

9837

I N A S S E M B L Y

April 18, 2012

Introduced by M. of A. BRINDISI -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development

AN ACT to amend the parks, recreation and historic preservation law, in relation to snowmobile noise emission levels

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. Paragraph (e) of subdivision 1 of section 25.17 of the
2 parks, recreation and historic preservation law, as amended by chapter
3 650 of the laws of 1977, is amended to read as follows:
4 (e) Mufflers. An adequate muffler system in good working condition. On
5 and after June first, nineteen seventy-two, no snowmobile manufactured
6 after June first, nineteen seventy-two shall be sold or offered for sale
7 unless it is equipped in such a way as to limit noise produced by the
8 snowmobile to not more than eighty-two decibels as measured on the "A"
9 scale at fifty feet. On and after June first, nineteen seventy-five, no
10 such snowmobile manufactured after June first, nineteen seventy-five
11 shall be sold or offered for sale unless it is equipped in such a way as
12 to limit noise produced by the snowmobile to not more than seventy-eight
13 decibels on such scale. On and after June first, nineteen eighty, no
14 such snowmobile manufactured after June first, nineteen eighty, shall be
15 sold or offered for sale unless it is equipped in such a way as to limit
16 noise produced by the snowmobile to not more than seventy-three decibels
17 on such scale. ON OR AFTER NOVEMBER FIRST, TWO THOUSAND TWELVE, A
18 PERSON SHALL NOT OPERATE A SNOWMOBILE UNLESS THE SNOWMOBILE IS EQUIPPED
19 WITH A MUFFLER IN GOOD WORKING ORDER AND IN CONSTANT OPERATION FROM
20 WHICH NOISE EMISSION DOES NOT EXCEED EITHER SEVENTY-EIGHT DECIBELS AT
21 FIFTY FEET, AS MEASURED USING THE TWO THOUSAND THREE SOCIETY OF AUTOMO-
22 TIVE ENGINEERS STANDARD J192 FOR A SNOWMOBILE MANUFACTURED AFTER JULY
23 FIRST, NINETEEN HUNDRED SEVENTY-SEVEN AND SOLD OR OFFERED FOR SALE IN
24 THIS STATE, OR EIGHTY-EIGHT DECIBELS, AS MEASURED USING THE TWO THOUSAND
25 FOUR SOCIETY OF AUTOMOTIVE ENGINEERS STANDARD J2567 FOR A STATIONARY
26 SNOWMOBILE MANUFACTURED AFTER JULY FIRST, NINETEEN HUNDRED EIGHTY AND
27 SOLD OR OFFERED FOR SALE IN THIS STATE. Should the federal government
28 adopt snowmobile noise level standards different from those contained in

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 this paragraph and require that the state conform thereto, the commis-
2 sioner shall be authorized to adopt rules and regulations superseding
3 the noise level requirements of this paragraph to achieve compliance
4 with federal standards. No snowmobile shall be modified by any person
5 in any manner that shall amplify or otherwise increase total noise emis-
6 sion to a level greater than that emitted by the snowmobile as
7 originally constructed, regardless of date of manufacture.

8 S 2. This act shall take effect November 1, 2012.