

1 S.99

2 Senator White moves that the bill be amended by striking out Sec. 21, 23
3 V.S.A. § 1221, in its entirety and inserting in lieu thereof a new Sec. 21 to read
4 as follows:

5 Sec. 21. 23 V.S.A. § 1221 is amended to read:

6 § 1221. CONDITION OF VEHICLE; EXCESSIVE NOISE

7 (a) Definitions. As used in this section:

8 (1) “Exhaust system” means a series of mechanical devices designed or
9 used for the purpose of receiving exhaust gas from an internal combustion
10 engine and expelling it into the atmosphere.

11 (2) “Muffler” means a device consisting of a series of chambers or
12 baffle plates, or other mechanical device designed for the purpose of receiving
13 exhaust gas from an internal combustion engine, and that is effective in
14 reducing noise.

15 (3) “State highway” has the same meaning as in 19 V.S.A. § 1(20).

16 (4) “Town highway” has the same meaning as in 19 V.S.A. § 1(23).

17 (b) Good mechanical condition. A motor vehicle, operated or driven on
18 any State or town highway, shall be in good mechanical condition and shall be
19 properly equipped.

20 (c) Mufflers and exhaust systems; prevention of noise.

1 (1)(A) A motor vehicle, operated or driven on any State or town
2 highway, shall at all times be equipped with an adequate muffler and exhaust
3 system in constant operation and properly maintained to prevent any noise
4 over:

5 (i) the 83-decibel standard at 50 feet, for vehicles manufactured
6 after January 1, 1979 and before January 1, 1988; and

7 (ii) the 80-decibel standard at 50 feet, for vehicles manufactured
8 after January 1, 1988.

9 (B) No such muffler or exhaust system shall be equipped with a cut-
10 out, bypass, or similar device that in any way limits the effectiveness of the
11 muffler or exhaust system, or both, from receiving exhaust gas from an internal
12 combustion engine and expelling it into the atmosphere or reducing noise, or
13 both.

14 (2) Notwithstanding subdivision (1) of this subsection, every motorcycle
15 manufactured after December 31, 1985, operated or driven on any State or
16 town highway, shall at all times be equipped with a muffler bearing the U.S.
17 Environmental Protection Agency required labeling applicable to the
18 motorcycle's model year stating that the exhaust system meets the 80-decibel
19 standard at 50 feet, as set out in 40 C.F.R. Part 205, Subparts D and E.

20 (3) No person shall modify the muffler or exhaust system of a motor
21 vehicle in a manner that will amplify or increase the noise emitted by the

1 motor or exhaust system of such vehicle above that emitted by the muffler or
2 exhaust system originally installed on the vehicle, and such original muffler
3 and exhaust system shall comply with all the requirements of this section.

4 (d) Exemption. The prohibitions of subsection (c) of this section shall not
5 apply when a motor vehicle is operated anywhere other than a State or town
6 highway.