

# STATE OF NEW YORK

9009

## IN SENATE

September 25, 2020

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the vehicle and traffic law, in relation to certain equipment violations and fines; and to amend the executive law, in relation to requiring police vehicles to be equipped with a decibel reader

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 31 and 32 of section 375 of the vehicle and  
2 traffic law, subdivision 31 as amended by chapter 337 of the laws of  
3 1971, and subdivision 32 as amended by section 14 of part C of chapter  
4 62 of the laws of 2003, are amended to read as follows:

5 31. Mufflers and exhaust systems. Prevention of noise. Every motor  
6 vehicle, operated or driven upon the highways of the state, shall at all  
7 times be equipped with an adequate muffler and exhaust system in  
8 constant operation and properly maintained to prevent any [~~excessive or~~  
9 ~~unusual~~] noise over ninety-five decibels for motorcycles and over sixty  
10 decibels for other motor vehicles, and no such muffler or exhaust system  
11 shall be equipped with a cut-out, bypass, or similar device. No person  
12 shall modify the muffler or exhaust system of a motor vehicle in a  
13 manner which will amplify or increase the noise emitted by the motor or  
14 exhaust system of such vehicle above that emitted by the muffler or  
15 exhaust system originally installed on the vehicle and such original  
16 muffler and exhaust system shall comply with all the requirements of  
17 this section.

18 A muffler is a device consisting of a series of chambers or baffle  
19 plates, or other mechanical design for the purpose of receiving exhaust  
20 gas from an internal combustion engine, and effective in reducing noise.

21 An exhaust system is a series of mechanical devices for the purpose of  
22 receiving exhaust gas from an internal combustion engine and expelling  
23 it into the atmosphere.

24 32. The violation of any of the provisions of this section with  
25 respect to adequate brakes except those relating to emergency or hand  
26 brakes shall constitute a misdemeanor and the violation of any of the

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

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1 other provisions of this section, including those relating to emergency  
2 or hand brakes, shall be punishable by a fine not exceeding one [~~hundred~~  
3 ~~fifty~~] thousand dollars or by imprisonment for not exceeding thirty  
4 days, or by both such fine and imprisonment, except as herein otherwise  
5 provided.

6 § 2. The executive law is amended by adding a new section 837-w to  
7 read as follows:

8 § 837-w. Decibels readers. Every police department in this state shall  
9 provide that all police vehicles are equipped with a decibel reader. As  
10 used in this section, the term "police department" means any police  
11 department or sheriff's office of this state or any of its political  
12 subdivisions.

13 § 3. This act shall take effect immediately.