

House of Representatives, March 12, 1998. The Committee on Public Safety reported through REP. DARGAN, 115th DIST., Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT INCREASING THE PENALTY FOR HABITUAL MOTORCYCLE NOISE POLLUTERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 14-80 of the general statutes is  
2 repealed and the following is substituted in lieu  
3 thereof:

4 (a) Each motor vehicle and the devices on  
5 such vehicle shall be operated, equipped,  
6 constructed and adjusted to prevent unnecessary or  
7 unusual noise.

8 (b) Each motor vehicle operated by an  
9 internal combustion engine shall be equipped,  
10 except as hereinafter provided, with a muffler or  
11 mufflers designed to prevent excessive, unusual or  
12 unnecessary exhaust noise. The muffler or mufflers  
13 shall be maintained by the owner in good working  
14 order and shall be in use whenever the motor  
15 vehicle is operated. No person, including a motor  
16 vehicle dealer or repairer or a motorcycle dealer,  
17 shall install, and no person shall use, on a motor  
18 vehicle, a muffler or mufflers lacking interior  
19 baffle plates or other effective muffling devices,  
20 a gutted muffler, a muffler cutout or a straight  
21 exhaust except when the motor vehicle is operated  
22 in a race, contest or demonstration of speed or

23 skill as a public exhibition pursuant to  
24 subsection (a) of section 14-164a, or any  
25 mechanical device which will amplify the noise  
26 emitted by the vehicle. No person, including a  
27 motor vehicle dealer or repairer or a motorcycle  
28 dealer, shall remove all or part of any muffler on  
29 a motor vehicle except to repair or replace the  
30 muffler or part for the more effective prevention  
31 of noise. No person shall use on the exhaust  
32 system or tail pipe of a motor vehicle any  
33 extension or device which will cause excessive or  
34 unusual noise.

35 (c) The engine of every motor vehicle shall  
36 be equipped and adjusted to prevent excessive  
37 fumes or exhaust smoke.

38 (d) All pipes carrying exhaust gases from the  
39 motor shall be constructed of, and maintained  
40 with, leak-proof metal. Exhaust pipes shall be  
41 directed from the muffler or mufflers toward the  
42 rear of the vehicle and shall be approximately  
43 parallel with the longitudinal axis of the vehicle  
44 and approximately parallel to the surface of the  
45 roadway, or shall be directed from the muffler  
46 upward to a location above the cab or body of the  
47 vehicle so that fumes, gases and smoke are  
48 directed away from the occupants of the vehicle.  
49 Exhaust pipes on a passenger vehicle shall extend  
50 to the extreme rear end of the vehicle's body, not  
51 including the bumper and its attachments to the  
52 body, or shall be attached to the vehicle in such  
53 a way that the exhaust pipes direct the exhaust  
54 gases to either side of the vehicle ensuring that  
55 fresh ambient air is located under the vehicle at  
56 all times. The Commissioner of Motor Vehicles may  
57 adopt regulations in accordance with the  
58 provisions of chapter 54 to establish safety  
59 standards for passenger vehicles equipped with  
60 exhaust pipes located in front of the rear axle.

61 (e) Every motor vehicle shall, when operated  
62 on a highway, be equipped with a horn in good  
63 working order and capable of emitting sound  
64 audible under normal conditions from a distance of  
65 not less than two hundred feet, but no horn or  
66 other warning device shall emit an unreasonably  
67 loud or harsh sound or a whistle.

68 (f) No vehicle shall be equipped with, nor  
69 shall any person use on a vehicle, any siren,  
70 whistle or bell as a warning signal device, except

71 as otherwise permitted by this section. Any motor  
72 vehicle may be equipped with a theft alarm signal  
73 device which is so arranged that it cannot be used  
74 by the driver as an ordinary warning signal. Any  
75 authorized emergency vehicle may be equipped with  
76 a siren, whistle or bell, capable of emitting  
77 sound audible under normal conditions from a  
78 distance of not less than five hundred feet and of  
79 a type approved by the Department of Motor  
80 Vehicles. Such signal shall not be used unless the  
81 vehicle is operated in response to an emergency  
82 call or in the immediate pursuit of an actual or  
83 suspected violator of the law, in which event the  
84 driver of the vehicle shall sound the signal when  
85 reasonably necessary to warn pedestrians and other  
86 drivers of the approach of the vehicle.

87 (g) Any person who violates any provision of  
88 this section shall be deemed to have committed an  
89 infraction for each offense. UPON THE THIRD  
90 CONVICTION FOR A VIOLATION OF SUBSECTION (b) OF  
91 THIS SECTION WITHIN A TWO-YEAR PERIOD, SUCH  
92 PERSON'S REGISTRATION SHALL BE SUSPENDED BY THE  
93 COMMISSIONER FOR THREE MONTHS.

94 STATEMENT OF LEGISLATIVE COMMISSIONERS: The  
95 statutory section was set forth in full for  
96 purposes of clarity.

97 PS COMMITTEE VOTE: YEA 21 NAY 0 JFS-LCO

\* \* \* \* \*

"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

\* \* \* \* \*

**FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5417**

STATE IMPACT	Indeterminate Revenue Gain (Transportation Fund), Workload Increase, see explanation below
MUNICIPAL IMPACT	None
STATE AGENCY(S)	Department of Motor Vehicles, Judicial Department

**EXPLANATION OF ESTIMATES:**

Increased revenues could result from the restoration of suspended registrations. Since the number of such suspended registrations is unknown, exact revenues to the Transportation Fund are indeterminate.

Since the Department of Motor Vehicles (DMV) does not anticipate a large increase in registration suspensions and restorations, it is anticipated that the additional workload, as well as one-time data processing costs of approximately \$20,000, can be accommodated within existing budgetary resources.

\* \* \* \* \*

**OLR BILL ANALYSIS**

SHB 5417

**AN ACT INCREASING THE PENALTY FOR HABITUAL MOTORCYCLE NOISE POLLUTERS**

**SUMMARY:** This bill requires the motor vehicle commissioner to suspend, for three months, the registration of anyone convicted of motor vehicle noise

pollution for the third time in two years. Under the law, a violation is an infraction. The bill covers all motor vehicles, not just motorcycles.

By law, motor vehicles with internal combustion engines must have mufflers to prevent excessive noise. It is illegal to (1) install or use muffling devices that impair a muffler's effectiveness or amplify the noise emitted by vehicles (with some exceptions for contests and races), (2) remove or replace the muffler except to repair or replace it to more effectively prevent noise, or (3) use any device on the exhaust system or tail pipe that causes excessive or unusual noise.

EFFECTIVE DATE: October 1, 1998

**COMMITTEE ACTION**

Public Safety Committee

Joint Favorable Report  
Yea 21      Nay 0