

By: Representatives Turner, Akins, Aldridge, To: Judiciary B
Baker (8th), Barnett, Bondurant, Bounds,
Carlton, Chism, Ellington, Fillingane,
Formby, Gunn, Hamilton (109th), Howell,
Ishee, Janus, Masterson, Mayhall, Moore,
Montgomery, Nicholson, Parker, Reed, Rogers (14th), Snowden, Stevens,
Sullivan, Vince, Ward

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 535

1 AN ACT TO PROHIBIT EXCESSIVE NOISE FROM MOTOR VEHICLES; TO
2 PROVIDE PENALTIES; AND FOR RELATED PURPOSES.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

4 **SECTION 1.** (1) No person operating or occupying a motor
5 vehicle on any public street, highway, alley, parking lot or
6 driveway shall operate or permit the operation of any sound
7 amplification system including, but not limited to, any radio,
8 tape player, compact disc player, loud speaker or any other
9 electrical device used for the amplification of sound from within
10 the motor vehicle so that the sound is plainly audible at a
11 distance of fifty (50) or more feet from the vehicle. For the
12 purpose of this section, "plainly audible" means any sound which
13 clearly can be heard, by unimpaired auditory senses based on a
14 direct line of sight of fifty (50) or more feet, however, words or
15 phrases need not be discernible and such sound shall include bass
16 reverberation.

17 (2) This section shall not be applicable to emergency or
18 public safety vehicles, vehicles owned and operated by a municipal
19 or county government or any utility company, for sound emitted
20 unavoidably during a job-related operation, school or community
21 sponsored activities, auctioneers or auctioning activities or any
22 motor vehicle used in an authorized public activity for which a
23 permit has been granted by the appropriate agency of a municipal
24 or county government.

25 (3) A violation of this act is a misdemeanor punishable by a
26 fine of up to One Hundred Dollars (\$100.00).

27 **SECTION 2.** It is not the intent of this section to prohibit
28 any right guaranteed by the United States Constitution and State
29 Constitution, including freedom of speech and freedom of religion.

30 **SECTION 3.** This act shall take effect and be in force from
31 and after July 1, 2005.