



# *State of Tennessee*

## **PUBLIC CHAPTER NO. 164**

### **SENATE BILL NO. 434**

**By Crowe**

Substituted for: House Bill No. 769

By Holsclaw, Ragan

AN ACT to amend Tennessee Code Annotated, Section 55-9-202, relative to mufflers.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 55-9-202(a), is amended by deleting the subsection and substituting instead the following:

It is unlawful for a person to drive a motor vehicle on a road, street, or highway if the motor vehicle is not equipped with a muffler in good working order and in constant operation. A motor vehicle's muffler is deemed to be not in good working order or in constant operation if the motor vehicle produces excessive or unusual noise or annoying smoke.

SECTION 2. Tennessee Code Annotated, Section 55-9-202, is amended by redesignating the existing subsection (c) as subsection (f) and adding the following as new subsections:

(c) This section does not apply to farm tractors or implements of husbandry, as those terms are defined in § 55-8-101.

(d) For purposes of this section, "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 ninety-five decibels (95 dB).

(e) It is 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 ninety-five decibels (95 dB) as measured in accordance with applicable standards and specifications outlined by the Society of Automotive Engineers.

SECTION 3. This act takes effect July 1, 2023, the public welfare requiring it.

SENATE BILL NO. 434

PASSED: March 30, 2023

  
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RANDY McNALLY  
SPEAKER OF THE SENATE

  
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CAMERON SEXTON, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 17<sup>th</sup> day of April 2023

  
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BILL LEE, GOVERNOR