

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 787
HOUSE BILL 724

AN ACT TO LIMIT MOTORBOAT NOISE ON VARIOUS LAKES.

The General Assembly of North Carolina enacts:

Section 1. Chapter 75A of the General Statutes is amended by adding a new section to read:

"§ 75A-9.2. Noise limits; motorboats.—(a) No motor shall be used on any motorboat unless it is equipped with an efficient muffler, underwater exhaust or other device which at all times adequately muffles or suppresses the sound of the exhaust of the motor so as to prevent excessive or unusual noise, and no motor shall be equipped with any cutout.

(b) It is not the intent of this section to prohibit the use of any type exhaust system or device, including those systems and devices that do not discharge water with the exhaust gases, if such system or device complies with subsection (c) of this section.

(c) No person shall operate a motorboat at any time or under any condition of load, acceleration or deceleration in such a manner as to exceed a noise level of 86 decibels on the 'A' scale measured at a distance of 50 feet from the motorboat or equivalent noise levels at other distances. A sound level meter shall be used which meets the requirements for Type 1, Type 2, Type S1A, or Type S2A of American National Standards Institute S1.4-1971 (ANSI S1.4-1971). The operator of such a vessel may be ordered off the water upon failure to submit to sound level testing procedures.

(d) Nothing in this section shall be construed to require the use of a noise meter or other equipment in prosecutions for violations of this section.

(e) The provisions of this section shall not apply to motorboats competing under a United States Coast Guard or North Carolina Wildlife Resources Commission permit in a regatta, in a boat race, while on trial runs, or while on official trials for speed records during the time and in the designated area authorized by the permit.

(f) No person shall operate or give permission for the operation of a vessel which is not equipped as required by this section or modification thereof.

(g) Anyone violating this section shall be guilty of a misdemeanor and shall be subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00). Anyone convicted for a second or subsequent violation shall be fined the maximum fine of five hundred dollars (\$500.00) per violation. Any law enforcement officer having the power of arrest on any of the waters covered by this act shall enforce its provisions.

(h) Any motorboat motor manufactured and offered for sale in this State may be certified to the North Carolina Wildlife Resources Commission as having been tested and found not to exceed the noise limits prescribed in (c). An outboard motor may be

certified by the motor manufacturer; provided, however that any motor may be certified by the motorboat manufacturer if it is offered for sale in combination with a motorboat."

Sec. 2. Section 1 of this act shall apply to the waters of Lake Wylie, Mountain Island Lake, and Lake Norman located within or adjoining the counties of Mecklenburg, Gaston, Iredell, Catawba and Lincoln.

Sec. 3. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 18th day of July, 1983.