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BILL ANALYSIS



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Senate Bill 564 (as introduced 5-25-95)
Sponsor: Senator William Van Regenmorter
Committee: Transportation and Tourism

Date Completed: 4-17-96

CONTENT

The bill would amend the Marine Safety Act to permit the operation of a motorboat equipped with a cut-out, bypass, amplifier, or similar device if the controlling switch were not in the open position and the noise produced did not exceed specified limits. The bill also would delete current provisions prohibiting the operation of a motorboat unless it is equipped with a muffler or underwater exhaust system that does not produce sound levels greater than those prescribed in the Act.

Under the bill, a person could operate on State waters a motorboat that was equipped with a cut-out, bypass, amplifier, or other similar device only if the motorboat were not operated with the switch in the open position where the noise produced by the boat exceeded the maximum allowable limit of 90 dB(A), or in the excess of 75 dB(A) when subjected to the shoreline test. (Under the Act, "dB(A)" means decibels on the "A" scale on a sound meter having characteristics of a general purpose sound meter as defined by American national standards institute S1.4-1983.)

The bill would permit a peace officer to determine whether a violation occurred at the site of the motorboat or in the general vicinity of the motorboat with measurement devices that would determine whether a motorboat was operating in violation of the maximum level established by law.

The bill would delete current provisions that prohibit a person from operating a motorboat on the State's waters unless it is equipped and maintained with an effective muffler or underwater exhaust system that does not produce sound levels greater than 90 dB(A) when subjected to a stationary sound level test as prescribed by guidelines of Society of Automotive Engineers SAE J2005 or a sound level in excess of 75 dB(A) when subjected to a shoreline sound level measurement procedure as described by SAE J1970. Under the Act, the motorboat operator must present the boat for a sound level test, as prescribed by SAE J2005, upon a peace officer's request. If a motorboat is equipped with more than one motor or engine, the test must be performed with all motors or engines operating. To determine whether a person is violating these provisions, a peace officer may measure sound levels pursuant to procedures prescribed in SAE J1970, issued in 1991-92.

MCL 281.1114

Legislative Analyst: L. Arasim

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: G. Cutler

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.