

1 SENATE BILL NO. 264

2 INTRODUCED BY R. TEMPEL

3
4 A BILL FOR AN ACT ENTITLED: "AN ACT ELIMINATING A DEFENSE TO THE EXHAUST NOISE
5 LIMITATION STATUTE; AND AMENDING SECTION 61-9-435, MCA."

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

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9 **Section 1.** Section 61-9-435, MCA, is amended to read:

10 **"61-9-435. Exhaust noise limitation.** (1) Except as provided in subsection ~~(3)~~ (2), a person may not
11 operate a motor vehicle with an exhaust system that emits a noise in excess of 95 decibels, as measured by
12 the society of automotive engineers' standard j1169 (May 1998).

13 ~~(2) — A person charged with violating this section may not be convicted if the person had reasonable~~
14 ~~grounds to believe that the vehicle was not operated in violation of the standard in subsection (1).~~

15 ~~(3)~~ (2) This section does not apply to a motorcycle or quadricycle that is subject to 61-9-418."
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