

HOUSE BILL NO. 237

INTRODUCED BY BRUEGGEMAN, WANZENRIED

A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A MOTOR VEHICLE EQUIPPED WITH AN ENGINE COMPRESSION BRAKE DEVICE TO HAVE A MUFFLER; ~~AND PROVIDING A PENALTY;~~ AND PROVIDING A DELAYED APPLICABILITY DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Engine compression brake device.** A COMMERCIAL motor vehicle, AS DEFINED IN 61-1-134, equipped with an engine compression brake device must be equipped with a muffler in good working condition to prevent excessive noise.

NEW SECTION. **Section 2. Violation of engine compression brake device provisions.** A person who violates the provisions of [section 1] is guilty of a misdemeanor and upon conviction shall be fined not to exceed \$500.

NEW SECTION. **Section 3. Codification instruction.** (1) [Section 1] is intended to be codified as an integral part of Title 61, chapter 9, part 3, and the provisions of Title 61, chapter 9, part 3, apply to [section 1].

(2) [Section 2] is intended to be codified as an integral part of Title 61, chapter 9, part 5, and the provisions of Title 61, chapter 9, part 5, apply to [section 2].

NEW SECTION. **SECTION 4. APPLICABILITY.** [SECTION 2] APPLIES TO VIOLATIONS OCCURRING ON OR AFTER APRIL 1, 2004.

- END -

