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HB 721/94 - CGM

1997 Regular Session
7lr0842

By: Delegates Bozman, Kagan, and Malone

Introduced and read first time: January 29, 1997

Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 4, 1997

CHAPTER ____

1 AN ACT concerning

2 Vehicle Laws - Operation of Sound Amplification System - Noise Prohibition

3 FOR the purpose of prohibiting the driver of a motor vehicle from operating, or
4 permitting the operation of, a sound amplification system in a certain manner under
5 certain conditions; specifying certain exceptions to the prohibition; specifying a civil
6 penalty; modifying a general criminal provision to reflect a certain exception;
7 modifying the civil jurisdiction of the District Court for a specified purpose; making
8 stylistic changes; defining a certain term; and generally relating to a prohibition on
9 the operation of a sound amplification system from a motor vehicle.

10 BY repealing and reenacting, with amendments,

11 Article - Courts and Judicial Proceedings

12 Section 4-401(11)

13 Annotated Code of Maryland

14 (1995 Replacement Volume and 1996 Supplement)

15 BY adding to

16 Article - Transportation

17 Section 21-1122

18 Annotated Code of Maryland

19 (1992 Replacement Volume and 1996 Supplement)

20 BY repealing and reenacting, ~~without~~ with amendments,

21 Article - Transportation

22 Section 27-101(a) ~~and (b)~~

23 Annotated Code of Maryland

24 (1992 Replacement Volume and 1996 Supplement)

2

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Courts and Judicial Proceedings**

4 4-401.

5 Except as provided in § 4-402 of this subtitle, and subject to the venue provisions of
6 Title 6 of this article, the District Court has exclusive original civil jurisdiction in:

7 (1) A proceeding for adjudication of a civil penalty for any violation under §
8 5-1001 of the Environment Article [of the Code or under], § 21-1122 OF THE
9 TRANSPORTATION ARTICLE, OR ARTICLE 41, § 2-101(c-1) [of Article 41] of the Code
10 or any rule or regulation issued pursuant to those sections; and

11 **Article - Transportation**

12 21-1122.

13 (A) IN THIS SECTION, "SOUND AMPLIFICATION SYSTEM" MEANS A COMPACT
14 DISC PLAYER, A RADIO, A TAPE PLAYER, OR A SIMILAR DEVICE.

15 (B) THIS SECTION DOES NOT APPLY TO:

16 (1) AUTHORIZED EMERGENCY VEHICLES;

17 (2) VEHICLES OPERATED BY COMMUNICATIONS, ELECTRIC, GAS, OR
18 WATER UTILITIES;

19 (3) A SOUND AMPLIFICATION SYSTEM OPERATED TO REQUEST
20 ASSISTANCE OR TO WARN OF A HAZARDOUS SITUATION; OR

21 (4) UNLESS OTHERWISE PROHIBITED BY LOCAL LAW, A SOUND
22 AMPLIFICATION SYSTEM USED FOR ADVERTISING, PARADES, OR FOR POLITICAL OR
23 OTHER SPECIAL EVENTS.

24 (C) WHEN A MOTOR VEHICLE IS BEING OPERATED ON A HIGHWAY, THE
25 DRIVER OF THE VEHICLE MAY NOT OPERATE OR PERMIT THE OPERATION OF A
26 SOUND AMPLIFICATION SYSTEM FROM THE VEHICLE THAT CAN BE HEARD OUTSIDE
27 THE VEHICLE FROM 50 OR MORE FEET.

28 (D) A PERSON WHO VIOLATES SUBSECTION (C) OF THIS SECTION IS SUBJECT
29 TO A CIVIL PENALTY NOT EXCEEDING \$50.

30 27-101.

31 (a) It is a misdemeanor for any person to violate any of the provisions of the
32 Maryland Vehicle Law unless the violation ~~is~~:

33 (1) IS declared to be a felony by the Maryland Vehicle Law or by any other
34 law of this State; OR

35 (2) IS PUNISHABLE BY A CIVIL PENALTY UNDER THE APPLICABLE
36 PROVISION OF THE MARYLAND VEHICLE LAW.

3

1 ~~(b) Except as otherwise provided in this section, any person convicted of a~~
2 ~~misdemeanor for the violation of any of the provisions of the Maryland Vehicle Law is~~
3 ~~subject to a fine of not more than \$500.~~

4 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
5 October 1, 1997.