

# HOUSE BILL 440

R6

7lr1894

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By: **Delegates Barkley, Ali, and N. King**  
Introduced and read first time: February 5, 2007  
Assigned to: Environmental Matters

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## A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Engine Brakes – Restrictions**

3 FOR the purpose of prohibiting the operator of a commercial motor vehicle equipped  
4 with a certain engine brake from activating the engine brake in a residential  
5 district during a certain period of time; defining certain terms; and generally  
6 relating to restricting the use of engine brakes.

7 BY repealing and reenacting, without amendments,  
8 Article – Transportation  
9 Section 21–101(s)  
10 Annotated Code of Maryland  
11 (2006 Replacement Volume and 2006 Supplement)

12 BY adding to  
13 Article – Transportation  
14 Section 22–611  
15 Annotated Code of Maryland  
16 (2006 Replacement Volume and 2006 Supplement)

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

19 **Article – Transportation**

20 21–101.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (s) "Residential district" means an area that:

2 (1) Is not a business district; and

3 (2) Adjoins and includes a highway where the property along the  
4 highway, for a distance of at least 300 feet, is improved mainly with residences or  
5 residences and buildings used for business.

6 **22-611.**

7 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
8 MEANINGS INDICATED.

9 (2) "ENGINE BRAKE" MEANS AN ADD-ON ENGINE COMPRESSION  
10 BRAKE FOR DIESEL ENGINES, COMMONLY REFERRED TO AS A "JAKE BRAKE".

11 (3) "RESIDENTIAL DISTRICT" HAS THE MEANING STATED IN §  
12 21-101 OF THIS ARTICLE.

13 (B) A PERSON OPERATING A COMMERCIAL MOTOR VEHICLE EQUIPPED  
14 WITH AN ENGINE BRAKE MAY NOT ACTIVATE THE ENGINE BRAKE IN A  
15 RESIDENTIAL DISTRICT FROM 10 P.M. TO 7 A.M.

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
17 October 1, 2007.