1 18 BILL NO. 221 2 INTRODUCED BY Henchan Lyvil

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A BILL FOR AN ACT ENTITLED: "AN ACT TO MAINTAIN SNOWMOBILE
NOISE STANDARDS AT THE LEVELS PRESCRIBED TO TAKE EFFECT JUNE
30. 1975: AMENDING SECTION 53-1020, R.C.M. 1947."

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 53-1020, R.C.M. 1947, is amended to read as follows:

"53-1020. Other unlawful operation. No person while
operating a snowmobile, shall use the same:

- (1) For the purpose of driving, rallying or harassing any of the game animals, game birds, or fur-bearing animals of the state, or any livestock, provided, however, that an owner of livestock is not prohibited from managing or driving his own livestock by the use of snowmobiles and may direct other persons to so manage or drive his livestock; provided further that the department of fish and game, including its duly authorized employees, is not prohibited from managing or driving game animals, game birds or fur-bearing animals by the use of snowmobiles.
 - (2) To discharge a firearm from or upon a snowmobile.
- 24 (3) Regulation of snowmobile noise. (a) Except as
 25 provided in this section, every snowmobile shall be equipped

at all times with noise-suppression devices, including an
exhaust muffler, in good working order and in constant
operation. No snowmobile shall be modified by any person in
any manner that shall amplify or otherwise increase total
noise emissions to a level greater than that emitted by the
snowmobile as originally constructed, regardless of date of
manufacture.

- (b) No new snowmobile manufactured prior to June 30, 1975, except snowmobiles designated for competition purposes 10 only, way be sold or offered for sale unless that machine 11 has been certified by the manufacturer as being able to 12 conform to a sound level limitation of not more than 13 eighty-two (82) dbA measured at fifty (50) feet. Every 14 person who owns or operates a snowmobile manufactured after 15 June 30, 1972, but prior to June 30, 1975, shall maintain 16 his machine in such a manner that it will not exceed a sound level limitation of eighty-two (82) dbA measured at fifty 17 18 (50) feet.
- 19 (c) No new snowmobile manufactured after June 30, 20 1975, but—prior—to—June—30,—1978, except snowmobiles 21 designated for competition purposes only, may be sold or 22 offered for sale unless that machine has been certified by 23 the manufacturer as being able to conform to a sound level 24 limitation of not more than seventy—eight (78) dbA measured 25 at fifty (50) feet. Every person who owns or operates a

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snowmobile manufactured after June 30, 1975, but--prior--to dune--30y--1976y shall maintain his machine in such a manner that it will not exceed a sound level limitation of seventy-eight (76) dbA measured at fifty (50) feet.

{d}-No-new-snowmobile-manufactured-after-wune-30v
1978v-except-andwmobiles-designated-for-competition-purposes
onlyv-may-be-sold-or-offered-for-sale-unless-that-machine
has-been-certified-by-the-manufacturer-as-being-able-to
conform-to-a-sound-level-limitation-of-not-more-than
seventy-three-(73)-dbA-measured-at-fifty-(50)-feetv-Every
person-who-owns-or-operates-a-snowmobile-manufactured-after
dund-30v-1978v-shall-maintain-his-machine-in-such-a-manner
that-it-will-not-exceed-a-sound-level-limitation-of
seventy-three-(73)-dbA-measured-at-fifty-(50)-feetv

terical The fish and game commission shall have the authority to adopt and revise sound level limitations for all snowmobiles manufactured after June 30, 1976 1975. However, a sound level limitation adopted or revised by the commission shall not be higher than a decibel standard of seventy-three-(73) 18 dbA measured at fifty-(50) feet. The adoption or revision of sound level limitation by the commission shall be effective beginning June 30 of the succeeding calendar year and any sound level limitation formally adopted or revised shall remain in effect for a minimum period of two (2) years. Every person who owns or

operates a snowmobile manufactured after June 30, 1978 1975,

shall maintain his machine in compliance with the sound

level limitation which is applicable to new snowmobiles

manufactured during the period that a sound level limitation

adopted by the commission is in effect.

ffi(e) A manufacturer who certifies that a new snowmobile can comply with the noise limitation requirements of this act shall affix a permanent notice of that certification to every snowmobile offered for sale in the state of Montana.

tgittle In certifying that a new snowmobile can comply with the noise limitation requirements of this act, a manufacturer shall make such a certification based upon measurements made in accordance with SAE recommended practice J192, as amended. The fish and game commission, in enforcing the provisions of this act, shall make measurements of snowmobile noise in accordance with applicable practices outlined in the "procedure for sound level measurements of snowmobiles" used by the international snowmobile industry association (January, 1969), as amended, or with such other standards for measurement of sound level as the commission may adopt.

23 (h)(g) This section does not apply to organized races
24 or similar competitive events held on

(i) private lands, with the permission of the owner,

lessee, or custodian of the land, or

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- (ii) public lands, with the consent of the public agency having the authority to grant such consent, provided that total sound produced by such an event shall not exceed fifty-(50) dbA at any point fifty-(50) feet or more outside the area under the control of the sponsoring entity.
- 7 (4) Upon a railroad right of way or railroad track,
 8 provided, however, it shall not be unlawful for officers or
 9 employees of any railroad operating over said tracks to
 10 operate snowmobiles thereon.**

Approved by Committee on Public Health, Welfare & Safety

INTRODUCED BY Manahan Lynn

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A BILL FOR AN ACT ENTITLED: "AN ACT TO MAINTAIN SNOWMOBILE
NOISE STANDARDS AT THE LEVELS PRESCRIBED TO TAKE EFFECT JUNE
30. 1975; AMENDING SECTION 53-1020, R.C.M. 1947."

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- (1) For the purpose of driving, rallying or harassing any of the game animals, game birds, or fur-bearing animals of the state, or any livestock, provided, however, that an owner of livestock is not prohibited from managing or driving his own livestock by the use of snowmobiles and may direct other persons to so manage or drive his livestock; provided further that the department of fish and game, including its duly authorized employees, is not prohibited from managing or driving game animals, game birds or fur-bearing animals by the use of snowmobiles.
 - (2) To discharge a firearm from or upon a snowmobile.
- 24 (3) Regulation of snowmobile noise. (a) Except as
 25 provided in this section, every snowmobile shall be equipped

at all times with noise-suppression devices, including an
exhaust muffler, in good working order and in constant
operation. No snowmobile shall be modified by any person in
any manner that shall amplify or otherwise increase total
noise emissions to a level greater than that emitted by the
snowmobile as originally constructed, regardless of date of
manufacture.

(b) No new snowmobile manufactured prior to June 30. 9 1975, except snowmobiles designated for competition purposes 10 only. may be sold or offered for sale unless that machine 11 has been certified by the manufacturer as being able to 12 conform to a sound level limitation of not more than 13 eighty-two (82) dbA measured at fifty (50) feet. Every 14 person who owns or operates a snowmobile manufactured after 15 June 30, 1972, but prior to June 30, 1975, shall maintain 15 his machine in such a manner that it will not exceed a sound 17 level limitation of eighty-two (82) dbA measured at fifty 18 (50) feet.

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(c) No new snowmobile manufactured after June 30, 1975, but--prior--to--June--30y--1978y except snowmobiles designated for competition purposes only, may be sold or offered for sale unless that machine has been certified by the manufacturer as being able to conform to a sound level limitation of not more than seventy-eight (78) dbA measured at fifty (50) feet. Every person who owns or operates a

snowmobile manufactured after June 30, 1975, but--prior--to June--30y--1976, shall maintain his machine in such a manner that it will not exceed a sound level limitation of seventy-eight (78) dbA measured at fifty (50) feet.

(d)-No-new-snowmobile-manufactured-after-June-30v
1970v-except-snowmobiles-designated-for-competition-purposes
onlyv-may-be-sold-or-affered-for-sale-unless-that-machine
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tet(d) The fish and game commission shall have the authority to adopt and revise sound level limitations for all snowmobiles manufactured after June 30, 1976 1975. However, a sound level limitation adopted or revised by the commission shall not be higher than a decidel standard of seventy-three--(73) 18 dbA measured at fifty-(50) feet. The adoption or revision of sound level limitation by the commission shall be effective beginning June 30 of the succeeding calendar year and any sound level limitation formally adopted or revised shall remain in effect for a minimum period of two (2) years. Every person who owns or

operates a snowmobile manufactured after June 30, 1978 1975,
shall maintain his machine in compliance with the sound
level limitation which is applicable to new snowmobiles
manufactured during the period that a sound level limitation
adopted by the commission is in effect.

6 (ff)(e) A manufacturer who certifies that a new
7 snowmobile can comply with the noise limitation requirements
8 of this act shall affix a permanent notice of that
9 certification to every snowmobile offered for sale in the
10 state of Montana.

fet(f) In certifying that a new snowmobile can comply with the noise limitation requirements of this act, a manufacturer shall make such a certification based upon measurements made in accordance with SAE recommended practice J192, as amended. The fish and game commission, in enforcing the provisions of this act, shall make measurements of snowmobile noise in accordance with applicable practices outlined in the "procedure for sound level measurements of snowmobiles" used by the international snowmobile industry association (January, 1969), as amended, or with such other standards for measurement of sound level as the commission may adopt.

23 (h)(g) This section does not apply to organized races
24 or similar competitive events held on

(i) private lands, with the permission of the owner,

lessee, or custodian of the land, or

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- (ii) public lands, with the consent of the public agency having the authority to grant such consent, provided that total sound produced by such an event shall not exceed fifty-t50; dbA at any point fifty-t50; feet or more outside the area under the control of the sponsoring entity.
- (4) Upon a railroad right of way or railroad track, provided, however, it shall not be unlawful for officers or employees of any railroad operating over said tracks to operate snowmobiles thereon.

1 1 INTRODUCED BY Manahan Lynch

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A BILL FOR AN ACT ENTITLED: "AN ACT TO MAINTAIN SNOWMOBILE

5 NOISE STANDARDS AT THE LEVELS PRESCRIBED TO TAKE EFFECT JUNE

30, 1975; AMENDING SECTION 53-1020, R.C.M. 1947.*

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- 24 (3) Regulation of snowmobile noise. (a) Except as 25 provided in this section, every snowmobile shall be equipped

- 1 at all times with noise-suppression devices, including an 2 exhaust muffler, in good working order and in constant
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- 3 operation. No snowmobile shall be modified by any person in
- 4 any manner that shall amplify or otherwise increase total
- 5 noise emissions to a level greater than that emitted by the
 - snowmobile as originally constructed, regardless of date of
- 7 manufacture.
- 8 (b) No new snowmobile manufactured prior to June 30,
- 9 1975, except snowmobiles designated for competition purposes
- only, may be sold or offered for sale unless that machine
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- 12 conform to a sound level limitation of not more than
- 13 eighty-two (82) dbA measured at fifty (50) feet. Every
- 14 person who owns or operates a snowmobile manufactured after
- 15 June 30, 1972, but prior to June 30, 1975, shall maintain
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- 17 level limitation of eighty-two (82) dbA measured at fifty
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45th Legislature HB 0221/02 HB 0221/02

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HOUSE	BILL	NO.	221

INTRODUCED BY MENAHAN. LYNCH

30. 1975; AMENDING SECTION 53-1020, R.C.M. 1947."

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(d)--No--new--snowmobile--manufactured-after--June-36v 1976v-except-snowmobiles-designated-for-competition-purposes onlyv-may-be-sold-or-offered-for-sale--unless--that--machine has--bean--certified--by--the--manufacturer-as-being-able-to conform-to--a--sound--level--limitation--of--not--more--than seventy-three--(73)--dbA--measured-at-fifty-(50)-feetv-Every person-who-owns-or-operates--a-snowmobile-manufactured-after June-36v-1976v-shall-maintain-his-machine-in-such--a--manner that--it--will--not--exceed--a--sound--level--limitation--of seventy-three-(73)-dbA-measured-at-fifty-(50)-feetv

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