

2734--B

2013-2014 Regular Sessions

I N   A S S E M B L Y

January 17, 2013

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Introduced by M. of A. BRINDISI, OAKS, ROBERTS, STECK -- Multi-Sponsored by -- M. of A. FAHY, MAGEE -- read once and referred to the Committee on Tourism, Parks, Arts and Sports Development -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee -- reported and referred to the Committee on Codes -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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 THIRTEEN, 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

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

LBD06552-04-3

1 FIFTY FEET AT FULL THROTTLE, AS MEASURED USING A GENERALLY ACCEPTED TEST  
2 FOR A SNOWMOBILE MANUFACTURED AFTER JULY FIRST, NINETEEN HUNDRED SEVEN-  
3 TY-SEVEN AND SOLD OR OFFERED FOR SALE IN THIS STATE, OR EIGHTY-EIGHT  
4 DECIBELS, AS MEASURED AT FOUR METERS FROM AN INLINE POSITION FROM THE  
5 EXHAUST AND FOUR THOUSAND RPM USING A GENERALLY ACCEPTED TEST FOR USING  
6 A STATIONARY SNOWMOBILE MANUFACTURED AFTER JULY FIRST, NINETEEN HUNDRED  
7 EIGHTY AND SOLD OR OFFERED FOR SALE IN THIS STATE. Should the federal  
8 government adopt snowmobile noise level standards different from those  
9 contained in this paragraph and require that the state conform thereto,  
10 the commissioner shall be authorized to adopt rules and regulations  
11 superseding the noise level requirements of this paragraph to achieve  
12 compliance with federal standards. No snowmobile shall be modified by  
13 any person in any manner that shall amplify or otherwise increase total  
14 noise emission to a level greater than that emitted by the snowmobile as  
15 originally constructed, regardless of date of manufacture.  
16 S 2. This act shall take effect November 1, 2013.