

HOUSE BILL No. 4644

April 21, 2005, Introduced by Rep. Gaffney and referred to the Committee on Transportation.

A bill to amend 1949 PA 300, entitled
"Michigan vehicle code,"
by amending section 707c (MCL 257.707c).

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 707c. (1) ~~After April 1, 1978, a~~ A motor vehicle shall
2 not be operated or driven on a highway or street if the motor
3 vehicle produces total noise exceeding 1 of the following limits at
4 a distance of 50 feet except as provided in subdivisions (b)(iii) and
5 (c)(iii):

6 (a) ~~A~~ **FOR A** motor vehicle with a gross weight or gross
7 vehicle weight rating of 8,500 pounds or more, combination vehicle
8 with gross weight or gross vehicle weight ratings of 8,500 pounds
9 or more.

(i) Ninety DBA if the maximum lawful speed on the highway or street is greater than 35 miles per hour.

(ii) Eighty-six DBA if the maximum lawful speed on the highway or street is not more than 35 miles per hour.

(iii) Eighty-eight DBA under stationary run-up test.

(b) ~~A~~ **FOR A** motorcycle or a moped:

(i) Eighty-six DBA if the maximum lawful speed on the highway or street is greater than 35 miles per hour.

(ii) Eighty-two DBA if the maximum lawful speed on the highway or street is not more than 35 miles per hour.

(iii) Ninety-five DBA under stationary run-up test at 75 inches.

(c) ~~A~~ **FOR A** motor vehicle or a combination of vehicles towed by a motor vehicle not covered in subdivision (a) or (b):

(i) Eighty-two DBA if the maximum lawful speed on the highway or street is greater than 35 miles per hour.

(ii) Seventy-six DBA if the maximum lawful speed on the highway or street is not more than 35 miles per hour.

(iii) Ninety-five DBA under stationary run-up test 20 inches from the end of the tailpipe.

(2) A dealer shall not sell or offer for sale for use upon a street or highway in this state a new motor vehicle ~~manufactured after April 1, 1978, which~~ **THAT** produces a maximum noise exceeding the following limits:

(a) ~~A~~ **FOR A** motor vehicle with a gross vehicle weight rating of 8,500 pounds or ~~more~~ ~~83~~ **MORE, 83** DBA.

(b) ~~A~~ **FOR A** motorcycle or a ~~moped~~ ~~83~~ **MOPED, 80** DBA.

(c) ~~A~~ **FOR A** motor vehicle not covered in subdivision (a) or

1 ~~(b) — 80 —~~ (B), 80 DBA.

2 (3) A person shall not operate a vehicle on a highway or
3 street if the vehicle has a defect in the exhaust system ~~which~~
4 **THAT** affects sound reduction, is not equipped with a muffler or
5 other noise dissipative device, or is equipped with a cutout,
6 bypass, amplifier, or a similar device.

7 (4) A person, either acting for himself or herself or as the
8 agent or employee of another **PERSON**, shall not sell, install, or
9 replace a muffler or exhaust part that causes the motor vehicle to
10 which the muffler or exhaust part is attached to exceed the noise
11 limits established by this act or a rule promulgated under this
12 act.

13 (5) A person shall not modify, repair, replace, or remove a
14 part of an exhaust system causing the motor vehicle to which the
15 system is attached to produce noise in excess of the levels
16 established by this act, or operate a motor vehicle so altered on a
17 street or highway.

18 (6) A dealer shall not sell a used or secondhand motor vehicle
19 for use upon a street or highway ~~which~~ **IF THAT MOTOR VEHICLE** is
20 not in compliance with this act.