

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 533

BY TRANSPORTATION AND DEFENSE COMMITTEE

AN ACT

1 RELATING TO VEHICLE MUFFLERS AND NOISE PREVENTION; AMENDING SECTION 49-937,  
2 IDAHO CODE, TO PROVIDE THAT COMMERCIAL MOTOR VEHICLES MAY IDLE UNDER  
3 CERTAIN CIRCUMSTANCES, TO PROVIDE FOR THE USE OF REFRIGERATION IN COM-  
4 Mercial MOTOR VEHICLES IN CERTAIN CIRCUMSTANCES, AND TO MAKE TECHNICAL  
5 CORRECTIONS; AND DECLARING AN EMERGENCY AND PROVIDING AN EFFECTIVE  
6 DATE.  
7

8 Be It Enacted by the Legislature of the State of Idaho:

9 SECTION 1. That Section 49-937, Idaho Code, be, and the same is hereby  
10 amended to read as follows:

11 49-937. MUFFLERS, ~~---~~ PREVENTION OF NOISE. (1) Every motor vehicle  
12 shall at all times be equipped with a muffler in good working order and in  
13 constant operation to prevent excessive or unusual noise and annoying smoke,  
14 and no person shall use a muffler cut-out, bypass, or similar device ~~upon~~ on  
15 a motor vehicle on a highway. When any motor vehicle was originally equipped  
16 with a noise-suppressing system or when any motor vehicle is required by law  
17 or regulation of this state or the federal government to have a noise-sup-  
18 pressing system, that system shall be maintained in good working order. No  
19 person shall disconnect any part of that system except temporarily in order  
20 to make repairs, replacements or adjustments, and no person shall modify  
21 or alter that system or its operation in any manner, except to conform to  
22 the manufacturer's specifications. No person shall knowingly operate and  
23 no owner shall knowingly cause or permit to be operated any motor vehicle  
24 originally equipped or required by any law or regulation of the state or the  
25 federal government to be equipped with a noise-suppressing system while any  
26 part of that system is disconnected or while that system or its operation is  
27 modified or altered in any manner, except to conform to the manufacturer's  
28 specifications.

29 (2) The engine and power mechanism of every motor vehicle shall be so  
30 equipped and adjusted as to prevent the escape of excessive fumes or smoke.

31 (3) No person shall modify the exhaust system of a motor vehicle or a  
32 motorcycle in a manner ~~which~~ that will amplify or increase the noise of the  
33 vehicle or motorcycle above that emitted by the muffler originally installed  
34 on the vehicle by the manufacturer.

35 (4) A showing that the sound made by a passenger motor vehicle or motor-  
36 cycle exceeds the maximum allowable decibel level shall be prima facie evi-  
37 dence of a violation of subsection (1) of this section.

38 (5) No person shall sell, offer for sale, or install any noise-sup-  
39 pressing system or device ~~which~~ that will produce excessive or unusual  
40 noise.

41 (6) The driver of a commercial vehicle that is in compliance with the  
42 provisions of subsection (1) of this section may allow such vehicle to idle

1 for the purpose of using the vehicle's heating or air conditioning system as  
2 long as the driver is parked for the purposes of resting or sleeping. The  
3 provisions of this subsection shall include the use of auxiliary power units  
4 to provide heating or air conditioning to the vehicle.

5 (7) A commercial vehicle that is in compliance with the provisions of  
6 subsection (1) of this section and that is refrigerated while parked shall  
7 not be prohibited to operate while laden with perishable commodities, phar-  
8 maceuticals, or both.

9 SECTION 2. An emergency existing therefor, which emergency is hereby  
10 declared to exist, this act shall be in full force and effect on and after  
11 July 1, 2024.