

Select Year: 2021

The 2021 Florida Statutes

[Title XXIII](#)
MOTOR VEHICLES

[Chapter 316](#)
STATE UNIFORM TRAFFIC CONTROL

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316.293 Motor vehicle noise.—

(1) DEFINITIONS.—The following words and phrases, when used in this section, shall have the meanings respectively assigned to them in this subsection, except where the context otherwise requires:

(a) “dB A” means the composite abbreviation for the A-weighted sound level and the unit of sound level, the decibel.

(b) “Gross combination weight rating” or “GCWR” means the value specified by the manufacturer as the loaded weight of a combination vehicle.

(c) “Gross vehicle weight rating” or “GVWR” means the value specified by the manufacturer as the loaded weight of a single vehicle.

(d) “Sound level” means the A-weighted sound pressure level measured with fast response using an instrument complying with the specification for sound level meters of the American National Standards Institute, Inc., or its successor bodies, except that only A-weighting and fast dynamic response need be provided.

(e) “Department” means the Department of Highway Safety and Motor Vehicles.

(2) OPERATING NOISE LIMITS.—No person shall operate or be permitted to operate a vehicle at any time or under any condition of roadway grade, load, acceleration, or deceleration in such a manner as to generate a sound level in excess of the following limit for the category of motor vehicle and applicable speed limit at a distance of 50 feet from the center of the lane of travel under measurement procedures established under subsection (3).

(a) For motorcycles other than motor-driven cycles:

	Sound level limit	
	Speed limit 35 mph or less	Speed limit over 35 mph
Before January 1, 1979	82 dB A	86 dB A
On or after January 1, 1979	78 dB A	82 dB A

(b) For any motor vehicle with a GVWR or GCWR of 10,000 pounds or more:

	Sound level limit	
	Speed limit 35 mph or less	Speed limit over 35 mph
On or after January 1, 1975	86 dB A	90 dB A

(c) For motor-driven cycles and any other motor vehicle not included in paragraph (a) or paragraph (b):

Sound level limit

	Speed limit	Sound level limit
	35 mph or less	over 35 mph
	Speed limit	Speed limit
	35 mph or less	over 35 mph
Before January 1, 1979	76 dB A	82 dB A
On or after January 1, 1979	72 dB A	79 dB A

(3) **MEASUREMENT PROCEDURES.**—The measurement procedures for determining compliance with this section shall be established by regulation of the Department of Environmental Protection as provided in s. ~~403.415~~(9), in cooperation with the department. Such regulations shall include the selection of measurement sites and measurement procedures and shall take into consideration accepted scientific and professional methods for the measurement of vehicular sound levels. The measurement procedures may include adjustment factors to be applied to the noise limit for measurement distances of other than 50 feet from the center of the lane of travel.

(4) **APPLICABILITY.**—This section applies to the total noise from a vehicle and shall not be construed as limiting or precluding the enforcement of any other provisions of this chapter relating to motor vehicle mufflers for noise control.

(5) **NOISE ABATEMENT EQUIPMENT MODIFICATIONS.**—

(a) No person shall modify the exhaust system of a motor vehicle or any other noise-abatement device of a motor vehicle operated or to be operated upon the highways of this state in such a manner that the noise emitted by the motor vehicle is above that emitted by the vehicle as originally manufactured.

(b) No person shall operate a motor vehicle upon the highways of the state with an exhaust system or noise-abatement device so modified.

(6) **EXEMPT VEHICLES.**—The following are exempt from the operation of this act:

(a) Emergency vehicles operating as specified in s. ~~316.072~~(5)(a).

(b) Any motor vehicle engaged in a professional or amateur sanctioned, competitive sports event for which admission or entry fee is charged, or practice or time trials for such event.

(c) Any motor vehicle engaged in a manufacturer's engineering, design, or equipment test.

(d) Construction or agricultural equipment either on a job site or traveling on the highways.

(7) **VIOLATIONS.**—A violation of this section is a noncriminal traffic infraction, punishable as a nonmoving violation as provided in chapter 318.

History.—s. 4, ch. 74-110; s. 32, ch. 76-31; s. 2, ch. 78-280; s. 28, ch. 79-65; s. 136, ch. 94-356; s. 16, ch. 97-300; s. 205, ch. 99-248.