HOUSE BILL NO. 332

INTRODUCED BY B. THOMAS

A BILL FOR AN ACT ENTITLED: "AN ACT ADOPTING NATIONALLY ACCEPTED NOISE LIMITS FOR QUADRICYCLES; REQUIRING QUADRICYCLES TO BE EQUIPPED WITH SPARK ARRESTERS; AND AMENDING SECTION 61-9-418, MCA."

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

Section 1. Section 61-9-418, MCA, is amended to read:

"61-9-418. Motorcycle and quadricycle noise suppression devices -- quadricycle spark arrester. (1) All motorcycles or quadricycles operated on the streets and highways of this state shall must be equipped at all times with noise suppression devices, including an exhaust muffler, in good working order and in constant operation. In addition, all motorcycles and quadricycles operating on streets and highways shall must meet the following noise decibel limitations, on the standard A scale, such decibel limitations to be measured at 50 feet distant from the closest point to the motorcycle or quadricycle:

(1)(a) any cycle manufactured prior to 1970..92 db(A)

(2)(b) any cycle manufactured after 1969 but prior to 1973...88 db(A)

(3)(c) any cycle manufactured after 1972 but prior to 1975...86 db(A)

(4)(d) any cycle manufactured after 1974 but prior to 1978...80 db(A)

(5)(e) any cycle manufactured after 1977 but prior to 1988...75 db(A)

(6)(f) any cycle manufactured after 1987..70 db(A)

(2) (a) Except as provided in subsection (2)(b), a motorcycle or quadricycle may be operated off of a highway on the public lands only if the motorcycle's or quadricycle's noise emissions do not exceed 96 db(A), using test procedures established by the society of automotive engineers under standard J-1287.

(b) The noise limitations in subsection (2)(a) do not apply to motorcycles or quadricycles that are operated for special events permitted on closed courses by a state entity or local government.

(c) A motorcycle or quadricycle may not be operated off of a highway unless it is equipped with an adequate spark arrester to prevent the escape of sparks or other burning material from the quadricycle's engine."

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