STATE OF NEW YORK

471

2021-2022 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 6, 2021

Introduced by M. of A. MAGNARELLI, DE LA ROSA, DINOWITZ, COLTON, SIMON -- read once and referred to the Committee on Transportation

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:

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

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

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

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

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

32. The violation of any of the provisions of this section with respect to adequate brakes except those relating to emergency or hand brakes shall constitute a misdemeanor and the violation of any of the other provisions of this section, including those relating to emergency or hand brakes, shall be punishable by a fine not exceeding one [~~hundred fifty~~] **thousand** dollars or by imprisonment for not exceeding thirty days, or by both such fine and imprisonment, except as herein otherwise provided.

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

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

§ 3. This act shall take effect immediately.