

Sixty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2342

Introduced by

Senator Erbele

Representative Brandenburg

1 A BILL for an Act to create and enact a new section to chapter 20.1-13 of the North Dakota
2 Century Code, relating to regulation of ~~airboats~~boats to prevent excessive noise; and to provide
3 a penalty.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 20.1-13 of the North Dakota Century Code is created
6 and enacted as follows:

7 ~~Airboat regulation~~Regulation of noise from boats - Penalty.

8 1. ~~For purposes of this section, unless context otherwise requires:~~

9 ~~a. "Airboat" means a vessel designed primarily for use in shallow waters and~~
10 ~~powered by an internal combustion engine with an airplane type propeller~~
11 ~~mounted above the stern and used to push air across a set of rudders.~~

12 ~~b. "Muffler" means an automotive-style sound-suppression device or system~~
13 ~~designed to abate effectively the sound of exhaust gases emitted from an internal~~
14 ~~combustion engine and prevent excessive sound when installed on an engine.~~A
15 ~~boat operated on the waters of this state between the hours of twelve midnight~~
16 ~~and five a.m. may not produce a noise in excess of eighty-eight decibels for more~~
17 ~~than ten minutes.~~

18 2. ~~The exhaust of an internal combustion engine used on an airboat operated on the~~
19 ~~waters of this state must be equipped with an automotive-style factory muffler,~~
20 ~~underwater exhaust, or other manufactured device capable of adequately muffling the~~
21 ~~sound of the exhaust of the engine. The use of cutouts or flex pipe as the sole source~~
22 ~~of muffling is prohibited. This subsection does not apply to authorized law enforcement~~
23 ~~airboats or other emergency response airboats.~~For purposes of subsection 1, the

- 1 decibel level of a boat must be measured from the shoreline closest to the location
2 from which a complainant or other individual noticed the noise.
- 3 3. ~~An airboat~~A boat operator who violates ~~subsection 2~~this section is guilty of a class 1
4 noncriminal offense.
- 5 4. ~~An airboat~~A boat operator cited for a violation of ~~subsection 2~~this section may not
6 operate the ~~airboat~~boat that ~~is not in compliance with subsection 2~~produced the noise
7 in violation of this section until a muffler is installed.