

1 H.86

2 Introduced by Representative Krebs of South Hero

3 Referred to Committee on

4 Date:

5 Subject: Motorboats; noise levels

6 Statement of purpose of bill as introduced: This bill proposes to revise
7 existing standards governing maximum operating noise levels of motorboats
8 and to authorize enforcement officers to direct that motorboats be moored until
9 a noise level violation is corrected.

10 An act relating to noise levels of motorboats

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 Sec. 1. 23 V.S.A. § 3309 is amended to read:

13 § 3309. MUFFLING DEVICES; MAXIMUM NOISE LEVELS

14 (a) The exhaust of every internal combustion engine used on any motorboat
15 shall be effectively muffled by equipment so constructed and used as to muffle
16 the noise of the exhaust in a manner which reduces the maximum machine
17 operating noise level to not more than ~~82 decibels on the A scale at 50 feet, in~~
18 ~~a normal operating environment~~ 75 decibels on the A scale (“dBA”) when
19 subjected to a shoreline sound level measurement test as prescribed by Society
20 of Automotive Engineers (SAE) standard J1970, as may be amended, or

1 90 dBA when subjected to a stationary sound level measurement test as
2 prescribed by SAE standard J2005, as may be amended.

3 (b) A person shall not manufacture or offer for sale in this state, or permit
4 to be operated or operate on the public waters of this state, any motorboat that
5 exceeds the noise levels established in subsection (a) of this section.

6 (c) The use of muffler cutouts is prohibited except for motorboats
7 competing in a regatta or boat race approved as provided in section 3316 of
8 this title, and for such motorboats while on trial runs, during a period not to
9 exceed 48 hours immediately preceding such regatta or race and for such
10 motorboats while competing in official trials for speed records during a period
11 not to exceed 48 hours immediately following such regatta or race.

12 (d) Any officer authorized to enforce the provisions of this section who has
13 reason to believe that a motorboat is not in compliance with the noise levels
14 established in this section may direct the operator of the motorboat to submit it
15 to an on-site test to measure the noise level, with the officer on board if he or
16 she so chooses. If the motorboat exceeds the noise levels established in this
17 section, the officer may direct the operator to take immediate and reasonable
18 measures to correct the violation, including returning the motorboat to a
19 mooring and keeping the motorboat at such mooring until the violation is
20 corrected.

1 Sec. 2. 23 V.S.A. § 3317 is amended to read:

2 § 3317. PENALTIES

3 (a) A person who violates any of the following sections of this title shall be
4 subject to a fine of not more than \$50.00 for each violation:

- 5 § 3303 unnumbered boat
- 6 § 3305(a) unregistered boat
- 7 § 3305(d) old registered certificate to be returned
- 8 § 3305(e) compliance with federal motorboat ID system
- 9 § 3305(h) change of address
- 10 § 3305(i) incorrect number displayed on boat
- 11 § 3305(j) temporary registration
- 12 § 3305a(a) qualified person may operate
- 13 § 3305a(c) underage operation
- 14 § 3305(b) operating without boat certificate
- 15 § 3306(a)-(d) lights and equipment
- 16 § 3307a documented boat validation sticker
- 17 § 3308 boat rental records
- 18 § 3309 muffling ~~device~~ devices; maximum noise levels
- 19 § 3311(c) distance requirements
- 20 § 3311(d) under water historic preserve area
- 21 § 3311(e) overloaded vessel

