

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

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**The Commonwealth of Massachusetts**

PRESENTED BY:

**Thomas P. Kennedy**

*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 noise pollution .

PETITION OF:

NAME:

Thomas P. Kennedy

DISTRICT/ADDRESS:

Second Plymouth and Bristol

# The Commonwealth of Massachusetts

\_\_\_\_\_  
In the Year Two Thousand and Nine  
\_\_\_\_\_

## AN ACT RELATIVE TO NOISE POLLUTION .

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

1 Chapter 111 of the General Laws, as appearing in the 2004 Official Edition is hereby  
2 amended by inserting, after section 143, the following new section:-

3 Section 143A. No assignment shall be required pursuant to the first paragraph of this section for  
4 parades, public gathering, or sporting events which do not involve motorized racing, where such parade,  
5 public gathering, or sporting event which does not involve motorized racing would not require an  
6 assignment but for the sound resulting from the conduct of the parade, public gathering, or sporting  
7 event which does not involve motorized racing, as long as all otherwise necessary local permits have  
8 been issued for such parade, public gathering, or sporting event which does not involve motorized  
9 racing.

10 Notwithstanding any other provision of the General Laws, sound emitted from parades, public  
11 gatherings, or sporting events which do not involve motorized racing shall not be considered a nuisance  
12 or a condition of air pollution.

13           This amendment definitively defines the term “sporting event” in Massachusetts Department of  
14 Environmental Protection regulation 310 CMR 7.1 (3) (a) as a sporting event which does not include  
15 motorized racing.

16           Seekonk Speedway opened on May 30, 1946 predating the DEP Noise regulations and is  
17 therefore exempt from this regulation.

18           This act shall not prohibit a city or town from adopting by-laws or ordinances relative to noise or  
19 air pollution nor regulating competitive motorized racing events in such a city or town.