

# MAINE STATE LEGISLATURE

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1 FIRST REGULAR SESSION  
2

3 ONE HUNDRED AND ELEVENTH LEGISLATURE  
4

5 Legislative Document

No. 1373

6  
7 S.P. 452

In Senate, March 29, 1983

8 Referred to the Committee on Transportation. Sent down for concurrence  
9 and ordered printed.

10 JOY J. O'BRIEN, Secretary of the Senate

11 Presented by Senator Wood of York.

12 STATE OF MAINE  
13

14 IN THE YEAR OF OUR LORD  
15 NINETEEN HUNDRED AND EIGHTY-THREE  
16

17 AN ACT to Restrict Noise Levels on  
18 Motorcycles.  
19

20 Be it enacted by the People of the State of Maine as  
21 follows:

22 29 MRSA §1364, sub-§§1-3 are enacted to read:

23 1. Motorcycle noise emission level. No motor-  
24 cycle may be offered for sale, leased or operated in  
25 this State on and following the effective date of  
26 this subsection that does not contain a muffler with  
27 an identification, serial or part number, easily dis-  
28 cernible, and that emits a noise exceeding 82 deci-  
29 bels of sound pressure level at 50 feet on the "A"  
30 scale, as measured by the SAE standards J-192. The  
31 muffler shall contain the model number and model  
32 year.

33 A. Every manufacturer and dealer of motorcycles  
34 and motorcycle mufflers shall provide the owner

1           or purchaser of a motorcycle with a certificate  
2 bearing the identification, serial or part  
3 number, the model number and model year of the  
4 muffler attached to the motorcycle and which  
5 states the maximum level in decibels of sound  
6 pressure, as required in this subsection, emitted  
7 by the muffler. The operator of any motorcycle  
8 shall carry the certificate required in this  
9 section on his person while operating the motor-  
10 cycle.

11           2. Enforcement of motorcycle noise level. Any  
12 law enforcement officer in uniform, whose duty is to  
13 enforce the motor vehicle laws and who has probable  
14 cause to believe that a violation of this section has  
15 taken or is taking place, may, at any time, stop a  
16 motorcycle for the purpose of ascertaining whether  
17 the muffler of the vehicle complies with the require-  
18 ments of this section. The law enforcement officer  
19 shall compare the serial, identification or part  
20 number, the model number and the model year on the  
21 certificate with the serial identification or part  
22 number, the model number and the model year on the  
23 muffler to determine whether the maximum noise level  
24 is within the range permitted by this section.

25           3. Penalties. Violation of this section shall  
26 incur the penalties provided in this subsection.

27           A. Any manufacturer or dealer of motorcycles and  
28 motorcycle mufflers who sells, leases or other-  
29 wise provides motorcycles or motorcycle mufflers  
30 that emit a noise exceeding the maximum decibel  
31 level commits a civil violation for which a for-  
32 feiture of not less than \$50 nor more than \$500  
33 shall be adjudged.

34           B. Any owner of a motorcycle with a muffler that  
35 is not defective, altered or modified in any way  
36 and that emits a noise exceeding the maximum  
37 decibel level commits a traffic infraction pun-  
38 ishable by a fine of not less than \$50 and not  
39 more than \$100.

40           C. Motorcycle models for the years 1983 and ear-  
41 lier shall not be required to meet the noise  
42 level requirements of this section, except that

1 motorcycle muffler replacements following the  
2 effective date of this subsection shall comply  
3 with the requirements in this section.

4 STATEMENT OF FACT

5 The purpose of this bill is to limit the noise  
6 emitted from motorcycles which is very bothersome to  
7 the public. All motorcycles sold or leased in this  
8 State as of January 1, 1984, will be required to have  
9 mufflers that produce a noise not to exceed 82 deci-  
10 bels of sound pressure at 50 feet as measured on the  
11 "A" scale of the standard of the Society of Automot-  
12 tive Engineers. The maximum noise level in this bill  
13 is the same level in the snowmobile law.

14 The bill provides for easy enforcement of the  
15 maximum noise level. Manufacturers and dealers of  
16 motorcycles and motorcycle mufflers are required to  
17 provide the owner or purchaser with a certificate  
18 that contains a serial, identification or part number  
19 for the muffler with a maximum noise level in deci-  
20 bels emitted by the muffler. The muffler is also re-  
21 quired to contain a serial or identification number  
22 which can be compared with the certificate number.

23 Motorcycles manufactured prior to 1984 are exempt  
24 from the provisions of the bill, except that muffler  
25 replacements on these models are not exempt.

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