

TITLE 67
STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 91
IDAHO OUTDOOR SPORT SHOOTING RANGE ACT

67-9101. DEFINITIONS. As used in this chapter:

- (1) "Local government" means a county, city or town.
- (2) "Person" means an individual, corporation, partnership, firm, association, joint venture, proprietorship, club or any other legal entity.
- (3) "State outdoor sport shooting range" or "range" means an area owned by the state of Idaho or a state agency for the public use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder, archery or any other similar sport shooting. "State outdoor sport shooting range" does not include:
 - (a) Any totally enclosed facility that is designed to offer a totally controlled shooting environment that includes impenetrable walls, floors and ceilings, adequate ventilation, lighting systems and acoustical treatment for sound attenuation; and
 - (b) Any law enforcement or military shooting range.

[67-9101, added 2008, ch. 116, sec. 1, p. 322.]

67-9102. STATE OUTDOOR SPORT SHOOTING RANGES -- OPERATION AND USE -- NOISE STANDARDS -- MEASUREMENT. (1) The state agencies responsible for managing state outdoor sport shooting ranges shall establish criteria for the operation and use for each range. The provisions of [chapter 26, title 55](#), Idaho Code, shall not apply to state outdoor sport shooting ranges.

(2) The legislature finds that state outdoor sport shooting ranges should be subject to uniform noise standards as specified in this section.

(3) The noise emitted from a state outdoor sport shooting range shall not exceed an Leq(h) of sixty-four (64) dBA.

(4) Sound pressure measurements shall be made twenty (20) feet from the nearest existing occupied residence, school, hotel, motel, hospital or church and in a location directly between the range and the nearest existing occupied residence, school, hotel, motel, hospital or church. If there are natural or artificial obstructions that prevent an accurate noise measurement, the measurement may be taken within an additional twenty (20) feet radius from the initial measurement location. If access to such location is not available, then sound pressure measurements shall be made at the range property line in a location directly between the range and the nearest existing occupied residence, school, hotel, motel, hospital or church.

(5) Sound pressure measurements shall be made on the A-weighted fast response mode scale. Measurements shall be taken during the noisiest hour of peak use during the operation of the range. Measurements shall be taken using a type 1 sound meter meeting the requirements of ANSI S1.4-1983.

(6) For the purposes of this section:

- (a) "A-weighted" means a frequency weighting network used to account for changes in sensitivity as a function of frequency;
- (b) "dBA" means A-weighted decibels, taking into account human response to sound energy in different frequency bands;
- (c) "Decibel" means the unit of measure for sound pressure denoting the ratio between two quantities that are proportional to power. The number of decibels is ten (10) times the base ten logarithm of this ratio; and

(d) "Leq(h)" means the equivalent energy level that is the steady state level that contains the same amount of sound energy as a time varying sound level for a sixty (60) minute time period.

[67-9102, added 2008, ch. 116, sec. 1, p. 322.]

67-9103. NUISANCE ACTION. Notwithstanding any other provision of law to the contrary, a person may not maintain a public or private nuisance action for noise against a state outdoor sport shooting range that is in compliance with this chapter.

[67-9103, added 2008, ch. 116, sec. 1, p. 323.]

67-9104. NOISE BUFFERING OR ATTENUATION FOR NEW USE. Any new residential use or other new use within one (1) mile of an existing state outdoor sport shooting range shall provide for noise buffers or attenuation devices necessary to satisfy the noise standard prescribed by this chapter. New use as provided by this section shall not give rise to any right of a person to maintain a public or private nuisance action for noise against an existing state outdoor sport shooting range.

[67-9104, added 2008, ch. 116, sec. 1, p. 323.]

67-9105. PREEMPTION OF LOCAL AUTHORITY. Local governmental law is herein preempted and local governments shall not have authority to regulate the operation and use of state outdoor sport shooting ranges nor shall they have authority to establish noise standards for state outdoor sport shooting ranges.

[67-9105, added 2008, ch. 116, sec. 1, p. 323.]