



March 20, 2023

SUMMARY OF BILL AS AMENDED (006010): Clarifies that it is a Class C misdemeanor offense for a person to drive a motor vehicle on a road, street, or highway if the motor vehicle's muffler produces excessive or unusual noise and annoying smoke. Provides exceptions for farm tractors and implements of husbandry.

Specifies that "excessive or unusual noise" includes motor noise emitted by a motor vehicle, other than a motorcycle, that is noticeably louder than similar vehicles in the environment and a sound pressure level in excess of 95 decibels (dBs). Establishes a defense to prosecution regarding excessive or unusual noise if the person provides satisfactory evidence that the vehicle's muffler does not emit noise in excess of 95 dBs as measured in accordance with applicable standards and specifications outlined by the Society of Automotive Engineers.

FISCAL IMPACT OF BILL AS AMENDED:

NOT SIGNIFICANT

Assumptions for the bill as amended:

- Pursuant to Tenn. Code Ann. § 55-9-202(a)-(c), it is a Class C misdemeanor offense for a person to drive a motor vehicle on any road, street or highway unless the motor vehicle is equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke.
- The revisions to the statutory language of this section contained in the proposed legislation are not estimated to effectuate any substantive change, but rather to provide clarity and specificity to its meaning and intent. Therefore, the proposed legislation is not estimated to significantly impact the total number of Class C misdemeanor convictions related to this provision.
- Any fiscal impact to state or local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

Handwritten signature of Krista Lee Carsner in black ink.

Krista Lee Carsner, Executive Director

/jj