

HOUSE BILL 304

R6

3lr1473

By: **Delegates Lehman, Pena–Melnik, B. Barnes, Cardin, Charkoudian, Foley, Grossman, Guyton, Harris, Hill, Moon, Palakovich Carr, Taveras, Terrasa, Toles, and Woods**

Introduced and read first time: January 25, 2023

Assigned to: Environment and Transportation and Judiciary

A BILL ENTITLED

1 AN ACT concerning

2 **Motor Vehicles – Noise Limits and Modification of Exhaust Systems and Noise**
3 **Abatement Devices**

4 FOR the purpose of establishing the Sound Measuring Equipment Grant Program in the
5 Governor’s Office of Crime Prevention, Youth, and Victim Services to provide grants
6 to local law enforcement agencies for the purchase of vehicle sound measuring
7 equipment; establishing a maximum sound level limit that the Motor Vehicle
8 Administration may set for motor vehicles; altering the penalty for modifying a
9 motor vehicle exhaust system or noise abatement device in a certain manner or for
10 driving on a highway a motor vehicle with an exhaust system or noise abatement
11 device that is modified in a certain manner; establishing certain exceptions to the
12 prohibitions governing modified motor vehicle exhaust systems or noise abatement
13 devices; and generally relating to motor vehicle sound level limits and the
14 modification of exhaust systems and noise abatement devices.

15 BY adding to
16 Article – Public Safety
17 Section 4–1012
18 Annotated Code of Maryland
19 (2022 Replacement Volume)

20 BY repealing and reenacting, with amendments,
21 Article – Transportation
22 Section 22–601, 22–605, and 22–609
23 Annotated Code of Maryland
24 (2020 Replacement Volume and 2022 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Public Safety

4–1012.

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

(2) “EXECUTIVE DIRECTOR” MEANS THE EXECUTIVE DIRECTOR OF THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.

(3) “LOCAL LAW ENFORCEMENT AGENCY” MEANS:

(I) A POLICE DEPARTMENT OF A COUNTY OR MUNICIPAL CORPORATION IN THE STATE; OR

(II) A SHERIFF’S OFFICE THAT PROVIDES A LAW ENFORCEMENT FUNCTION IN A COUNTY OR MUNICIPAL CORPORATION IN THE STATE.

(4) “PROGRAM” MEANS THE SOUND MEASURING EQUIPMENT GRANT PROGRAM.

(B) THERE IS A SOUND MEASURING EQUIPMENT GRANT PROGRAM IN THE GOVERNOR’S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.

(C) THE PURPOSE OF THE PROGRAM IS TO PROVIDE GRANTS TO LOCAL LAW ENFORCEMENT AGENCIES FOR THE PURCHASE OF EQUIPMENT TO MEASURE THE SOUND LEVEL OF A MOTOR VEHICLE IN OPERATION ON A HIGHWAY.

(D) (1) THE EXECUTIVE DIRECTOR SHALL ADMINISTER THE GRANT FUNDS IN ACCORDANCE WITH § 4–1008 OF THIS SUBTITLE.

(2) A LOCAL LAW ENFORCEMENT AGENCY MAY USE THE GRANT FUNDS AWARDED UNDER THE PROGRAM TO PURCHASE HARDWARE, SOFTWARE, OR ANY OTHER TECHNICAL EQUIPMENT NECESSARY FOR A LOCAL LAW ENFORCEMENT AGENCY TO MEASURE THE SOUND LEVEL OF A MOTOR VEHICLE IN OPERATION ON A HIGHWAY.

(E) FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, THE GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$2,000,000 FOR THE PROGRAM.

(F) THE EXECUTIVE DIRECTOR MAY ADOPT REGULATIONS NECESSARY TO CARRY OUT THIS SECTION.

Article – Transportation

1

2 22–601.

3 (a) With the endorsement of the Secretary of Transportation and the Secretary of
4 the Environment and after a public hearing following 60 days’ notice, the Administrator
5 shall adopt regulations that establish maximum sound level limits, **NOT TO EXCEED 95**
6 **DECIBELS**, for the operation on the highways in this State of each type of motor vehicle or
7 combination of vehicles.

8 (b) In establishing limits under this section, the Administrator shall:

9 (1) Consider any noise emission regulations established under federal law
10 for motor carriers engaged in interstate commerce; and

11 (2) Set the limits at the most restrictive level that, through the application
12 of the best available technology at a reasonable cost, is consistent with attaining the
13 environmental noise standards adopted by the Department of the Environment.

14 22–605.

15 (a) With the endorsement of the Secretary of Transportation and the Secretary of
16 the Environment and after a public hearing following 60 days’ notice, the Administrator
17 shall adopt regulations that establish maximum sound level limits, **NOT TO EXCEED 95**
18 **DECIBELS**, for each type of new motor vehicle.

19 (b) In establishing limits under this section, the Administrator shall set the most
20 restrictive level that, through the application of the best available technology at a
21 reasonable cost, is consistent with attaining the environmental noise standards adopted by
22 the Department of the Environment.

23 22–609.

24 (a) **THIS SECTION DOES NOT APPLY TO:**

25 (1) **A HISTORIC MOTOR VEHICLE REGISTERED UNDER § 13–936 OF**
26 **THIS ARTICLE;**

27 (2) **A HISTORIC TRUCK, TRACTOR, OR MOTOR HOME REGISTERED**
28 **UNDER § 13–936.2 OF THIS ARTICLE; OR**

29 (3) **A STREET ROD REGISTERED UNDER § 13–937.1 OF THIS ARTICLE.**

30 (B) (1) A person may not modify the exhaust system or any other noise
31 abatement device of a motor vehicle driven or to be driven on any highway in this State in

1 such a way that the noise emitted by the vehicle exceeds that emitted by the vehicle as
2 originally manufactured.

3 **[(b)] (2)** A person may not drive on any highway in this State a motor vehicle
4 with an exhaust system or noise abatement device modified in a way prohibited by
5 **PARAGRAPH (1) OF THIS** subsection **[(a) of this section]**.

6 **(C) IF A POLICE OFFICER OBSERVES THAT A VEHICLE IS BEING OPERATED**
7 **IN VIOLATION OF SUBSECTION (B) OF THIS SECTION, THE OFFICER MAY STOP THE**
8 **DRIVER OF THE VEHICLE AND, IN ADDITION TO A CITATION CHARGING THE DRIVER**
9 **WITH THE OFFENSE, SHALL ISSUE TO THE DRIVER A SAFETY EQUIPMENT REPAIR**
10 **ORDER IN ACCORDANCE WITH § 23-105 OF THIS ARTICLE.**

11 **(D) A PERSON CONVICTED OF A VIOLATION OF SUBSECTION (B) OF THIS**
12 **SECTION IS SUBJECT TO:**

13 **(1) FOR A FIRST OFFENSE, A FINE OF \$200;**

14 **(2) FOR A SECOND OFFENSE, A FINE OF \$300; AND**

15 **(3) FOR A THIRD OR SUBSEQUENT OFFENSE, A FINE OF \$400.**

16 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
17 October 1, 2023.