

PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE XIV. PUBLIC WAYS AND WORKS

CHAPTER 90. MOTOR VEHICLES AND AIRCRAFT

MOTOR VEHICLES

Chapter 90: Section 7S. Motorcycle sound emissions; definitions

Section 7S. The following words used in this section twenty-four A to twenty-four C, inclusive, unless the context otherwise requires shall have the following meanings:—

“A-weighted sound level”, the sound level in decibels as measured on a sound level meter using the A-weighting network. The level is designated dB(A).

“Decibel (dB)”, a unit for measuring the volume of a sound, equal to twenty times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure; which is 20 micropascals or 20 micronewtons per square meter.

“Motorcycle”, any motor vehicle having a seat or saddle for the use of the rider and designed to travel on not more than three wheels in contact with the ground, including any bicycle with a motor or driving wheel attached, except a tractor or a motor vehicle designed for carrying golf clubs and not more than four persons, an industrial three-wheel truck, or a motor vehicle on which the operator and passengers ride within an enclosed cab.

“Person”, any individual, association, partnership, or corporation, and includes any officer, employee, department, agency or instrumentality of the commonwealth or any political subdivision of the commonwealth.

“Registrar”, the registrar of motor vehicles.

“Sound level”, the weighted sound pressure level obtained by the use of a sound level meter and frequency weighting network, such as A, B or C as specified in American National Standards Institute specifications for sound level meters (ANSI S1.4-1971). If the frequency weighting employed is not indicated, the A-weighting shall apply.

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Chapter 90: Section 7T. Motorcycle sound levels; testing regulations

Section 7T. The registrar shall adopt regulations establishing test procedures and instrumentation to be utilized for measuring sound levels of in-use vehicles. Such regulation shall include site criteria and moving and stationary vehicle measurement procedures and shall take into consideration accepted scientific and professional methods for the measurement of vehicular sound levels. The measurement procedures shall include adjustment factors to be applied to the noise limit for measurement distances of other than fifty feet from the center of the lane of travel and shall allow the extent feasible sound level measurement and enforcement action to be accomplished in reasonably confined areas such as residential areas of urban cities and off highway locations. Test procedures established by the registrar shall be in substantial conformance with applicable standards and practices established or recommended by the United States Environmental Protection Agency.

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Chapter 90: Section 7U. Motorcycles; maximum sound levels

Section 7U. No person shall operate a motorcycle intended for use on the highways of the commonwealth and registered under the provisions of section two of chapter ninety at any time or under any condition of grade, load, acceleration or deceleration in such a manner as to exceed eighty-two decibels when operated within a speed zone of forty-five miles per hour or less, or in such a manner as to exceed eighty-six decibels when operated within a speed zone of over forty-five miles per hour measured at fifty feet using the prescribed highway vehicle sound level measurement procedure.

No person shall operate a motorcycle intended for use off the highways of the commonwealth and registered under the provisions of section twenty-two of chapter ninety B at any time that exceeds one hundred and three decibels measured at twenty inches, or one-half meter, using the prescribed stationary vehicle sound level measurement procedure. For enforcement purposes a tolerance of plus two decibels shall be applied to all measured sound levels of in-use vehicles to provide for variances in equipment calibration, measurement site characteristics and measurement techniques.

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Chapter 90: Section 16. Offensive or illegal operation of motor vehicles

Section 16. No person shall operate a motor vehicle, nor shall any owner of such vehicle permit it to be operated, in or over any way, public or private, whether laid out under authority of law or otherwise, which motor vehicles are prohibited from using, provided notice of such prohibition is conspicuously posted at the entrance to such way. No person shall operate a motor vehicle, nor shall any owner of such vehicle permit it to be operated upon any way, except fire department and fire patrol apparatus, unless such motor vehicle is equipped with a muffler to prevent excessive or unnecessary noise, which muffler is in good working order and in constant operation, and complies with such minimum standards for construction and performance as the registrar may prescribe. No person shall use a muffler cut-out or by-pass. No person shall operate a motor vehicle on any way which motor vehicle is equipped (1) with a muffler from which the baffle plates, screens or other original internal parts have been removed and not replaced; or (2) with an exhaust system which has been modified in a manner which will amplify or increase the noise emitted by the exhaust. No person operating a motor vehicle shall sound a bell, horn or other device, nor in any manner operate such motor vehicle so as to make a harsh, objectionable or unreasonable noise, nor permit to escape from such vehicle smoke or pollutants in such amounts or at such levels as may violate motor vehicle air pollution control regulations adopted under the provisions of chapter one hundred and eleven. No siren shall be mounted upon any motor vehicle except fire apparatus, ambulances, vehicles used in official line of duty by any member of the police or fire fighting forces of the commonwealth or any agency or political subdivision thereof, and vehicles owned by call fire fighters or by persons with police powers and operated in official line of duty, unless authorized by the registrar. No person shall use on or in connection with any motor vehicle a spot light, so called, the rays from which shine more than two feet above the road at a distance of thirty feet from the vehicle, except that such a spot light may be used for the purpose of reading signs, and as an auxiliary light in cases of necessity when the other lights required by law fail to operate.

No person, except a duly authorized person driving an emergency fire vehicle, shall operate a motor vehicle equipped with metal studded tires upon a public way between May the first and November the first; provided, however, the registrar may authorize the use of such tires before November the first, if weather conditions require the use thereof. Whoever violates the provisions of this paragraph shall be punished by a fine of not more than fifty dollars.