

SNOWMOBILE NOISE LIMITS

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Senate Bill 530 (Substitute S-1)

Sponsor: Sen. Jason E. Allen

House Committee: Tourism, Outdoor Recreation, and Natural Resources

Senate Committee: Natural Resources and Environmental Affairs

Complete to 9-20-07

A SUMMARY OF SENATE BILL 530 AS PASSED BY THE SENATE 6-27-07

The bill would amend Part 821 (Snowmobiles) of the Natural Resources and Environmental Protection Act (NREPA) in the following ways:

Snowmobile noise limits. As is currently the case, except in an organized snowmobile race on a course used only for snowmobile racing, a person must not operate a snowmobile in Michigan unless it is equipped with a muffler in good working order that is used all of the time. In addition, the bill would require that the snowmobile's noise level could not exceed either of the following standards:

- For a snowmobile manufactured after July 1, 1977 and sold or offered for sale in Michigan, the applicable limit would be **78 decibels at 50 feet, measured using the 2003 Society of Automotive Engineers (SAE) standard J192**. This is the same decibel level (78 decibels at 50 feet) currently applicable for snowmobiles manufactured after July 1, 1977 sold in Michigan, but the bill would mandate the use of 2003 SAE Standard J192 instead of 1974 SAE Code J192a for *measuring* the snowmobile's noise level. An existing limit on snowmobiles manufactured through July 1, 1977 (86 decibels at 50 feet) would be deleted.
- For a stationary (idling) snowmobiles, the bill would establish a noise limit of **88 decibels, measured using the 2004 SAE standard J2567**. There is currently no noise limit for stationary snowmobiles in Michigan.

Snowmobile trails. The bill would amend certain provisions concerning snowmobile trails to specify that the provisions apply to trails located on or along railroad rights-of-way.

Background Information. The bill would not alter the current noise limit for snowmobiles manufactured after July 1, 1977 and sold or offered for sale in Michigan (78 decibels at 50 feet) but would adopt a newer version of the SAE's recommended measurement procedures: 2003 SAE Standard J192, instead of 1974 SAE Code J192a. The updated standard, entitled "Maximum Exterior Sound Level for Snowmobiles," is described on the SAE website (where it is available for purchase) as follows:

This SAE Recommended Practice establishes the instrumentation, test site, and test procedure for determining the maximum exterior sound level for snowmobiles. (See http://www.sae.org/technical/standards/J192_200303.)

In addition, the bill would adopt for the first time in Michigan an 88-decibel limit for stationary (idling) snowmobiles, measured using 2004 SAE J2567, entitled "Measurement of Exhaust Sound Levels of Stationary Snowmobiles." This standard is described on the SAE website (where it is available for purchase) as follows:

This SAE Recommended Practice establishes the test procedure, environment and instrumentation for determining the sound levels of snowmobiles in the stationary test mode. This test method is intended to provide an accurate measurement of exhaust and other engine noise and may be used to evaluate new and in-use snowmobiles to determine compliance with noise control regulations. Sound level measurements obtained with this test method are not intended as an engineering determination of overall machine noise. For this purpose, the use of SAE J192 is recommended. (See http://www.sae.org/technical/standards/J2567_200401.)

At least one other state, Wisconsin, has already adopted this noise level for stationary snowmobiles (Wisconsin Public Act 210 of 2005). In addition, at least a few states, including Wisconsin, New York, and Montana, ban modifications to snowmobiles that increase their noise levels from the levels they had when manufactured. Apparently, some persons install racing exhausts or make other modifications to their snowmobiles that make them much noisier. Michigan law does not ban modifications that increase noise levels. Under the bill, however, both modified and unmodified vehicles would be subject to an 88-decibel limit, and excessively loud snowmobiles could not be lawfully operated in Michigan (except in certain organized snowmobile races).

Penalties for violating NREPA's snowmobile noise control provisions. There is no specific penalty set forth in NREPA for violating the noise control provisions of Part 821. However, under MCL 324.82133, where no other penalty is specified, a violation of Part 821 constitutes a misdemeanor. Under MCL 324.82134, a peace or police officer may issue appearance tickets for violations of Part 821. The bill would not amend the current penalty provisions of NREPA Part 821.

FISCAL IMPACT:

The bill would have no fiscal impact on the state or local government.

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.