

1 SENATE BILL NO. 264  
2 INTRODUCED BY R. TEMPEL

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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."

6  
7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

8  
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."

16 - END -