

1 H.562

2 Introduced by Representatives Partridge of Windham, Burke of Brattleboro

3 and Trieber of Rockingham

4 Referred to Committee on

5 Date:

6 Subject: Motor vehicles; amplification, cutouts, bypasses; prohibition

7 Statement of purpose: This bill proposes to:

8 (1) grant municipalities authority to restrict the manner in which motor
9 vehicles are operated, or to regulate motor vehicle noise emissions, in order to
10 prevent excessive or unusual noise; and

11 (2) prohibit the operation on highways of motor vehicles equipped with
12 certain modified mufflers or exhaust systems or with amplification devices,
13 subject to an exception for public exhibitions.

14 An act relating to motor vehicle noise

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

16 Sec. 1. 24 V.S.A. § 2291 is amended to read:

17 § 2291. ENUMERATION OF POWERS

18 For the purpose of promoting the public health, safety, welfare, and
19 convenience, a town, city, or incorporated village shall have the following
20 powers:

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(4) To regulate the operation and use of vehicles of every kind, including the power: to erect traffic signs and signals; ~~to regulate the speed of vehicles subject to 23 V.S.A. §§ 1141-1147~~ the provisions of 23 V.S.A. chapter 13, to regulate the speed of vehicles; to regulate or exclude the parking of all vehicles; in order to prevent excessive or unusual noise, to restrict the manner in which motor vehicles are operated or regulate motor vehicle noise emissions; and to provide for waiver of the right of appearance and arraignment in court by persons charged with parking violations by payment of specified fines within a stated period of time.

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Sec. 2. 23 V.S.A. § 1221 is amended to read:

§ 1221. CONDITION OF VEHICLE; USE OF MODIFIED EXHAUST SYSTEMS OR AMPLIFICATION DEVICES PROHIBITED; EXCEPTION

(a) A motor vehicle, operated on any highway, shall be in good mechanical condition and shall be properly equipped.

(b)(1) A person shall not operate on a highway a motor vehicle equipped with a muffler lacking interior baffle plates or other effective muffling devices, a gutted muffler, a muffler cutout, a straight pipe exhaust, or with any other amplification device or modified exhaust system when the result of the device

1 or modification is to increase the noise emitted by the motor vehicle above the
2 level emitted by the exhaust system as originally installed.

3 (2) The prohibition of subdivision (1) of this subsection shall not apply
4 when a motor vehicle is operated in a race, contest, or demonstration of speed
5 or skill at an authorized public exhibition held in accordance with state or
6 municipal law or land use permits.

7 (c) A motor vehicle equipped or modified as described in subdivision
8 (b)(1) of this section shall not pass an inspection required under section 1222
9 of this title.

10 Sec. 3. EFFECTIVE DATE

11 This act shall take effect on July 1, 2012.