

**State of California
Office of Administrative Law**

In re:
California Highway Patrol

Regulatory Action:

Title 13, California Code of Regulations

Amend sections: 1041, 1046

**NOTICE OF APPROVAL OF REGULATORY
ACTION**

Government Code Section 11349.3

OAL Matter Number: 2022-0825-01

OAL Matter Type: Regular (S)

In this action, California Highway Patrol updates the Society of Automotive Engineers test procedures for compliance with the vehicle sound limits in Article 2 of Chapter 5 of Division 12 of the Vehicle Code.

OAL approves this regulatory action pursuant to section 11349.3 of the Government Code. This regulatory action becomes effective on 1/1/2023.

Date: October 5, 2022



**Ashita Mohandas
Attorney**

**For: Kenneth J. Pogue
Director**

**Original: Amanda L. Ray, Commissioner
Copy: David Kelly**

DEPARTMENT OF CALIFORNIA HIGHWAY PATROL

ADOPTED TEXT

TITLE 13, CALIFORNIA CODE OF REGULATIONS, DIVISION 2, CHAPTER 4
ARTICLE 10, SECTIONS 1041 AND 1046

**VEHICLE SOUND MEASUREMENT
(CHP-R-2019-06211)**

Existing Text: Times New Roman 12 point font.
Additions: Times New Roman 12 point font with single underline.
Deletions: ~~Times New Roman 12 point font with strikethrough.~~

**TITLE 13, CALIFORNIA CODE OF REGULATIONS
DIVISION 2, CHAPTER 4
ARTICLE 10, SECTIONS 1041 AND 1046 ARE AMENDED TO READ:**

§ 1041. Definitions.

- (a) "Exhaust system" means all pipes, converters, and chambers through which the exhaust gas flows from the engine exhaust manifold outlet flange to the end of the tailpipe.
- (b) "Microphone line" means an unmarked reference line running parallel to the vehicle path and passing through the microphone.
- (c) "Microphone target point" means the unmarked location on the center of the lane of travel that is the closest to the microphone.
- (d) For the purpose of this article, the terms "sound" and "noise" are synonymous.

Note: Authority cited: Sections ~~23130, 23130.5,~~ 27200, 27207 and 38370, Vehicle Code.
Reference: Sections ~~23130, 23130.5,~~ 27200, 27201, 27202, 27202.1, 27203, 27204, 27206, -
27207 and 38370, Vehicle Code.

§ 1046. Measurement Procedures for New Motor Vehicles.

- (a) Heavy Trucks. New motor vehicles with a manufacturer's GVWR of more than 4,537 kg (10,000 lb) subject to 40 CFR, Part 205, shall be tested in accordance with procedures established in that regulation.

(b) Other Heavy Vehicles. New motor vehicles with a manufacturer's GVWR of more than 4,537 kg (10,000 lb) that are not subject to 40 CFR, Part 205, except transit buses equipped with automatic transmissions, shall be tested in accordance with SAE J366b, July 1978~~September 2011, which, excluding the Appendix, is hereby incorporated by reference,~~ or SAE J2805, May 2020, which is hereby incorporated by reference. Transit buses with a manufacturer's gross vehicle weight rating of more than 4,537 kg (10,000 lb) equipped with automatic transmissions shall be tested according to SAE J366b, September 2011, except for Section 4.15.1 of that standard which shall be replaced with the following procedure.

(1) Face the vehicle in the direction opposite that to be used for the noise test, position the reference point (Section ~~3.74.7~~) at the mid-point of the end zone within 0.3 m (1.0 ft), place the gear selector in the position normally used for driving, and locate the starting point for the noise test as follows:

(A) Accelerate the vehicle as rapidly as possible by establishing and maintaining wide open throttle until the first transmission shift occurs.

(B) Mark as the designated starting point, the location along the test path where the vehicle reference point is passing when the shift occurs.

(2) Perform the noise test by reversing the vehicle direction, positioning the vehicle so it is at rest with the vehicle reference point at the designated starting point, and operating the vehicle as follows:

(A) Accelerate the vehicle as rapidly as possible by establishing wide open throttle.

(B) Continue acceleration until the entire vehicle has vacated the end zone, recording only runs in which the first transmission shift occurs in the end zone.

(c) Light Vehicles. New motor vehicles with a manufacturer's GVWR of 4,537 kg (10,000 lb) or less shall be tested in accordance with ~~either any~~ of the following methods, at the manufacturer's option: ~~SAE J986, November 1981 or SAE J1470, March 1992, August 2018, which is hereby incorporated by reference,~~ except that the provisions of Section ~~6.57.5~~ shall not apply, or SAE J2805, May 2020.

(d) Motorcycles. New motorcycles subject to 40 CFR, Part 205, shall be tested in accordance with procedures established in that regulation. Other new motorcycles shall be tested in accordance with SAE J331a, July 1978~~2020, which is hereby incorporated by reference.~~

(e) Snowmobiles. New snowmobiles shall be tested in accordance with SAE J192, April 1980~~March 2021, which is hereby incorporated by reference,~~ excluding the sound level tolerances in Section ~~6.46.1~~.

Note: Authority cited: Sections 27200 and 38370, Vehicle Code. Reference: Sections 27200, 27201, 27202, 27202.1, 27203, 27204, 27206,-27207 and 38370, Vehicle Code.