

House Bill 2538

Sponsored by Representative SOLLMAN; Representatives REARDON, WILDE (Pre-session filed.)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Modifies requirements for motor vehicle exhaust systems.

A BILL FOR AN ACT

Relating to motor vehicle exhaust systems; creating new provisions; and amending ORS 815.250.

Be It Enacted by the People of the State of Oregon:

SECTION 1. ORS 815.250 is amended to read:

815.250. (1) A person commits the offense of operation without proper exhaust system if the person drives or moves on any highway or owns and causes or knowingly permits to be driven or moved on any highway a motor vehicle that is not equipped with an exhaust system that meets the requirements under this section.

(2) An exhaust system only meets the requirements of this section if all of the following apply:

(a) The exhaust system must be in good working order.

(b) The exhaust system must be in constant operation.

(c) The exhaust system must prevent excessive or unusual noise.

(d) The exhaust system may not be equipped with a cutout, bypass or similar device.

(e) The exhaust system may not be modified in a manner that amplifies or increases the noise emitted by the motor vehicle.

[(c) The exhaust system must meet noise emission standards determined by the Department of Environmental Quality to be substantially equivalent to the following standards based upon a stationary test conducted at a distance of 25 feet in accordance with procedures established by the Department of Environmental Quality:]

[_____]

	<i>Maximum</i>	
	<i>level,</i>	<i>Model,</i>
<i>Vehicle type</i>	<i>dba</i>	<i>Year</i>

I. Motor vehicles required to establish a registration weight under ORS 803.430 and commercial

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted. New sections are in **boldfaced** type.

1 *buses* 94*before*
2 1976
3 911976 *and*
4 *after*
5 *II. Motorcycles and*
6 *mopeds* 94*before*
7 1976
8 911976
9 89*after 1976*
10 *III. Motor vehicles*
11 *not described*
12 *under I or II* 92*before*
13 1976
14 881976 *and*
15 *after*

16 [_____]

- 17
- 18 (3) This section does not apply to the following vehicles:
- 19 (a) Vehicles of special interest that are registered under ORS 805.020 and that are:
- 20 (A) Equipped with original manufacturer’s equipment and accessories, or their equivalent, and
21 that are maintained in safe operating condition; or
- 22 (B) Street rods that conform to ORS 815.107.
- 23 (b) Road machinery, road rollers or farm tractors.
- 24 (c) Antique vehicles that are maintained as collectors’ items and used for exhibitions, parades,
25 club activities and similar uses, but not used primarily for the transportation of persons or property.
- 26 (4) The court in its discretion may dismiss a citation issued for violation of the offense described
27 in this section if evidence is presented that the exhaust system complies with or has been repaired
28 or modified to comply with the requirements under this section.
- 29 (5) The offense described in this section, operation without proper exhaust system, is a Class C
30 traffic violation.

31 **SECTION 2. The amendments to ORS 815.250 by section 1 of this 2021 Act apply to of-**
32 **fenses committed on or after the effective date of this 2021 Act.**