

Noise Law Highlights

*A maximum of 90 dB is allowed for vessels subjected to a stationary test.

*A maximum of 75 dB is allowed for vessels tested while underway.

*It is illegal to alter, or make inoperable, an existing muffler system.

**It is illegal to manufacture or sell a vessel or engine that cannot meet the sound level requirements.*

**It is illegal to install a cut-out in a vessel. A cut-out is considered to be any device that allows a vessel's exhaust to bypass the muffler system, and thereby increase vessel noise levels. Systems that decrease vessel noise are allowable.*

*If an officer has reason to believe your boat does not meet these standards, you must submit to a test. If your vessel fails the test, the officer may direct you to take immediate and reasonable measures to correct the problem.

Remedies

In the event your vessel is found to be in violation of Section 44 of the Navigation Law, there are several options available to you to remedy the problem.

Illegal Cut-Out

If your vessel has been outfitted with a cut-out, you could do one of three things. If your dealer has sold you a boat with one of these devices after this law was enacted in 1993 you could request that the dealer remove the device, presumably at their expense. If you had the device installed yourself, you could ask a marina or dealer to remove it at your expense. Finally, you could have the device rendered inoperable by having it welded in the closed (quiet) position and removing the wiring.

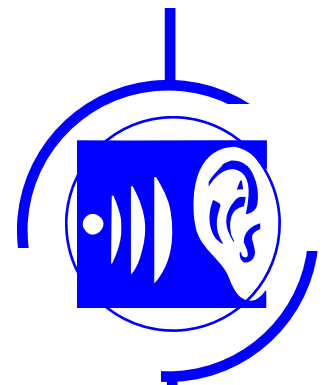
Excessive Noise

There are several products on the market that are designed to lessen vessel noise, such as Corsa Marine's Quick & Quiet Plus, Quick & Quiet II, and Equalizer, and Gil Marine's Stealth System, and Power Tip mufflers. Some products are designed to divert the engine exhaust through the propeller hub and typically cost between \$650 and \$1,100, not including installation. Other systems muffle exhaust through the use of muffler tips, at a cost of approximately \$350 to \$900, again not including installation. For more information on these systems you can check the following web sites:

www.gilmarine.com

www.corsaperf.com

VESSEL NOISE



Tips for Keeping Your Vessel Legal!

Andrew M. Cuomo, Governor
State of New York

Erik Kulleseid, Commissioner

Office of Parks, Recreation & Historic Preservation

Noise Levels on Pleasure Vessels

The amount of noise produced by a boat can cause problems on two levels. Excessive boat noise is disturbing to others who use our waters, whether they be other boaters, sportsmen, or homeowners. And continued exposure to loud noise is hazardous to the vessel operator, by causing damage to their ears, and by limiting their ability to hear other vessels around them.

In an effort to control vessel noise, the National Association of Boating Law Administrators worked with the National Marine Manufacturer's Association to create a model act for vessel noise. In 1993, New York State adopted this act as Section 44 of the New York State Navigation Law.

NYS Navigation Law Section 44

Applicability

All navigable waters of the state, including the tidewaters bordering on and lying within the boundaries of Nassau and Suffolk Counties.

All pleasure vessels operated upon the waters of the state, with exceptions listed below.

Applicable to vessels with inboard and inboard/outboard engines.

Provisions

1. No person shall operate or give permission to operate a pleasure vessel in such a manner as to exceed a noise level of 90dB(A) when subjected to a stationary test at a distance of one meter from the vessel's transom as proscribed by SAE J2005.
2. No person shall operate or give permission to operate a pleasure vessel in such a manner as to exceed a noise level of 75dB(A) when subjected to a test as proscribed by SAE J1970 (vessel noise measured while underway).
3. No person shall manufacture or sell any pleasure vessel or engine that cannot comply with the above sound level requirements.
4. No person shall operate or give permission for the operation of any pleasure vessel that is equipped with an altered muffler or a muffler cutout, bypass or otherwise reduce or eliminate the effectiveness of any muffler or muffler system.



No person shall remove, alter or otherwise modify any muffler in such a manner which will prevent it from complying with this law.

Enforcement

These provisions (sound level tests only) are enforceable by any law enforcement officer qualified by the office of Parks, Recreation & Historic Preservation to conduct such tests.

Any officer authorized to enforce the provisions of this section who has reason to believe that a pleasure vessel is not in compliance with the noise levels established in this section may direct the operator to submit the vessel to an on-site test. If the vessel exceeds the levels set in this section the officer may direct the operator to take immediate and reasonable measures to correct the violation, including returning the pleasure vessel to a mooring until such violation is corrected or ceases.

Exceptions

1. Pleasure vessels designed, manufactured and sold for the sole purpose of competing in racing events and for no other purpose. The operator must have documentation proving the nature of the vessel.
2. Pleasure vessels which are competing in or participating in a bona fide club or racing association event over a specific course between the hours of 9:00am and sunset. The sponsors must hold a valid permit for conduct of the event.
3. An authorized agent of the federal, state or municipal government in the course of their official duties.
4. A pleasure vessel being operated by a boat or engine manufacturer for the sole purpose of testing and/or development.

Penalties

1. First offense: fine not to exceed \$50
2. Second and subsequent offense: fine not to exceed \$250.

The court shall waive any fines if the liable persons can provide proof within thirty days that: the vessel was purchased prior to 2/3/93 (the effective date of this law); that the muffler system was not altered or made inoperable; and that the vessel has been repaired, altered or modified to be in compliance. Such waiver shall not apply to second or subsequent offenses.



This informational brochure has been sent to all boat dealers registered with the New York State Department of Motor Vehicles. It is intended as a courtesy to inform them of the law as it applies to vessel noise. If you have any questions regarding this law, please contact State Parks at the number listed below, or the Park Police in your region.



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