



HARLEY DEALERSHIPS CHARGED WITH MOTORCYCLE TAMPERING THAT INCREASES HARMFUL AIR AND NOISE POLLUTION IN UTAH

Utah Physicians for a Healthy Environment Announce Intent to Sue Harley-Davidson Dealerships for Defeating Air and Noise Pollution Control Systems on Motorcycles

(April 5, 2022 – Salt Lake City) – Today Utah Physicians for a Healthy Environment (UPHE) informed the owners of four Harley-Davidson dealerships in Utah that the group intends to bring suit in federal court to stop them from selling illegal new and used motorcycles and illegal aftermarket exhaust parts in Utah.

The dealerships are Harley-Davidson of Salt Lake City and South Valley Harley-Davidson Shop (Sandy), owned by Harley-Davidson of Salt Lake City, LLC, and Golden Spike Harley-Davidson (Riverdale) and Saddleback Harley-Davidson (Logan), owned by Northern Utah Power Sports, LLC. Both limited liability companies are controlled by Joseph L. Timmons, Jr.

UPHE’s notice letter alleges the dealerships are violating the federal Clean Air Act and the federal Noise Control Act by removing pollution control devices in motorcycles, selling and installing emission and noise control defeat parts on new and used motorcycles, and owning and operating tampered motorcycles.

“The excessive noise from motorcycles with aftermarket exhaust pipes startles me awake at night and drives me away from my garden during the day. Their noise and air pollution are an invasion of my property and a threat to my personal health that is inconsiderate, harmful, and illegal,” said Dr. Kirtly Jones Board Member UPHE. **“It is well established in the medical literature that motorcycles exceeding the noise limits can cause hearing damage, raise blood pressure, and increase the risk of heart disease and dementia.** It is also well known that exhaust pipes that remove catalytic converters add to the already polluted, unhealthy air of the Wasatch Front.”

The notice letter states that the dealerships’ tampered motorcycles are more than twice as loud, and emit more than twice the air pollution than allowed by federal law.

The excess hydrocarbons and nitrogen oxides emitted by these tampered motorcycles contribute to the unhealthy levels of ozone and particulate matter along the Wasatch Front. The excess noise discharged by these motorcycles impairs the health and disturbs the peace of UPHE members.

“Motorcycles stripped of their legally required pollution controls are a health hazard for two reasons—the excess pollution and the noise. We are too familiar with the health hazards of air pollution, but beyond being a nuisance and impairment of everyone else’s quality of life, the noise from these stripped-down motorcycles is itself a health hazard,” said Dr. Brian Moench, President UPHE.

According to the groups’ notice letter, if the dealerships do not agree to stop tampering with and removing noise and air pollution controls, stop selling and installing defeat devices, pay an appropriate penalty to the federal government, and otherwise resolve all claims under the Clean Air Act and Noise Control Act within 60 days, UPHE intends to file suit.

Background

1. The following background materials can be found at <http://uphe.org/>

- UPHE’s April 5, 2022 notice of intent to sue letter.
- Pictures of dealership motorcycles with advertised illegal exhaust systems.
- Videos of loud motorcycles in canyon
- Press accounts of illegal motorcycle exhaust systems.

2. The health impacts associated with elevated levels of ozone and PM.

3. The health impacts associated with loud noises. AARP article.

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Utah Physicians for a Healthy Environment was formed in 2007 during one of Utah's worse inversions. The organization consists of approximately 400 medical professionals within Utah, and another 4,000 supporting members of the public. UPHE is dedicated to protecting the health and well-being of the citizens of Utah by promoting science- based health education and interventions that result in progressive and measurable improvements to the environment and our health. UPHE can be found at www.uphe.org.