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HOUSE BILL NO. 2102

Offered January 11, 2023

Prefiled January 10, 2023

A BILL to amend and reenact §§ 46.2-1047, 46.2-1049, and 46.2-1165 of the Code of Virginia, relating to vehicle exhaust systems; equipment.

Patrons—Bulova and Kory

Referred to Committee on Transportation

Be it enacted by the General Assembly of Virginia:

1. That §§ 46.2-1047, 46.2-1049, and 46.2-1165 of the Code of Virginia are amended and reenacted as follows:

§ 46.2-1047. Muffler cutout, etc., illegal.

It ~~shall be~~ is unlawful to sell or offer for sale any (i) muffler without interior baffle plates or other effective muffling device ~~or~~; (ii) gutted muffler, muffler cutout, or straight exhaust; ~~or (iii) mechanical or electronic device that creates or amplifies noise emitted by a motor vehicle, moped, or motorized skateboard or scooter that is louder than the noise emitted by the motor vehicle, moped, or motorized skateboard or scooter as originally manufactured.~~ It ~~shall be~~ is unlawful for any person to operate on the highways in the Commonwealth a motor vehicle, moped, or motorized skateboard or ~~foot-scooter scooter~~ equipped with a gutted muffler, muffler cutout, or straight exhaust ~~or any mechanical or electronic device that creates or amplifies noise emitted by the motor vehicle, moped, or motorized skateboard or scooter that is louder than the noise emitted by the motor vehicle, moped, or motorized skateboard or scooter as originally manufactured.~~

Chambered pipes are not an effective muffling device to prevent excessive or unusual noise, and any vehicle equipped with chambered pipes shall be deemed in violation of this section.

No motor vehicle shall be issued a safety inspection approval sticker if equipped with any device or equipment whose use is prohibited under the provisions of this section.

§ 46.2-1049. Exhaust system in good working order.

No person shall drive and no owner of a vehicle shall permit or allow the operation of any such vehicle on a highway unless it is equipped with an exhaust system in good working order and in constant operation to prevent excessive or unusual levels of noise, provided, however, that for motor vehicles, such exhaust system shall be of a type installed as standard factory equipment, or comparable to that designed for use on the particular vehicle as standard factory equipment or other equipment that has been submitted to and approved by the Superintendent or meets or exceeds the standards and specifications of the Society of Automotive Engineers, the American National Standards Institute, or the federal Department of Transportation.

As used in this section, "exhaust system" means all the parts of a vehicle through which the exhaust passes after leaving the engine block, including mufflers and other sound dissipative devices.

~~Chambered pipes are not an effective muffling device to prevent excessive or unusual noise, and any vehicle equipped with chambered pipes shall be deemed in violation of this section.~~

The provisions of this section shall not apply to (i) any antique motor vehicle licensed pursuant to § 46.2-730, provided that the engine is comparable to that designed as standard factory equipment for use on that particular vehicle, and the exhaust system is in good working order, or (ii) converted electric vehicles.

§ 46.2-1165. Regulations for inspection of vehicles; posting.

The Superintendent shall promulgate regulations for the inspection of motor vehicles under this title and shall furnish each official inspection station with a printed set of such regulations suitable for posting. Such station shall post the regulations in a conspicuous place in the portion of its premises where inspections are made and shall cause its employees making official inspections to be conversant with such regulations. *Such regulations shall prohibit the issuance of a safety inspection approval sticker for motor vehicles in violation of § 46.2-1047.*

INTRODUCED

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