



SafeRoadsMD

HB 304

**“Motor Vehicles – Noise Limits and
Modification of Exhaust Systems
and Noise Abatement Devices”**

PLEASE SUPPORT

MARYLAND COALITION FOR ROADWAY SAFETY, INC. URGES YOUR SUPPORT FOR HB 304

February 7, 2023

TO:

Honorable Kumar P. Barve, Chair
Honorable Dana Stein, Vice Chair
Environment and Transportation Committee
Honorable Members of the Committee
Room 251
House Office Building
Annapolis, Maryland 21401

FROM:

John J. Seng, Chair
SafeRoadsMD - *Maryland Coalition For Roadway Safety, Inc.*
JohnJSeng@gmail.com (202) 468-7682
<https://www.facebook.com/groups/marylandcoalitionhighwaysafety>

My name is John Seng, volunteer Chair and founder of the *Maryland Coalition For Roadway Safety, Inc.* (SafeRoadsMD).

Our 200+ member organization **strongly supports the enactment of HB 304, the ““Motor Vehicles – Noise Limits and Modification of Exhaust Systems and Noise Abatement Devices” bill.**

The Problem

Excessive motor vehicle noise is fast becoming a leading public complaint made to Maryland State, county and municipal elected officials. It’s not only a matter of quality of life or irritation, but human healthcare.

The US Centers for Disease Control and Prevention (CDC) warns that “loud noise can cause hearing loss quickly or over time:”

Hearing loss can result from a single loud sound (like firecrackers) near your ear. Or, more often, hearing loss can result over time from damage caused by repeated exposures to loud sounds. The louder the sound, the shorter the amount of time it takes for hearing loss to occur. The longer the exposure, the greater the risk for hearing loss (especially when hearing protection is not used or there is not enough time for the ears to rest between exposures).

Maryland Coalition for Roadway Safety, Inc. PO Box 7, Olney, Maryland 20830

Noise above 70 dB over a prolonged period of time may start to damage your hearing. Loud noise above 120 dB can cause immediate harm to your ears.

SafeRoadsMD leadership has participated in multiple meetings with elected officials and Maryland Department of Transportation leadership over the past four years to lodge our communities' complaints with increasingly excessive noise from modified motor vehicles, including racing motorcycles. (See addendum).

Also, we consider that vehicles exhibiting excessive noise as a major symptom of illegal motor vehicle operation, primarily excessive speed.

Enacting HB 304

We stand completely in favor of this bill because its provisions:

- Are more than reasonable, and with the limit of 95 decibels more than accommodating, since the CDC indicates that "noise above 70 dB over a prolonged period of time may start to damage your hearing."
- Better equip law enforcement with an objective, scientifically valid measurement device to gauge excessive, illegal noise;
- Fund the procurement of the above measuring equipment;
- Increase the deterrents for illegal exhaust system modifications and escalating penalties for continued infractions;
- While not a cure-all, present significant steps in the right direction of deterring excessive, harmful sound.

SafeRoadsMD also agrees with the stipulation in HB 304 that historic motor vehicles should generally be exempt from this new law.

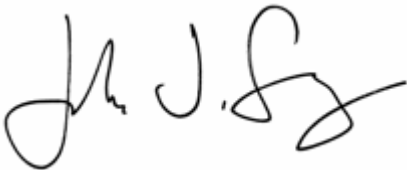
Background – SafeRoadsMD – Maryland Coalition for Roadway Safety, Inc.

Our founding organizations include the *American Automobile Association (AAA) Mid-Atlantic*, the *Greater Olney Civic Association (GOCA)*, *The Route 210 Traffic Safety Committee* in Prince George's County and a group of Maryland home owner associations. Alarmed by growing roadway violence in Maryland, we were established to call more attention to and combat the onslaught of speed and noise on our roads. The *Coalition* represents the interests of communities and individuals who directly suffer the consequences of illegal operation of motor vehicles.

You Can Do It!

We thank you and the Committee for your review of our position, and urge you to submit a favorable recommendation and support for HB 304.

Sincerely,



John J. Seng
Chair

cc: Greater Olney Civic Association (GOCA); SafeRoadsMD *Coalition* Board of Directors and membership Addendum

Maryland Coalition For Highway Safety



ZERO DEATHS MARYLAND EA Meeting

November 17, 2020

Someone's gonna die!

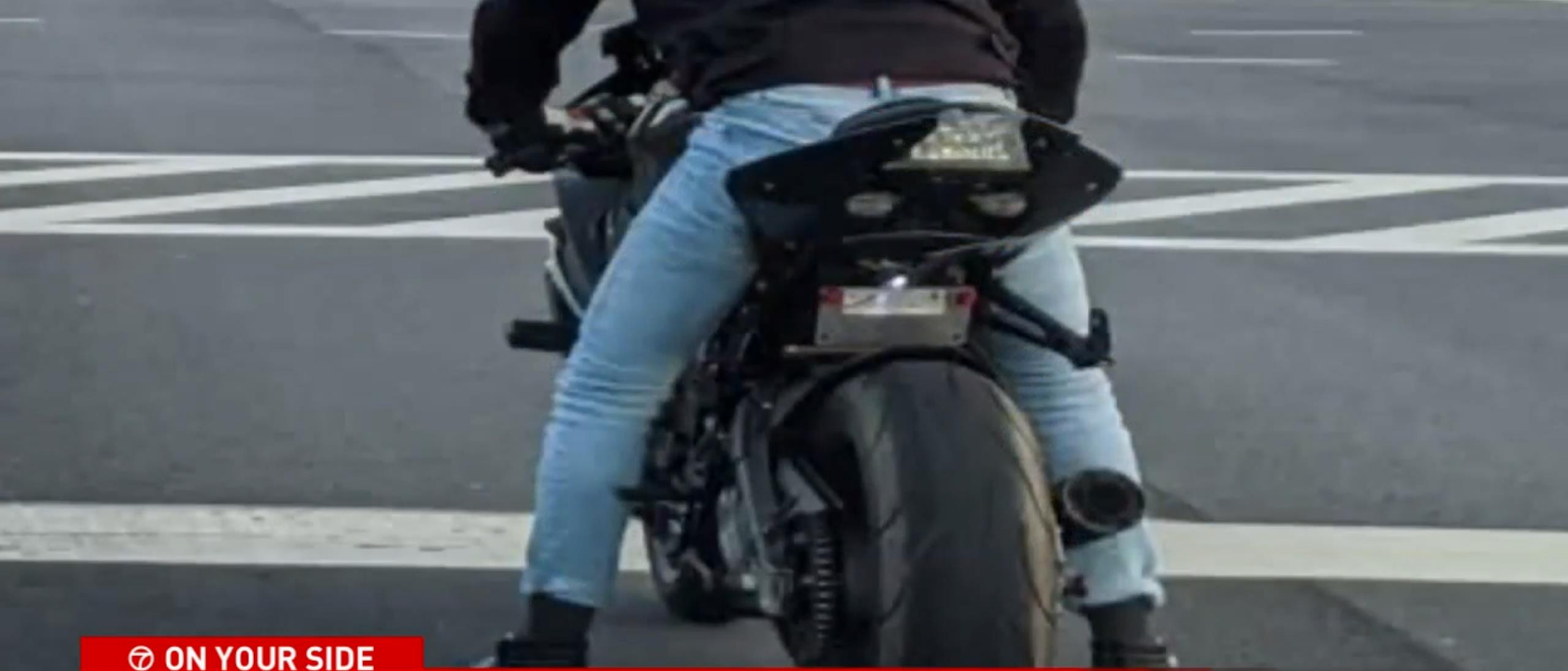




WJLA-TV
WASHINGTON, DC

May 26, 2020

A live news broadcast featuring reporter Kevin Lewis. He is wearing a dark blue suit jacket over a pink and white checkered shirt. The background shows an outdoor setting with a brick wall and greenery. A red 'LIVE' indicator is in the top right corner. A lower-third graphic displays 'ON YOUR SIDE' with a location pin icon, 'KEVIN LEWIS', and 'ABC 7 NEWS'. A video player interface at the bottom shows a play button, a full screen icon, a progress bar at 00:44 / 03:05, and icons for closed captions, share, grid, settings, and a link.



 ON YOUR SIDE

RESIDENTS ALONG THE ICC 'BEYOND FRUSTRATED' WITH SPEEDING MOTORCYCLISTS

What is *Maryland Coalition For Highway Safety*?

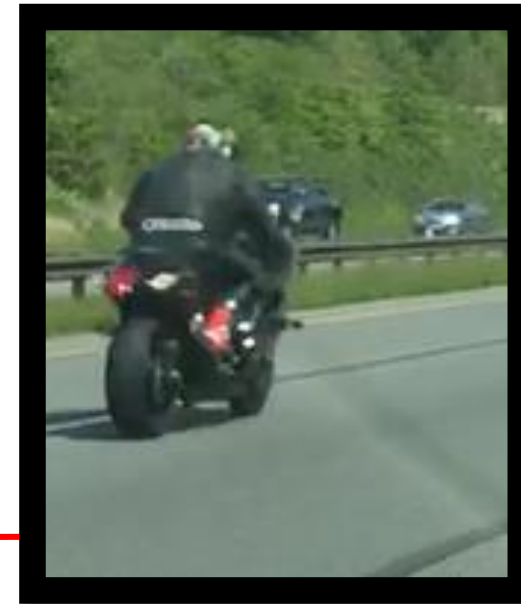
- Launched June 2020
- Today nearly 100 members
 - Mainly in Montgomery County, but branching across the State
- Founding organizations: *Greater Olney Civic Association* and *AAA Mid-Atlantic*
- *Tantallon Citizens Association* (Indian Head Highway) member
- <https://www.facebook.com/groups/marylandcoalitionhighwaysafety>



Our Take On The Problems



- Reckless driving (2-3x speed limit)
- Riding without ICC transponder
- Riding without license tags
- Excessive noise due to aftermarket vehicle equipment illegally installed



How We Started



Why We Exist



Goal

Improve safety and reduce noise on Maryland roads.

Mission

Work collaboratively with one another and with State of Maryland and local authorities in **advocating enhanced sanctions** for dangerous vehicle operation, **supporting the police** who patrol and safeguard our roads, **encouraging the courts to apply justice fairly and effectively** and **welcoming innovation in illegal behavior deterrence** via communications and technology.

Our Take On The Problems Statewide

- **Weak sanctions for violations**

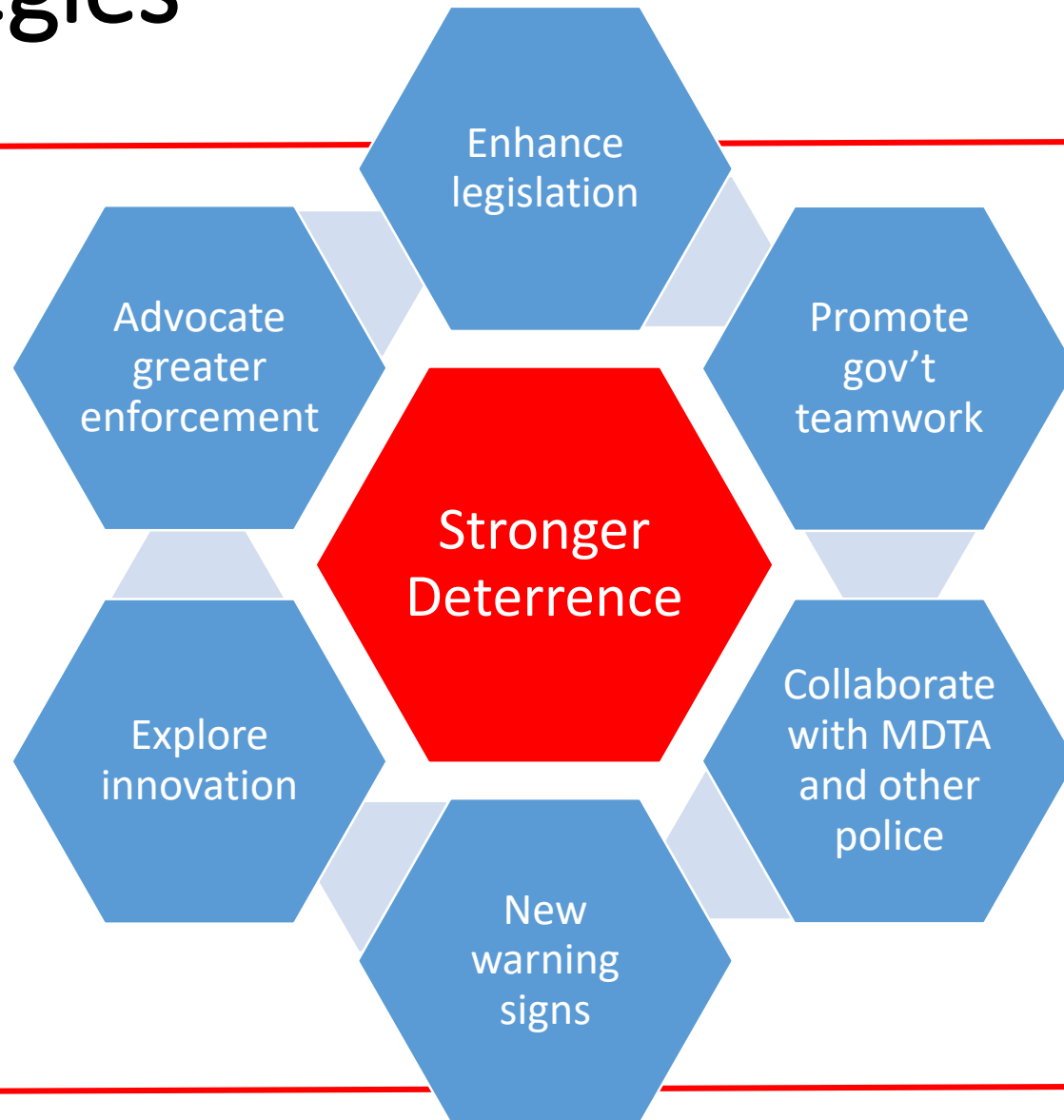
1. 13-411 c 2: Failure to properly place registration plate to vehicle. (\$70.00 fine) Recommend legislative change to fine of up to \$500.00 for motorcycles.
 2. 21-809: Speed Monitoring Systems (\$40.00 civil fine) Recommend legislative change allowing for utilization statewide on highways for speed monitoring and enforcement of motorcycles regardless of school or construction zones. Fines would be consistent with current fine under 21-801.1.
 3. 21-901.1 a: Reckless driving (\$510.00) Recommend legislative change to enhance penalty to a must appear (MA) in court in front of judge with a fine \$1000.00 and 12 points for motorcycles
 4. 21-1116: Racing or participating in a speed contest (\$290.00 and 5 points) Recommend legislative change to enhance penalties to a must appear (MA) in court before a judge with fine of \$1000.00 and 12 points for motorcycles.
 5. 22-609 a: Modifying exhaust system on motor vehicle causing excessive noise emissions (\$70.00) Recommend legislative change to enhance penalties to \$500.00 for motorcycles.
-

Our Take On The Problems Statewide

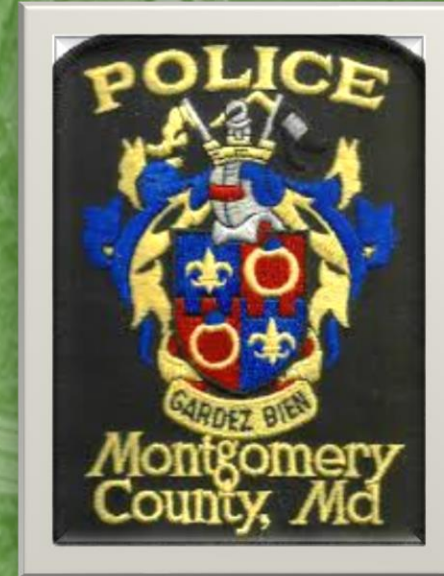
- Inadequate enforcement resources
 - For example, ICC traffic and revenues exceeding five year projections, but “expenses” held effectively static
- Newer and (possibly) current highway design and technologies unwittingly encourage speed
 - Toll booth-free roads remove control
- Lack of effective, outside-the-box blend of solutions



Strategies



Progress



MEMO OF UNDERSTANDING (MOU)

Progress



Draft legislation in preliminary phase
Sen. Ben Kramer, Del. Vaughn Stewart
District 19

Progress

- Outreach – The Maryland Coalition for Highway Safety is on the map, the radar, the scene



Next Steps – It's All About Deterrence

- Legislative
 - Continue to monitor legislative track of draft bill
 - Continue to recruit member organizations and individuals
 - Prepare to strongly lobby prior to and during session
 - Collect data
 - Work with MDTA and other departments
 - Gather our own “evidence”
 - Push for technology solutions (innovative use of drones)
 - Push for effective signage (electronic, stationary)
-

TRUCKERS

MODIFIED
EXHAUST
SYSTEMS
PROHIBITED

TRANS. ARTICLE SECT. 22 - 609



We Will Work With You to Achieve Our Goal

- Thank you for your time and interest today, and for your continued work to improve Maryland roads safety.

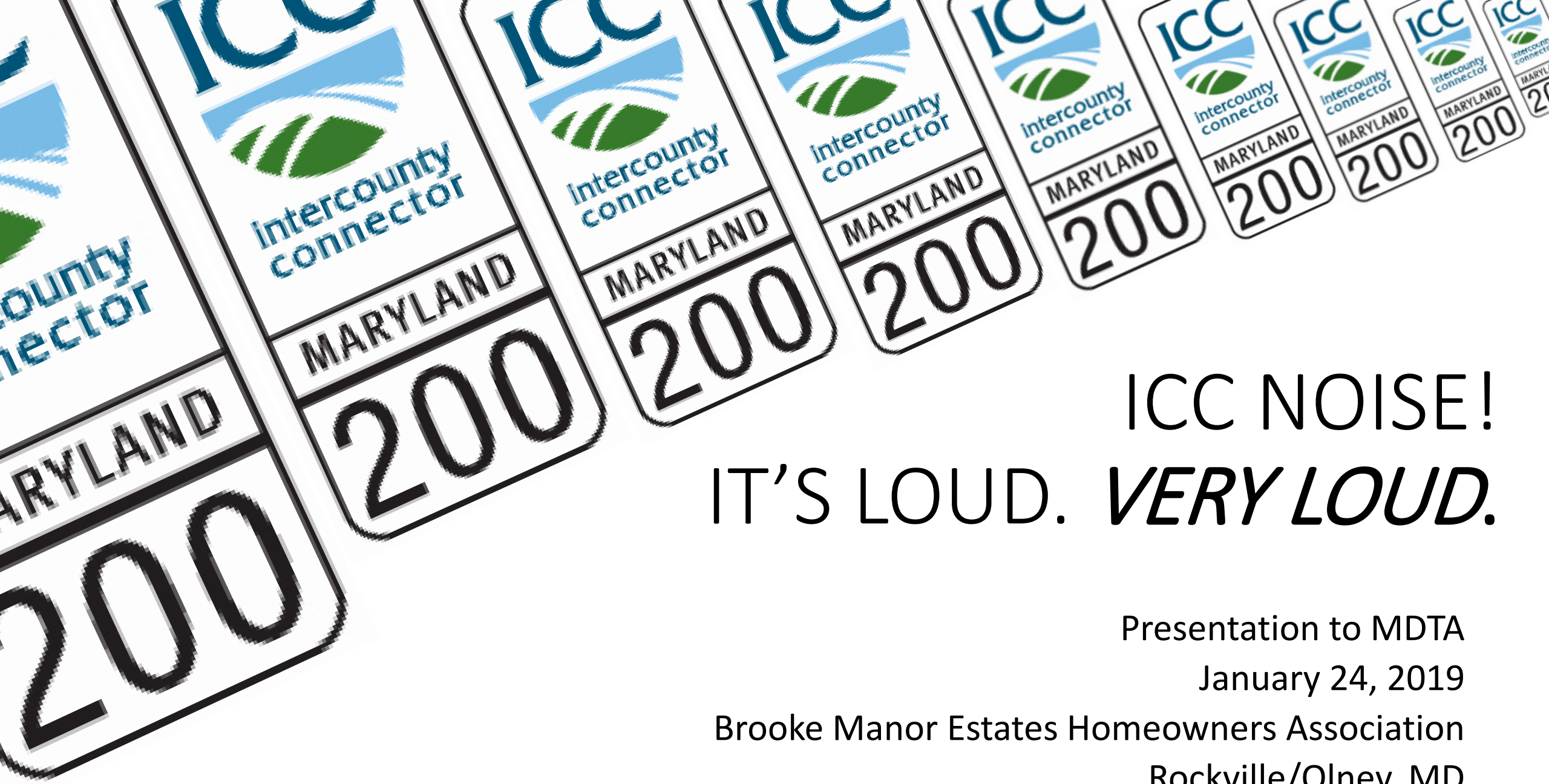
ZERO
DEATHS
MARYLAND



John J. Seng JohnJSeng@gmail.com



<https://www.facebook.com/groups/marylandcoalitionhighwaysafety>



ICC NOISE!
IT'S LOUD. *VERY LOUD.*

Presentation to MDTA

January 24, 2019

Brooke Manor Estates Homeowners Association

Rockville/Olney, MD

To Mitigate Excessive ICC-200 Noise, We Propose:



1. MDTA commission and fund an independent sound study conducted in the field over an extended time to account for all noise-contributing factors.
 - MDTA commence design and construction of an adequate sound barrier/wall, based on results/outcome of the sound study.
2. MDTA report to Maryland citizens its effectiveness at enforcing 60MPH speed limit on the ICC.
3. MDTA report to BME the outcomes of the additional methods and technologies that MDTA police widely publicized they would undertake to mitigate speeding motorcyclists on the ICC.
4. MDTA report to Maryland citizens the State's effectiveness in enforcing State and Federal laws against unlawful tampering with motorcycle exhaust systems, as well as in-state and interstate sales of illegal aftermarket systems.



Why Is ICC 200 Highway Noise Too Loud Today?

- Greater noise results from two problematic and concurrent issues
 1. Ongoing ambient noise is louder, due to increased road traffic volume, higher actual speeds, all aggravated by inclement weather
 2. Ever-frequent racing motorcycle episodes that increase dramatically on any “nice” day – noise is excruciating, disrupts daily living throughout entire 177-home community
- We are not scientists, but we know louder when we hear it. In every respect, the overall noise is worse today than ever.
- The previous noise studies were likely unrealistic and not future-facing; likely did not factor in greater actual vehicle speeds; and certainly not lawless, racing motorcycles.

Brief Background



- *BME was told that ICC would run below terrain underneath Emory Lane...but this did not happen. Instead, SHA significantly raised Emory Lane via an elevated bridge (Which may now be causing flooding problems west of ICC overpass)*
- *Agreement to erect berms – May 2006...but berms are inadequate*
- *Screening wall (not sound barrier) agreed to by SHA following BME appeal December 2010*
- *We have discussed numerous times that the community was analyzed using the standard federal and state policies for highway construction and the community did not meet criteria for a sound barrier. While you have driven this section of the roadway and noted many locations where sound barriers were constructed, each community was analyzed using the same parameters. The policies were specifically created to ensure that each community was treated fairly and arbitrary decisions were not made on sound barriers. – Melinda Peters, April 22, 2011*
- *ICC Speed limit raised 55-60mph, based solely on MDTA speed and safety surveys. We're not aware that any ICC neighboring communities were consulted on sound impact. BME was certainly never consulted.*
- *Studies by MDTA that we can find only measure driver and potential driver satisfaction and road safety. This is a transient audience that pays less to use the ICC than residents pay in State and County taxes to live here full time.*
- *Trucks create additional noise while gearing up, gaining speed while entering ICC/200 and Georgia Ave; as well as when slowing down when exiting ICC/200*
- *In all ICC Project community planning meetings attended in past 15 years by BME residents, no one foresaw, predicted or accounted for the attraction of racing motorcyclists to the ICC and their impact.*

Gridlock

ICC speed limit going up to 60 mph

By **Mark Berman**

February 4, 2013

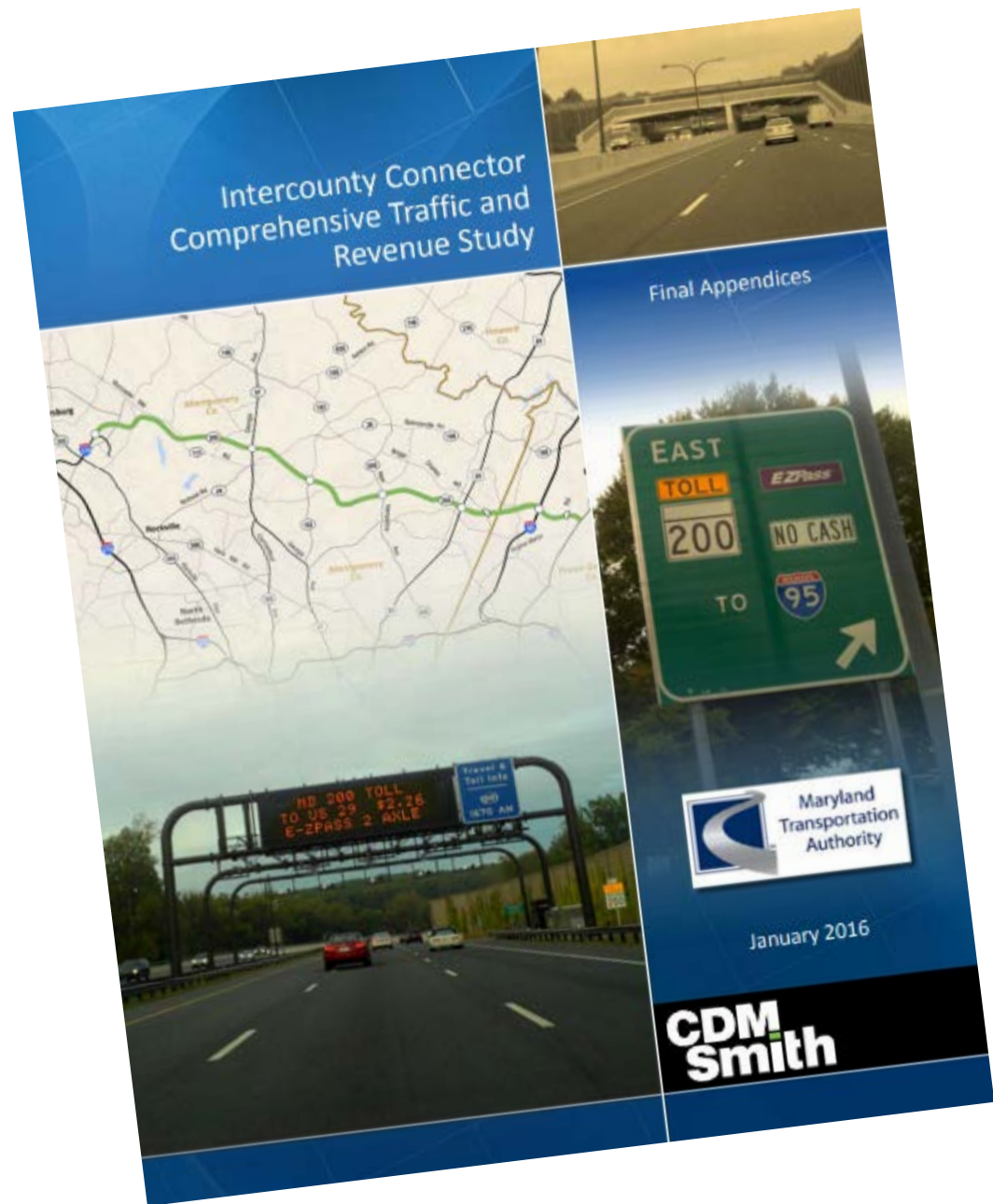


Traffic on the Intercounty Connector on Oct. 27, 2011 in Rockville, Md. (Mark Gail/The Washington Post)

Drivers have asked the state to consider raising the speed limit on the ICC since [it opened in 2011](#). Agency officials said Monday that an [engineering study](#) and a [crash analysis](#) confirmed that the speed limit can be raised safely.

“We are confident that a 60 mph speed limit is safe and justifiable based on the design speed and geometry of the roadway, as well as on the speed most motorists are comfortable traveling the ICC,” the authority’s executive secretary, Harold M. Bartlett, said in a statement.

The extra 5 mph isn’t going to cut a lot of time off ICC trips. With the speed limit increase, drivers traveling on the ICC from end to end could save about 1 1/2 minutes of travel time, according to the agency.



Studies like this one measure driver satisfaction, value of ICC, commuting time and so on...

We can't find a study that attempts to gauge the ICC's impact on neighboring homeowners.



Current Issues – What We Know

- BME community of approximately 600 people is pressuring our HOA for relief from ICC noise
- Our real estate values threatened
- Our quality of life at risk
- The 60 mph “limit” is merely a reference point. Most people average 65-70mph on the ICC. 70mph is 27% greater speed than the original 55mph limit.



MDTA Police Intentions & Response Were Good, But...Ineffective



WJLA
WASHINGTON, D.C.

NEWS WEATHER TRAFFIC SPORTS 7 ON YOUR SIDE FEATURES CALL FOR ACTION CHIME IN ABOUT US

MDTA cracks down on motorcycle racing on ICC in Maryland after incidents caught on camera

by Kevin Lewis/WJLA | Monday, July 16th 2018

The Maryland Transportation Authority is cracking down on motorcycle racing on the ICC after incidents were caught on camera. (Photo courtesy of ABC7/nowe)

OLNEY, Md. (WJLA) — The Maryland Transportation Authority is cracking down on motorcyclists treating the Intercounty Connector (ICC)/MD 200 like a grand prix racetrack.

Current Issues – What We Know, cont'd



- MDTA police report they are unable to safely address motorcycle speeding: “Nothing more we can do...”
- We know – and you know – that higher speeds significantly lead to higher dB levels

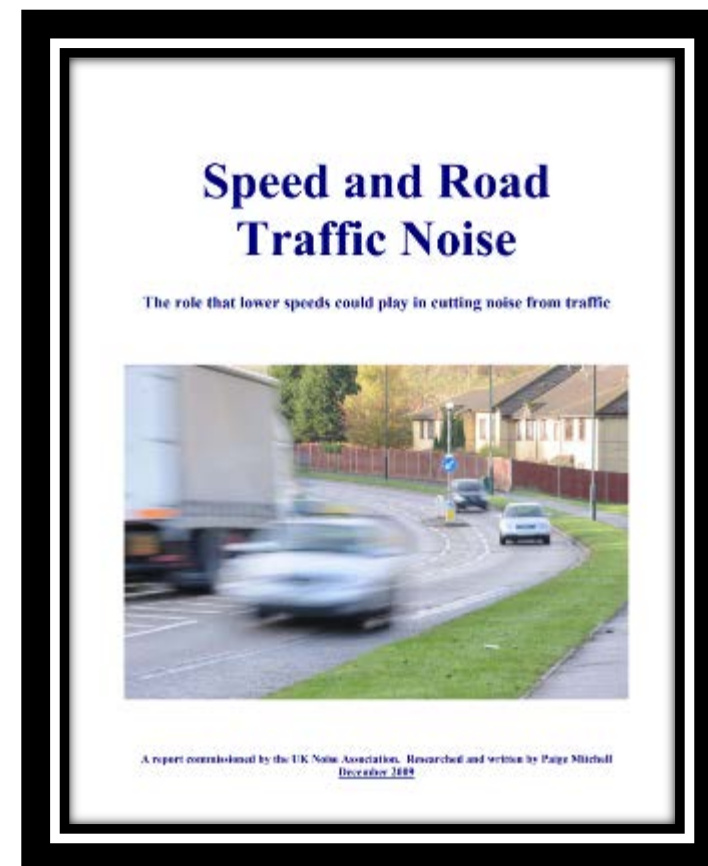




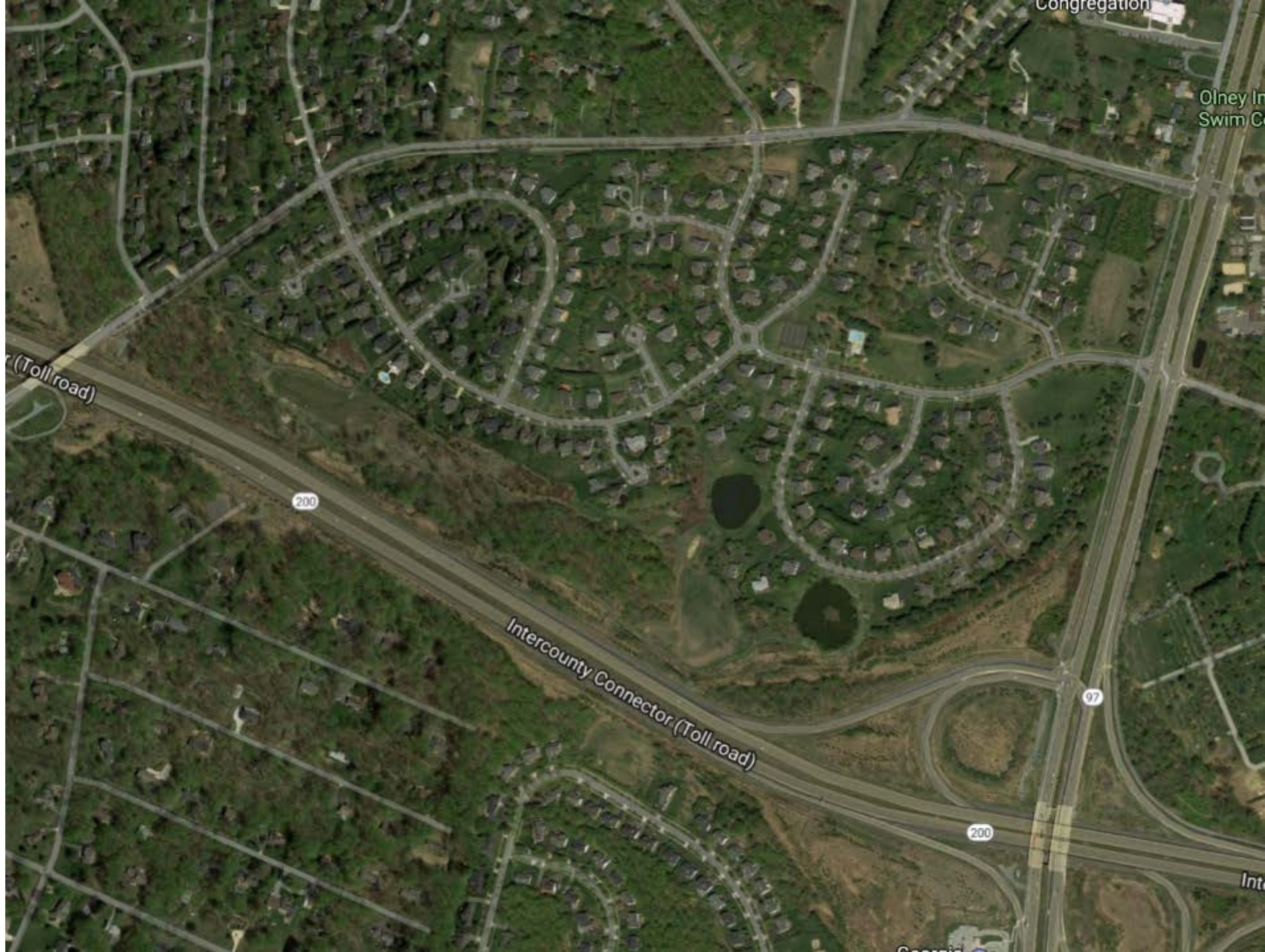
What We've Learned

- *Cutting speeds is the most immediate, the most cost-effective and most equitable way of reducing traffic noise. In urban areas with speeds of between 30 and 60 kph per hour, reducing speeds by 10 kph per hour would cut noise levels by up to 40%. Reducing 70mph and 60mph speeds on urban motorways would cut noise by up to 50%.*

http://www.ukna.org.uk/uploads/4/1/4/5/41458009/speed_and_road_traffic_noise.pdf

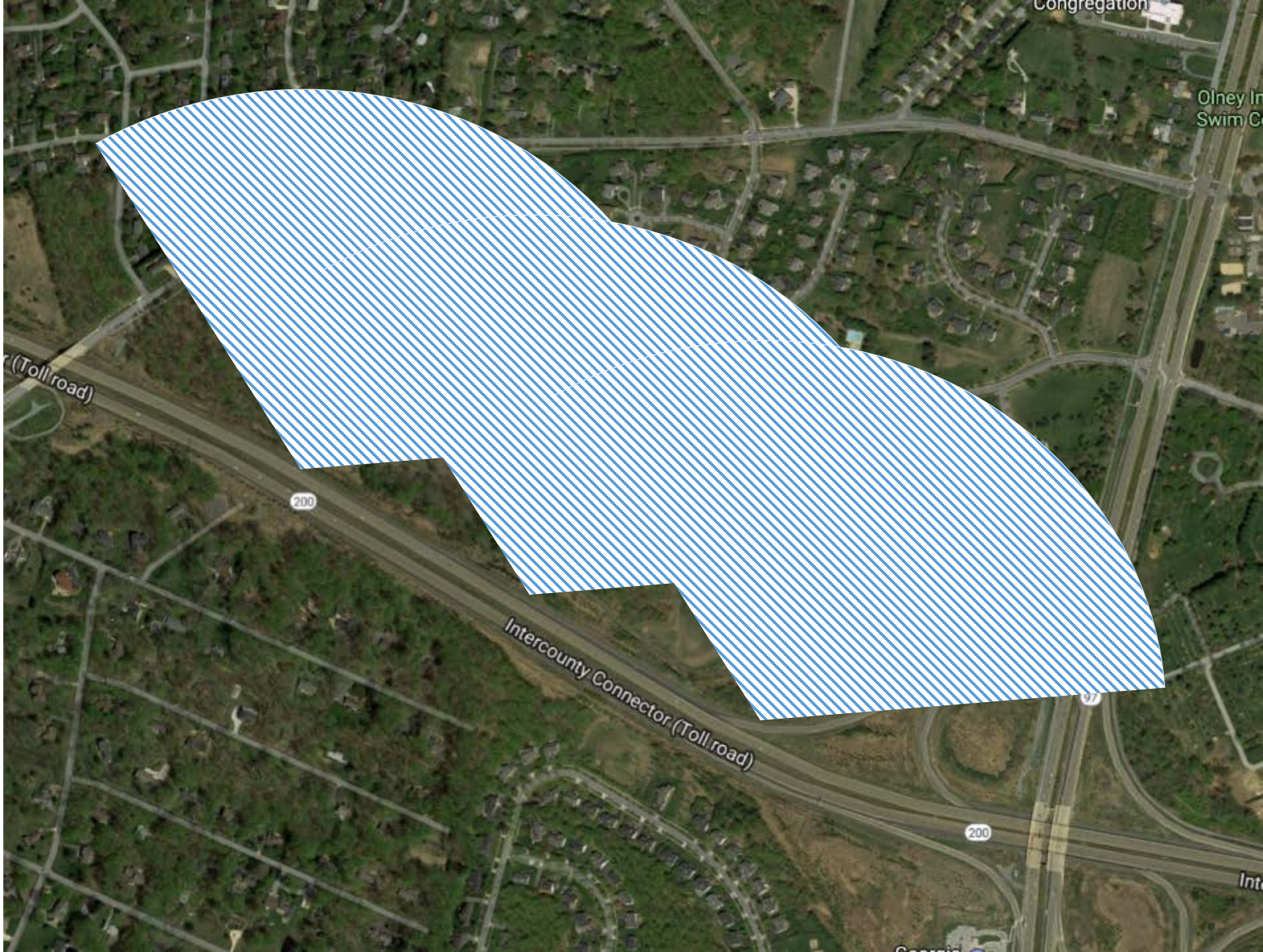


Average driver speeding by Brooke Manor at 65mph spends ~ 55 seconds traveling 0.9 mile



Average through driver 65mph spends ~ 50 seconds driving by 0.9 mile

24/7/365 days a year, we live here. Our families, old, middle-aged and young, need a break!



Leaving Home Later. Getting Home Earlier.
That's What the ICC Means to Marylanders.

*And showing some respect to
the people who live where
you're driving through*

Feedback and Discussion



- What will MDTA do to protect our community as ICC use by “all” increases?



Thank You!

Brooke Manor Estates Homeowners Association
Rockville/Olney, MD



Addendum

- Related media coverage
 - **WJLA-TV 7** TV, online (used Brooke Manor Estates-provided footage)
 - <http://wjla.com/news/local/mdta-crack-down-racing-icc-md>
 - ...and on **YouTube** - <https://www.youtube.com/watch?v=hIdV2No5HHs>
 - **WTOP** Print, radio, video <https://wtop.com/dc-transit/2018/07/its-a-public-threat-police-aim-to-curb-reckless-motorcycle-riders-on-icc/>
 - <https://www.youtube.com/watch?v=-z2v4b1ANQY>
https://www.nbcwashington.com/news/local/Police-to-Crack-Down-on-ICCs-Aggressive-Drivers_Washington-DC-488335931.html
- Contact:
 - Brooke Manor Estates Homeowners Association, Rockville, MD
 - Chair- Robert Zimmerman, 3837robert@gmail.com 302.604.8849
 - John Seng, JohnJSeng@gmail.com (202) 468-7682

Brooke Manor residents say motorcycle noise deteriorating quality of life

by **Terri Hogan**
Senior Staff Writer

The president of the Brooke Manor Estates Homeowners Association says motorcycles have turned the Intercounty Connector (ICC) into a dragstrip, impacting the quality of life for nearby residents.

"The problem has been growing for a couple of years now," Robert Zimmerman said. "When the road first opened, the speed limit was 55 and there wasn't a lot of traffic."

When the speed limit was raised to 60, the traffic and the noise increased, he said.

"It got bad last year and keeps getting worse," he said.

Zimmerman said good weather brings out

motorcycles and engines can be heard revving all night long.

"They drag race, weave in and out of traffic, and try to see just how fast they go," he said.

Brooke Manor Estates is located to the west of Georgia Avenue (Route 97) and north of the Intercounty Connector (Route 200).

Zimmerman said he reached out to the Maryland Transit Authority (MDTA) two months ago, but no one has responded to him.

The MDTA Police Department, which is responsible for policing toll roads, BWI/Thurgood Marshall Airport and the Port of Baltimore, held a news conference on July 16 after local media outlets reported on the problems of increased motorcycle speeding and noise on the ICC.

Cpl. Edward Bartlinski, commander of the

Media Relations & Community Outreach Section of the Maryland Transportation Authority Police, acknowledged the department has received comments of motorcycles traveling at excessive speeds while driving on the ICC.

"We are implementing several strategies to curb this dangerous behavior," he said. "We have deployed unmarked and unconventional police vehicles to patrol the area at all hours of the day and night. Additionally, we are employing the technology we currently possess to track down these aggressive drivers and to charge them with violations of Maryland's motor vehicle laws."

Zimmerman is hopeful that increased enforcement and using technology will quiet the roar.

In the meantime, he said his community is also pursuing noise barriers.

"When the ICC was built, we were just under the noise limit that would have required noise barriers," Zimmerman said. "Now the terrain might not work, but it is something we are looking into."

Zimmerman said his neighbors don't build decks and those who have them do not use them.

"It has deteriorated our standard of living and changed the whole atmosphere of our community," he said. "And it's not just the noise, but it is dangerous. It's just a matter of time before there is an accident."

Greater Olney News July 25, 2018