

# HOUSE BILL 617

R6

6lr2162

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By: **Delegates Fair, Kerr, and Simpson**

Introduced and read first time: January 30, 2026

Assigned to: Environment and Transportation

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Committee Report: Favorable

House action: Adopted

Read second time: March 18, 2026

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **City of Frederick – Noise Abatement Monitoring Systems – Authorization**

3 FOR the purpose of authorizing the use of noise abatement monitoring systems in the City  
4 of Frederick to enforce certain motor vehicle noise requirements; and generally  
5 relating to the use of noise abatement monitoring systems.

6 BY repealing and reenacting, with amendments,  
7 Article – Transportation  
8 Section 22–612  
9 Annotated Code of Maryland  
10 (2020 Replacement Volume and 2025 Supplement)

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

13 **Article – Transportation**

14 22–612.

15 (a) This section applies only in Montgomery County, [and] Prince George’s  
16 County, **AND THE CITY OF FREDERICK.**

17 (b) (1) In this section the following words have the meanings indicated.

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2) “Agency” means a [county] law enforcement agency **OF A LOCAL**  
2 **JURISDICTION** that is authorized to issue a citation for a violation of the Maryland Vehicle  
3 Law or of local traffic laws or regulations.

4 (3) **“LOCAL JURISDICTION” MEANS MONTGOMERY COUNTY, PRINCE**  
5 **GEORGE’S COUNTY, OR THE CITY OF FREDERICK.**

6 (4) “Noise abatement monitoring system” means a mobile or fixed vehicle  
7 sensor that works in conjunction with a noise measuring device, such as a decibel reader,  
8 that automatically produces two or more photographs, two or more microphotographs, a  
9 videotape, or other recorded images of a motor vehicle at the time the motor vehicle is  
10 operated during the commission of a violation.

11 ~~[(4)]~~ (5) “Noise abatement monitoring system operator” means a  
12 representative of an agency or a contractor that operates a noise abatement monitoring  
13 system.

14 ~~[(5)]~~ (6) “Noise measuring device” means an electronic device that:

15 (i) Uses automated equipment that activates when the sound level  
16 exceeds the maximum sound level limits established under § 22–601 of this subtitle by at  
17 least 5 decibels;

18 (ii) Records audio when activated;

19 (iii) Records decibel levels when activated; and

20 (iv) Allows a noise abatement monitoring system operator to  
21 manually review recorded audio to ensure a violation has occurred.

22 ~~[(6)]~~ (7) (i) “Owner” means the registered owner of a motor vehicle or  
23 a lessee of a motor vehicle under a lease of 6 months or more.

24 (ii) “Owner” does not include:

25 1. A motor vehicle rental or leasing company; or

26 2. A holder of a special registration plate issued under Title  
27 13, Subtitle 9, Part III of this article.

28 ~~[(7)]~~ (8) “Recorded image” means an image recorded by a noise abatement  
29 monitoring system:

30 (i) On:

31 1. A photograph;



1 (iv) 1. A [county] LOCAL JURISDICTION that authorizes a  
2 program of noise abatement monitoring systems shall designate an official or employee to  
3 investigate and respond to questions or concerns about the [county's] LOCAL  
4 JURISDICTION'S noise abatement monitoring system program.

5 2. A. The local designee shall review a warning notice or  
6 citation generated by a noise abatement monitoring system if the person who received the  
7 warning notice or citation requests review before the deadline for contesting liability under  
8 this section.

9 B. If the local designee determines that the warning notice or  
10 citation is an erroneous violation, the local designee shall void the warning notice or  
11 citation.

12 C. If the local designee determines that a person did not  
13 receive notice of a warning notice or citation issued under this section due to an  
14 administrative error, the local designee may resend the warning notice or citation in  
15 accordance with subsection (e) of this section or void the warning notice or citation.

16 D. A local designee that takes any action described under  
17 subsubsubparagraph C of this subsubparagraph shall notify the Administration of the  
18 action for the purpose of rescinding any administrative penalties imposed under subsection  
19 (h) of this section.

20 E. A local designee may not determine that a warning notice  
21 or citation is an erroneous violation based solely on the dismissal of the warning notice or  
22 citation by a court.

23 F. A local designee may waive a warning notice or citation if  
24 the person alleged to be liable under this section provides sufficient evidence that the  
25 person has made any alterations to the motor vehicle necessary to avoid future violations.

26 3. A local designee may not be employed by a noise  
27 abatement monitoring system contractor or have been involved in any review of a noise  
28 abatement monitoring system warning notice or citation, other than review of a warning  
29 notice or citation under this subparagraph.

30 4. On receipt of a written question or concern from a person,  
31 the local designee shall provide a written answer or response to the person within a  
32 reasonable time.

33 5. A local jurisdiction shall make any written questions or  
34 concerns received under this subparagraph and any subsequent written answers or  
35 responses available for public inspection.

36 (v) If a [county] LOCAL JURISDICTION moves or places a noise  
37 abatement monitoring system to or at a location where a noise abatement monitoring

1 system had not previously been moved or placed, the [county] LOCAL JURISDICTION may  
2 not issue a citation for a violation recorded by that noise abatement monitoring system:

3 1. Until signage is installed in accordance with  
4 subparagraph (iii)2 of this paragraph; and

5 2. For at least the first 15 calendar days after the signage is  
6 installed.

7 (2) (i) A noise abatement monitoring system operator shall complete  
8 training by the manufacturer of the noise abatement monitoring system in the procedures  
9 for setting up and operating the noise abatement monitoring system.

10 (ii) The manufacturer shall issue a signed certificate to the noise  
11 abatement monitoring system operator on completion of the training.

12 (iii) The certificate of training shall be admitted as evidence in any  
13 court proceeding for a violation.

14 (3) A noise abatement monitoring system operator shall fill out and sign a  
15 daily set-up log for a noise abatement monitoring system that:

16 (i) States that the noise abatement monitoring system operator  
17 successfully performed or reviewed and evaluated the manufacturer-specified daily  
18 self-test of the noise abatement monitoring system before producing a recorded image;

19 (ii) States the date and time when, and the location where, the noise  
20 abatement monitoring system was set up each day;

21 (iii) Shall be kept on file; and

22 (iv) Shall be admitted as evidence in any court proceeding for a  
23 violation.

24 (4) (i) A noise abatement monitoring system shall undergo an annual  
25 calibration check performed by an independent calibration laboratory that is:

26 1. Selected by the [county] LOCAL JURISDICTION; and

27 2. Unaffiliated with the manufacturer of the noise  
28 abatement monitoring system.

29 (ii) The independent calibration laboratory shall issue a signed  
30 certificate of calibration after the annual calibration check that shall be:

31 1. Kept on file; and



- 1 (v) The location of the noise abatement monitoring system;
- 2 (vi) The date and time of the violation;
- 3 (vii) The recorded decibel level;
- 4 (viii) A copy of the recorded image;
- 5 (ix) The amount of the civil penalty imposed and the date by which  
6 the civil penalty should be paid, if applicable;
- 7 (x) A signed statement by a duly authorized law enforcement officer  
8 employed by or under contract with an agency that, based on inspection of recorded images,  
9 the motor vehicle was being operated during the commission of a violation;
- 10 (xi) A statement that recorded images are evidence of a violation;
- 11 (xii) Information advising the person alleged to be liable under this  
12 section to make any necessary alterations to the motor vehicle to avoid future violations;
- 13 (xiii) Information advising the person alleged to be liable under this  
14 section of the manner and time in which liability as alleged in the citation may be contested  
15 in the District Court; and
- 16 (xiv) Information advising the person alleged to be liable under this  
17 section that failure to pay the civil penalty or to contest liability in a timely manner, if  
18 applicable:
- 19 1. Is an admission of liability;
- 20 2. May result in the refusal by the Administration to register  
21 the motor vehicle; and
- 22 3. May result in the suspension of the motor vehicle  
23 registration.
- 24 (2) An agency may mail a warning notice instead of a citation to the owner  
25 liable under subsection (d) of this section.
- 26 (3) An agency may not mail a citation to a person who is not an owner.
- 27 (4) Except as provided in subsection (c)(1)(iv)2C of this section, a citation  
28 issued under this section shall be mailed not later than 2 weeks after the alleged violation  
29 if the vehicle is registered in this State, and 30 days after the alleged violation if the vehicle  
30 is registered in another state.

1                   (5)    A person who receives a citation under paragraph (1) of this subsection  
2 may:

3                   (i)    Pay the civil penalty, in accordance with instructions on the  
4 citation, directly to the [county] LOCAL JURISDICTION; or

5                   (ii)   Elect to stand trial in the District Court for the alleged violation.

6           (f)    (1)    A certificate alleging that the violation occurred and the requirements  
7 under subsection (c) of this section have been satisfied, sworn to, or affirmed by a duly  
8 authorized law enforcement officer employed by or under contract with an agency, based  
9 on inspection of recorded images produced by a noise abatement monitoring system, shall  
10 be evidence of the facts contained in the certificate and shall be admissible in a proceeding  
11 alleging a violation without the presence or testimony of the noise abatement monitoring  
12 system operator who performed the requirements under subsection (c) of this section.

13                   (2)    If a person who received a citation under subsection (e) of this section  
14 desires the noise abatement monitoring system operator to be present and testify at trial,  
15 the person shall notify the court and the agency in writing not later than 20 days before  
16 trial.

17                   (3)    Adjudication of liability shall be based on a preponderance of evidence.

18           (g)    (1)    The District Court may consider in defense of a violation:

19                   (i)    Subject to paragraph (2) of this subsection, that the motor vehicle  
20 or the registration plates of the motor vehicle were stolen before the violation occurred and  
21 were not under the control or possession of the owner at the time of the violation;

22                   (ii)   That the noise abatement monitoring system was  
23 malfunctioning at the time of the violation; or

24                   (iii)   Any other issues and evidence that the District Court deems  
25 pertinent.

26                   (2)    To demonstrate that the motor vehicle or the registration plates were  
27 stolen before the violation occurred and were not under the control or possession of the  
28 owner at the time of the violation, the owner shall submit proof that a police report  
29 regarding the stolen motor vehicle or registration plates was filed in a timely manner.

30           (h)    If a person liable under this section does not pay the civil penalty or contest  
31 the violation, the Administration may refuse to register or reregister the motor vehicle cited  
32 for the violation.

33           (i)    A violation for which a civil penalty is imposed under this section:

1 (1) Is not a moving violation for the purpose of assessing points under §  
2 16–402 of this article;

3 (2) May not be recorded by the Administration on the driving record of the  
4 owner of the vehicle;

5 (3) May be treated as a parking violation for the purposes of § 26–305 of  
6 this article; and

7 (4) May not be considered in the provision of motor vehicle insurance  
8 coverage.

9 (j) (1) In consultation with the appropriate [county] **LOCAL JURISDICTION**  
10 agencies, the Chief Judge of the District Court shall adopt procedures for the issuance of  
11 citations, the trial of civil violations, and the collection of civil penalties under this section.

12 (2) The standards and requirements for the use, processing, and disposal  
13 of recorded images and associated data established under § 12–113.1 of this article apply  
14 to citations issued under this section.

15 (k) (1) An agency or an agent or contractor designated by the agency shall  
16 administer and process civil citations issued under this section in coordination with the  
17 District Court.

18 (2) If a contractor in any manner operates a noise abatement monitoring  
19 system or administers or processes warning notices or citations generated by a noise  
20 abatement monitoring system on behalf of a [county] **LOCAL JURISDICTION**, the  
21 contractor's fee may not be contingent on a per–ticket basis on the number of warning  
22 notices or citations issued or paid.

23 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,  
24 2027, the City of Frederick shall report to the Governor and, in accordance with § 2–1257  
25 of the State Government Article, the General Assembly on:

26 (1) through October 1, 2027:

27 (i) the time period during which noise abatement monitoring  
28 systems authorized under this Act were in use in the City; and

29 (ii) the number of warnings and citations issued as a result of  
30 violations recorded by noise abatement monitoring systems in the City over the reported  
31 time period, by location and date;

32 (2) (i) the costs associated with implementing and operating noise  
33 abatement monitoring systems; and

1 (ii) the revenue collected on a monthly basis as a result of violations  
2 recorded by noise abatement monitoring systems;

3 (3) appropriate locations for the deployment of noise abatement monitoring  
4 systems;

5 (4) the performance and reliability of noise abatement monitoring systems  
6 used by the City; and

7 (5) the effectiveness of noise abatement monitoring systems in reducing  
8 noise produced by motor vehicles in the City and in areas where the systems were  
9 implemented and used.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
11 1, 2026. It shall remain effective until the taking effect of the termination provision  
12 specified in Section 3 of Chapters 624 and 625 of the Acts of the General Assembly of 2024.  
13 If that termination provision takes effect, this Act, with no further action required by the  
14 General Assembly, shall be abrogated and of no further force and effect. If that termination  
15 provision is amended, this Act shall terminate on the amended termination date. This Act  
16 may not be interpreted to have any effect on that termination provision.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.