



ABATE OF MARYLAND, INC.

Dedicated to Freedom of the Road & Responsible Motorcycle Legislation

To: The Honorable Kumar P. Barve, Chairman and Members of the Environment and Transportation Committee

From: Ken Eaton, Director, Executive Director, ABATE of Maryland, Inc.

Date: February 6, 2023

Re: **HB 304** - Motor Vehicles - Noise Limits and Modification of Exhaust Systems and Noise Abatement Devices

Position: **UNFAVORABLE: DOES NOT SUPPORT**

I am a motorcyclist, backyard car enthusiast (shade tree mechanic), a coastal / civil engineer, a farmer, a registered voter, and a member of ABATE of Maryland, Inc., the largest motorcyclist rights organization in the state of Maryland. I personally own multiple vehicles of all types. At the farm, I have motorcycles (historic and late model), trucks, cars, tractors, trailers, etc. ABATE represents the approximately 121,000 on road motorcycles that are registered in Maryland. We have chapters throughout the state and our members include a diverse cross-section of motorcycle riders in Maryland. We **DO NOT SUPPORT HB304.**

Legislation very similar to this was passed in New York state. It was started as a "Pilot Program". Even though there were numerous problems with configuration of the equipment, court cases contesting the conditions in which the testing was performed, and the inability to distinguish between two vehicles running side by side (Example: a truck with a "Jake Brake" and a motorcycle), the state converted this pilot program into law. There are numerous lawsuits clogging the judicial system due to all of the problems. Our friends in ABATE of New York have been keeping us apprised of the situation.

There are already laws on the books that cover excessive noise (MD Trans Article 21 sec 1117 para. d), driving a vehicle in a race or speed contest (MD Trans Article 21 sec 1116 para. a) in addition to cut-off exhausts, using device on motor vehicle (exhaust, tail pipe) extension causing excessive noise (MD Trans. Code 22 sec. 402, par. b), speeding, reckless driving, and negligent driving traffic violations. It seems as though this may be more of an enforcement issue than an issue that requires additional legislation.

ABATE of Maryland, Inc. **DOES NOT SUPPORT HB 304** - Motor Vehicles - Modified Vehicle Exhaust System - Penalties. We urge the committee to consider an **UnFavorable** vote.

Thank you!

Kenneth B. Eaton, Executive Director
ABATE of Maryland, Inc.

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