

**SENATE . . . . . No.**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Richard R. Tisei**

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to motorcycle noise reduction.

PETITION OF:

NAME:

Richard R. Tisei

DISTRICT/ADDRESS:

Middlesex and Essex

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. S02107 OF 2007-2008.]

**The Commonwealth of Massachusetts**

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**In the Year Two Thousand and Nine**

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AN ACT RELATIVE TO MOTORCYCLE NOISE REDUCTION.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 7 of chapter 90 of the general laws, as appearing in the 2004 Official  
2 Edition, is hereby amended by striking out, in lines 51 to 57, inclusive, the following sentence:-  
3 “Every motor vehicle so operated shall be provided with a muffler or other suitable device to  
4 limit the noise emitted by the engine and exhaust and with a suitable bell, horn or other means of  
5 signaling, with suitable lamps, and with a lock, key or other device to prevent such vehicle from  
6 being set in motion by unauthorized persons, or otherwise contrary to the will of the owner or  
7 person in charge thereof.”

8 and inserting in place thereof, the following new sentence:-

9 “Every motor vehicle so operated shall be provided with a muffler or other suitable device to  
10 prevent unnecessary noise; provided, however, that every motorcycle so operated shall be

11 provided with a muffler or other suitable device that produces a sound pressure level of not more  
12 than eighty-two decibels or such lower amount of decibels as the Registrar may prescribe. Sound  
13 pressure levels in decibels shall be measured on the "A" scale of a sound level meter approved by  
14 the Registrar. Measurements shall be made of overall vehicle noise at maximum speed at fifty  
15 feet in accordance with test procedure SAE J192 of the Society of Automotive Engineers, or with  
16 such other test procedure for measurement of sound pressure levels as the registrar may adopt.  
17 Every motor vehicle shall be provided with a suitable bell, horn or other means of signaling, with  
18 suitable lamps, and with a lock, key or other device to prevent such vehicle from being set in  
19 motion by unauthorized persons, or otherwise contrary to the will of the owner or person in  
20 charge thereof.”

21 SECTION 2. Section 7U of chapter 90 of the General Laws, as so appearing, is hereby amended by  
22 inserting at the end thereof the following paragraph:-

23 Any person cited for a noise violation under this section shall be subject to a fine, in an amount to be  
24 determined by the registrar. Any person cited for a second or subsequent violation within a one-year  
25 period shall be prohibited from operating the motorcycle used when committing such violation until  
26 such time as the motorcycle has passed an inspection and is deemed to comply with acceptable sound  
27 level standards, as determined by the registrar.

28 SECTION 3. There is hereby established a special commission to study the problems associated with  
29 excessive noise caused by motorcycles. Said commission shall consist of the registrar or his designee;  
30 two representatives of the Massachusetts Motorcycle Association; a representative from a  
31 Massachusetts-based motorcycle dealership; two members of the Senate, one of whom shall be  
32 appointed by the Senate President and one of whom shall be appointed by the Senate Minority Leader;  
33 and two members of the House, one of whom shall be appointed by the House Speaker and one of

34 whom shall be appointed by the House Minority Leader. In conducting its study, the commission shall  
35 consider, but not be limited to, making a determination as to the best methods for educating  
36 motorcycle riders about the public nuisance created by excessive sound levels and how to best address  
37 this problem. Said commission shall report its findings and recommendations for corrective legislation to  
38 the House and Senate committees on Ways and Means and to the Joint Committee on Public Safety and  
39 Homeland Security no later than September 1, 2009.

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