
SENATE BILL 5015

State of Washington

66th Legislature

2019 Regular Session

By Senator McCoy

Prefiled 12/07/18.

1 AN ACT Relating to applying motor vehicle muffler requirements to
2 certain older vehicles; and amending RCW 46.37.390.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 46.37.390 and 2006 c 306 s 4 are each amended to
5 read as follows:

6 (1) Every motor vehicle shall at all times be equipped with a
7 muffler in good working order and in constant operation to prevent
8 excessive or unusual noise, and no person shall use a muffler cut-
9 out, bypass, or similar device upon a motor vehicle on a highway.

10 (2)(a) No motor vehicle first sold and registered as a new motor
11 vehicle on or after January 1, 1971, shall discharge into the
12 atmosphere at elevations of less than three thousand feet any air
13 contaminant for a period of more than ten seconds which is:

14 (i) As dark as or darker than the shade designated as No. 1 on
15 the Ringelmann chart, as published by the United States bureau of
16 mines; or

17 (ii) Of such opacity as to obscure an observer's view to a degree
18 equal to or greater than does smoke described in (a)(i) of this
19 subsection (~~((a)(i) above~~)).

20 (b) No motor vehicle first sold and registered prior to January
21 1, 1971, shall discharge into the atmosphere at elevations of less

1 than three thousand feet any air contaminant for a period of more
2 than ten seconds which is:

3 (i) As dark as or darker than the shade designated as No. 2 on
4 the Ringelmann chart, as published by the United States bureau of
5 mines; or

6 (ii) Of such opacity as to obscure an observer's view to a degree
7 equal to or greater than does smoke described in (b)(i) of this
8 subsection (~~((b)(i) above)~~).

9 (c) For the purposes of this subsection the following definitions
10 shall apply:

11 (i) "Opacity" means the degree to which an emission reduces the
12 transmission of light and obscures the view of an object in the
13 background;

14 (ii) "Ringelmann chart" means the Ringelmann smoke chart with
15 instructions for use as published by the United States bureau of
16 mines in May 1967 and as thereafter amended, information circular
17 7718.

18 (3) No person shall modify the exhaust system of a motor vehicle
19 in a manner which will amplify or increase the noise emitted by the
20 engine of such vehicle above that emitted by the muffler originally
21 installed on the vehicle, and it shall be unlawful for any person to
22 operate a motor vehicle not equipped as required by this subsection,
23 or which has been amplified as prohibited by this subsection. A court
24 may dismiss an infraction notice for a violation of this subsection
25 if there is reasonable grounds to believe that the vehicle was not
26 operated in violation of this subsection.

27 This subsection (3) does not apply to (~~(vehicles twenty-five or~~
28 ~~more years old or to)~~) passenger vehicles being operated off the
29 highways in an organized racing or competitive event conducted by a
30 recognized sanctioning body.

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