

HOUSE BILL NO. 66

IN THE LEGISLATURE OF THE STATE OF ALASKA

NINETEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE DAVIES

Introduced: 1/16/95

Referred: Transportation, State Affairs, Judiciary

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to the regulation of watercraft noise."

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 * **Section 1.** AS 05.25 is amended by adding a new section to read:

4 Sec. 05.25.065. REGULATION OF WATERCRAFT NOISE. (a) On the
5 waters of the state a person may not knowingly

6 (1) operate a watercraft powered by an internal combustion engine
7 unless a muffler has been installed on the engine and the muffler is sufficient
8 under normal operating conditions to muffle the sound level of the engine below
9 a maximum sound level of 90 dB A measured 50 feet from the watercraft;

10 (2) give permission for the operation of a watercraft powered by an
11 internal combustion engine if the watercraft is owned by the person or subject to
12 the control of the person unless a muffler has been installed on the engine and the
13 muffler is sufficient under normal operating conditions to muffle the sound level
14 of the engine below a maximum sound level of 90 dB A measured 50 feet from
15 the watercraft;

1 (3) install a muffler cutout on an internal combustion engine used
2 to power a watercraft;

3 (4) operate a watercraft powered by an internal combustion engine
4 if a muffler cutout is installed on the engine.

5 (b) At the request of a peace officer, a person who operates a watercraft
6 powered by an internal combustion engine on the waters of the state shall submit
7 the watercraft to a sound level test to determine the maximum sound level of the
8 watercraft under normal operating conditions.

9 (c) The department shall adopt regulations reasonably necessary to
10 implement this section.

11 (d) In this section,

12 (1) "dB A" means the A-weighted sound level measured in
13 decibels;

14 (2) "knowingly" has the meaning given in AS 11.81.900;

15 (3) "normal operating conditions" has the meaning given in a
16 regulation adopted by the department;

17 (4) "operate" means to navigate or otherwise use a watercraft for
18 recreational or other purposes;

19 (5) "sound level" means the A-weighted sound pressure level
20 measured with fast response using an instrument that satisfies the specification for
21 sound level meters adopted by the American National Standards Institute, Inc.,
22 or a successor organization, except that only a weighting and fast dynamic
23 response need be provided.

24 * **Sec. 2.** AS 05.25.090(b) is amended to read:

25 (b) A person who violates AS 05.25.010(d), [OR] 05.25.020(b), or
26 05.25.065(b) is guilty of a violation, as defined in AS 11.81.900, and may be fined
27 up to \$50.