HB 2538-1 (LC 1025) 3/11/21 (HE/ps)

Requested by Representative SOLLMAN

PROPOSED AMENDMENTS TO HOUSE BILL 2538

- On page 1 of the printed bill, delete lines 4 through 32 and delete page 2 and insert:
- "SECTION 1. ORS 815.250 is amended to read:
- 4 "815.250. (1) A person commits the offense of operation without proper
- 5 exhaust system if the person drives or moves on any highway or owns and
- 6 causes or knowingly permits to be driven or moved on any highway a motor
- 7 vehicle that is not equipped with an exhaust system that meets the require-
- 8 ments under this section.
- 9 "(2) An exhaust system of a motor vehicle, other than a moped or a
- motorcycle, only meets the requirements of this section if all of the fol-
- 11 lowing apply:

21

- "(a) The exhaust system must be in good working order.
- "(b) The exhaust system must be in constant operation.
- 14 "(c) The exhaust system must prevent excessive or unusual noise.
- 15 "(d) The exhaust system may not be equipped with a cutout, bypass or similar device.
- 17 "(e) The exhaust system may not be modified in a manner that 18 amplifies or increases the noise emitted by the motor vehicle.
- 19 "(3) An exhaust system of a moped or a motorcycle only meets the 20 requirements of this section if all of the following apply:
 - "(a) The exhaust system must be in good working order.

1		"(b) The exh	aust syste	tem must be in constant operation.		
2		"(c) The exhaust system must prevent excessive or unusual noise.				
3		"[(c) The exhaust system must meet noise emission standards determined				
4	bу	the Department of Environmental Quality to be substantially equivalent to				
5	the	following star	ndards ba	ased upon a stationary test conducted at a di	stance	
6	of	25 feet in acc	cordance u	with procedures established by the Departm	ent of	
7	En	vironmental Q	uality:]			
8	"[]	
9		Maximum				
10			level,	Model,		
11		Vehicle type	dbA	Year		
12						
13	I.	Motor vehicles				
14		required to				
15		establish a				
16		registration				
17		weight under				
18		ORS 803.430				
19		and commercial				
20		buses	94	before		
21				1976		
22			91	1976 and		
23				after		
24	II.	Motorcycles and				
25		mopeds	94	before		
26				1976		
27			91	1976		
28			89	after 1976		
29	III.	Motor vehicles				
30		not described				

1	under I or II 92before				
2	1976				
3	881976 and				
4	after				
5	" []				
6	"[(3)] (4) This section does not apply to the following vehicles:				
7	"(a) Vehicles of special interest that are registered under ORS 805.020 and				
8	that are:				
9	"(A) Equipped with original manufacturer's equipment and accessories				
10	r their equivalent, and that are maintained in safe operating condition; or				
11	"(B) Street rods that conform to ORS 815.107.				
12	"(b) Road machinery, road rollers or farm tractors.				
13	"(c) Antique vehicles that are maintained as collectors' items and used for				
14	xhibitions, parades, club activities and similar uses, but not used primaril				
15	for the transportation of persons or property.				
16	"(d) A motor vehicle with a model year that predates the current				
17	year by 40 years or more.				
18	"[(4)] (5) The court in its discretion may dismiss a citation issued for vi-				
19	olation of the offense described in this section if evidence is presented that				
20	the exhaust system complies with or has been repaired or modified to comply				
21	with the requirements under this section.				
22	"[(5)] (6) The offense described in this section, operation without proper				
23	exhaust system, is a Class C traffic violation.				
24	"SECTION 2. The amendments to ORS 815.250 by section 1 of this				
25	2021 Act apply to offenses committed on or after the effective date of				
26	this 2021 Act.".				

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