SENATE DOCKET, NO. 1903 FILED ON: 1/14/2009

SENATE . . . . . No. 1980

The Commonwealth of Massachusetts

In the Year Two Thousand Nine

An Act relative to motorcycle noise reduction..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 7 of chapter 90 of the general laws, as appearing in the 2004 Official Edition, is hereby amended by striking out, in lines 51 to 57, inclusive, the following sentence:-

"Every motor vehicle so operated shall be provided with a muffler or other suitable device to limit the noise emitted by the engine and exhaust and with a suitable bell, horn or other means of signaling, with suitable lamps, and with a lock, key or other device to prevent such vehicle from being set in motion by unauthorized persons, or otherwise contrary to the will of the owner or person in charge thereof."

and inserting in place thereof, the following new sentence:-

"Every motor vehicle so operated shall be provided with a muffler or other suitable device to prevent unnecessary noise; provided, however, that every motorcycle so operated shall be provided with a muffler or other suitable device that produces a sound pressure level of not more than eighty-two decibels or such lower amount of decibels as the Registrar may prescribe.

Sound pressure levels in decibels shall be measured on the "A" scale of a sound level meter approved by the Registrar. Measurements shall be made of overall vehicle noise at maximum speed at fifty feet in accordance with test procedure SAE J192 of the Society of Automotive Engineers, or with such other test procedure for measurement of sound pressure levels as the registrar may adopt. Every motor vehicle shall be provided with a suitable bell, horn or other means of signaling, with suitable lamps, and with a lock, key or other device to prevent such vehicle from being set in motion by unauthorized persons, or otherwise contrary to the will of the owner or person in charge thereof."

SECTION 2. Section 7U of chapter 90 of the General Laws, as so appearing, is hereby amended by inserting at the end thereof the following paragraph:-

Any person cited for a noise violation under this section shall be subject to a fine, in an amount to be determined by the registrar. Any person cited for a second or subsequent violation within a one-year period shall be prohibited from operating the motorcycle used when committing such violation until such time as the motorcycle has passed an inspection and is deemed to comply with acceptable sound level standards, as determined by the registrar.

SECTION 3. There is hereby established a special commission to study the problems associated with excessive noise caused by motorcycles. Said commission shall consist of the registrar or his designee; two representatives of the Massachusetts Motorcycle Association; a representative from a Massachusetts-based motorcycle dealership; two members of the Senate, one of whom shall be appointed by the Senate President and one of whom shall be appointed by the Senate Minority Leader; and two members of the House, one of whom shall be appointed by the House Speaker and one of whom shall be appointed by the House Minority Leader. In

conducting its study, the commission shall consider, but not be limited to, making a determination as to the best methods for educating motorcycle riders about the public nuisance created by excessive sound levels and how to best address this problem. Said commission shall report its findings and recommendations for corrective legislation to the House and Senate committees on Ways and Means and to the Joint Committee on Public Safety and Homeland Security no later than September 1, 2009.