of noise, smoke, and fumes -- Air pollution**
 33 **control devices.**

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

36 (b) A motor vehicle shall be equipped with a muffler [~~or other effective noise~~
 37 ~~suppressing system~~] that:

38 (i) is in good working order and in constant operation[.];

39 (ii) (A) is installed by the original manufacturer of the vehicle and is not modified; or

40 (B) meets specifications equivalent to the muffler installed by the original

41 manufacturer of the vehicle and is not modified; and

42 (iii) is in compliance with ~~§~~→ [federal law] **40 C.F.R. Part 205** ←~~§~~ .

43 (c) A person may not ~~§~~→ [.];

44 ~~— (i) ←~~§~~ use a muffler cut-out, bypass, or similar device on a vehicle~~ ~~§~~→ [f] . [h] [~~or~~

45 ~~— (ii) operate a motor vehicle which produces excessive or unusual noise on a highway.] ←~~§~~~~

46 (2) (a) Except while the engine is being warmed to the recommended operating
 47 temperature, the engine and power mechanism of a:

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

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

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

54 (b) A person who violates the provisions of Subsection (2)(a) is guilty of a class C
 55 misdemeanor.

56 (3) (a) A motor vehicle equipped by a manufacturer with air pollution control devices

57 shall maintain the devices in good working order and in constant operation.

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

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

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

S.B. 106 1st Sub. (Green) - 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 local governments. Some individuals incur costs associated with requirements established in the bill and certain businesses may benefit.
