

# **HB\_966\_Sponsor Amendment\_Alston**

Uploaded by: Del. Tiffany Alston

Position: FAV



HB0966/683427/1

AMENDMENTS  
PREPARED  
BY THE  
DEPT. OF LEGISLATIVE  
SERVICES

28 FEB 23  
13:53:46

BY: Delegate Alston

(To be offered in the Environment and Transportation Committee)

AMENDMENTS TO HOUSE BILL 966

(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “requiring” in line 8 down through “inspection;” in line 9; strike in their entirety lines 12 through 17, inclusive; strike beginning with the first comma in line 20 down through “23–204” in line 21; strike beginning with “BY” in line 24 down through the period in line 8 on page 2; and on page 2, in line 9, strike “2.” and substitute “1.”.

AMENDMENT NO. 2

On page 2, in line 25, strike “(1)”; and strike in their entirety lines 27 through 34, inclusive.

On pages 3 through 5, strike in their entirety the lines beginning with line 1 on page 3 through line 13 on page 5, inclusive.

On page 5, in line 14, strike “3.” and substitute “2.”.

**HB 966 - MoCo\_Morningstar\_FAV (GA 23).pdf**

Uploaded by: Sara Morningstar

Position: FAV



# Montgomery County

## Office of Intergovernmental Relations

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ROCKVILLE: 240-777-6550

ANNAPOLIS: 240-777-8270

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HB 966

DATE: March 2, 2023

SPONSOR: Delegate Alston

ASSIGNED TO: Environment and Transportation

CONTACT PERSON: Sara Morningstar (Sara.Morningstar@montgomerycountymd.gov)

POSITION: SUPPORT (Montgomery County Department of Police)

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### **Motor Vehicles – Modified Exhaust Systems and Noise Abatement Devices – Testing and Penalties**

House Bill 966 authorizes a police officer to issue a citation and a safety equipment repair order (SERO) to a motorist who is observed operating a vehicle with an unlawful modified exhaust system or noise abatement device. The first violation would be fine of \$250 (with a SERO), and a second or subsequent violation would result in the Maryland Motor Vehicle Administration (MVA) suspending the vehicle's registration. Registration reinstatement would require evidence to MVA's Vehicle Emissions Inspection Program that the vehicle's exhaust sound level complies with the MVA's maximum sound level limits. Montgomery County Department of Police supports this bill.

Vehicle exhaust noise complaints and growing numbers of street racing events and exhibition driving on State and County roads have continued to challenge local law enforcement agencies. These occurrences pose a traffic safety risk and affect residents' quality of life. This bill will help to address the problem by penalizing individuals for deliberating disrupting the peace in otherwise enjoyable communities.

The Montgomery County Department of Police supports House Bill 966 and urges that the Committee adopt a favorable report.

# **HB0966 - MVA - Modified Exhaust Systems and Noise**

Uploaded by: Patricia Westervelt

Position: INFO

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March 2, 2023

The Honorable Kumar P. Barve  
Chair, House Environment and Transportation Committee  
Room 251, House Office Building  
Annapolis MD 21401

***RE: Letter of Information – House Bill 966 – Motor Vehicles - Modified Exhaust Systems and Noise Abatement Devices - Testing and Penalties***

Dear Chair Barve and Committee Members:

The Maryland Department of Transportation (MDOT) takes no position on House Bill 966 but offers the following information for the Committee’s consideration.

House Bill 966 requires the Motor Vehicle Administration (MVA) to add an “exhaust sound test” as a component of the Vehicle Emissions Inspection Program (VEIP) and adopt regulations and testing methods for ensuring compliance with sound level limits for each type of motor vehicle. This would be in addition to the testing of a vehicle’s emissions system currently conducted in select counties in Maryland to meet requirements established by the federal Clean Air Act (CAA).

As House Bill 966 is currently drafted, testing for exhaust systems would expand VEIP testing to 10 counties and for vehicles currently exempted. It is estimated that this expansion has a cost of over \$50 million in one-time set-up expenses for existing VEIP stations and opening of new testing facilities. Further, an estimated \$19 million in annual operating costs would be needed to meet increased operational demand. Customers currently pay \$14 for VEIP testing, which is designed to meet the cost of administering the VEIP and is capped in statute.

It is not determined if the method for testing noise proposed in House Bill 966 is as effective in addressing the intent of reducing noise on roadways. If law enforcement issues a safety equipment repair order for motorists driving at highway speeds, a test in an enclosed facility using strictly engine revolutions per minutes (RPMs) may not accurately capture contributing factors, such as tire tread and road surface in conjunction with engine decibels. It is also not clear how exhaust noise tests can be verified at self-service kiosks.

Since 2015, law enforcement officials have averaged approximately 800 citations annually for those violating existing law regarding the modification of exhaust systems or other noise abatement devices, with the highest being just over 1,000 citations issued in calendar year 2021; House Bill 966 would require testing of over 5.1 million vehicles. The MVA recognizes the intent of House Bill 966, and it is imperative to focus on enforcement of current law.

The Honorable Kumar P. Barve  
Page Two

The Maryland Department of Transportation respectfully requests the Committee consider this information when deliberating House Bill 966.

Respectfully submitted,

Christine E. Nizer  
Administrator  
Maryland Motor Vehicle Administration  
410-787-7830

Pilar Helm  
Director of Government Affairs  
Maryland Department of Transportation  
410-865-1090

**MDE LOI HB0966.pdf**

Uploaded by: Tyler Abbott

Position: INFO





March 02, 2023

The Honorable Kumar P. Barve, Chair  
Environment and Transportation Committee  
House Office Building, Room 251  
Annapolis, Maryland 21401

**Re: House Bill 966 – Motor Vehicles-Modified Exhaust Systems and Noise Abatement Devices-Testing and Penalties**

Dear Chair Barve and Members of the Committee:

The Maryland Department of the Environment (MDE or the Department) has reviewed House Bill 966 and would like to provide the following information.

The vehicle emissions inspection program (VEIP) is jointly administered by MDE and the Maryland Department of Transportation Motor Vehicle Administration (MDOT MVA). Each agency has distinct areas of responsibility with respect to VEIP. MDOT MVA oversees the VEIP contractor and overall VEIP operations while MDE is responsible for the technical aspects of the program such as program design, establishment of test procedures, quality assurance and auditing activities, data analysis and air quality benefits modeling, and managing the State Implementation Plan (SIP).

VEIP is required by the federal Clean Air Act. The VEIP statute that is being modified by this proposed bill to include sound testing was solely enacted to provide Maryland with the specific authority needed to implement the VEIP in accordance with the Clean Air Act and the Environmental Protection Agency's implementing regulations. The VEIP statute is part of the SIP that is submitted to and approved by the EPA and, as part of the SIP, it is a federally enforceable program. Adding sound testing to the statute could complicate the connection between the VEIP statute and its federally mandated function.

Finally, the VEIP is not a statewide program. VEIP testing is only performed in 14 Maryland jurisdictions and many in the geographic area, such as those registered as historic vehicles, are exempted from VEIP testing. For these reasons, as well as the significant operations and cost impacts to the VEIP, MDE doesn't agree with including sound testing in VEIP.

Thank you for your consideration. We will continue to monitor House Bill 966 during the Committee's deliberations, and I am available to answer any questions you may have. Please feel free to contact me at 410-260-6301 or by e-mail at [gabrielle.leach@maryland.gov](mailto:gabrielle.leach@maryland.gov).

Sincerely,

A handwritten signature in black ink that reads "Gabrielle Leach".

Gabrielle Leach

cc: The Honorable Tiffany Alston  
Christopher R. Hoagland, Air and Radiation Administration