



**State of Maryland**  
**Department of State Police**  
Government Affairs Section  
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**POSITION ON PROPOSED LEGISLATION**

**DATE:** February 22, 2022

**BILL NUMBER:** House Bill 1333 **Position:** Letter of Information

**BILL TITLE:** Motor Vehicles – Modified Vehicle Exhaust System - Penalties

**REVIEW AND ANALYSIS:**

This legislation seeks to mandate a tiered penalty for a person who modifies an exhaust system or other noise abatement device in such a way that the noise emitted by the motor vehicle exceeds the original manufactured standards. The legislation also requires a police officer, who stops a motor vehicle for this violation, to issue a citation and a Safety Equipment Repair Order (SERO).

Under current law, a police officer has the discretion to stop a motor vehicle for a traffic or equipment violation. The police officer has the ability to issue a warning, citation, or SERO based on the officer's observations. While an SERO can be issued for a modified exhaust system, an SERO cannot be issued for noise. Motor vehicles registered in another state are not subject to vehicle equipment laws of this state and cannot be issued an SERO.

HB 1333 mandates that a police officer shall issue both a citation and SERO to the driver of a vehicle stopped for a modified exhaust system. By requiring the officer to issue the citation, the legislation is requiring the officer to be able to appear in court and demonstrate automotive, model specific knowledge on the original manufacturers exhaust standards. Unfortunately, most police officers can tell you that an exhaust system is loud but very few will be able to demonstrate the knowledge required to support a conviction of this offense.

The legislative mandate puts the police officer in an untenable situation.