

SECTION FOR THEIR INTENDED APPLICATIONS.

SECTION 10. AND BE IT FURTHER ENACTED, That new Sections 5-209(c), 5-209(d), and 8-704(f) be and they are hereby added to Article - Natural Resources, of the Annotated Code of Maryland (As added by Chapter 4 of the first 1973 Special Session of the General Assembly) to read as follows:

Article - Natural Resources

5-209.

(C) THE DEPARTMENT SHALL, WITH THE ENDORSEMENT OF THE SECRETARY OF NATURAL RESOURCES AND THE SECRETARY OF HEALTH AND MENTAL HYGIENE, AFTER A PUBLIC HEARING FOLLOWING 60 DAYS NOTICE, ADOPT AND PUBLISH MAXIMUM SOUND LEVEL LIMITS UNDER SPECIFIED MEASUREMENT CONDITIONS GOVERNING THE OPERATION OF MOTOR-DRIVEN OFF-HIGHWAY VEHICLES IN STATE PARKS AND FORESTS AND OTHER LANDS UNDER ITS CONTROL NOT LATER THAN JANUARY 1, 1976. SUCH LIMITS SHALL BE ESTABLISHED AT THE MOST RESTRICTIVE LEVEL CONSISTENT WITH THE ATTAINMENT OF THE ENVIRONMENTAL NOISE STANDARDS ADOPTED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE WHICH IS ACHIEVABLE THROUGH THE APPLICATION OF THE BEST AVAILABLE TECHNOLOGY AND AT A REASONABLE COST. THE DEPARTMENT SHALL ADOPT AND ENFORCE REGULATIONS FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS SECTION, TAKING INTO ACCOUNT ACCEPTED SCIENTIFIC AND PROFESSIONAL METHODS FOR MEASUREMENT OF SOUND LEVELS.

(D) (1) NO PERSON SHALL SELL OR OFFER FOR SALE, DISTRIBUTE OR LEASE ANY NEW MOTOR-DRIVEN OFF-HIGHWAY RECREATIONAL VEHICLE OF A TYPE NOT SUBJECT TO REGISTRATION UNDER ARTICLE 66-1/2 OF THIS CODE THAT HAS A MAXIMUM SOUND LEVEL POTENTIAL EXCEEDING THE SOUND LEVEL LIMITS ESTABLISHED BY THE DEPARTMENT FOR THE MAXIMUM ALLOWABLE NOISE EMISSIONS FROM SUCH VEHICLES.

(2) THE DEPARTMENT SHALL, AFTER CONSULTATION WITH THE DEPARTMENT OF TRANSPORTATION, AND WITH THE ENDORSEMENT OF THE SECRETARY OF NATURAL RESOURCES AND SECRETARY OF HEALTH AND MENTAL HYGIENE, AFTER A PUBLIC HEARING FOLLOWING 60 DAYS NOTICE, ADOPT AND PUBLISH MAXIMUM SOUND LEVEL LIMITS FOR THE VARIOUS CLASSES OF SUCH VEHICLES NOT LATER THAN JANUARY 1, 1976. SUCH LIMITS SHALL BE ESTABLISHED AT THE MOST RESTRICTIVE LEVEL CONSISTENT WITH THE ENVIRONMENTAL NOISE STANDARDS ADOPTED BY THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE WHICH IS ACHIEVABLE THROUGH THE APPLICATION OF THE BEST AVAILABLE TECHNOLOGY AND AT A REASONABLE COST.

(3) THE DEPARTMENT SHALL ESTABLISH TEST PROCEDURES