

HB 1130 - FAV - MML.pdf

Uploaded by: Bill Jorch

Position: FAV



Maryland Municipal League
The Association of Maryland's Cities and Towns

TESTIMONY

March 2, 2023

Committee: House Environment and Transportation

Bill: HB 1130 - Vehicle Laws - Noise Abatement Monitoring Systems - Authorization, Use, and Penalties

Position: Support

Reason for Position:

The Maryland Municipal League supports House Bill 1130, which will significantly aid municipalities curb the rising problem of vehicles creating excessive noise. Specifically, the bill would grant municipalities the authority to install noise abatement monitoring systems.

Currently, municipal police officers are permitted to stop a vehicle that emits a noise in excess of the noise emitted by the vehicle as originally manufactured, but they must do so based on their training and experience. Allowing municipalities to install noise abatement monitoring systems, after a transparent public process, accomplishes two key points:

- Reduces the instances that a police officer needs to make a traffic stop in order to issue a citation for a noise violation.
- More accurately assesses citations, as the noise abatement monitoring systems are precisely calibrated to a certain decibel level before recording an image of the vehicle.

The new authority provided in HB 1130 should significantly assist municipalities deal with the problem of excessively noisy vehicles operating on our roadways. For this reason, the League respectfully requests that this committee provide House Bill 1130 with a favorable report.

FOR MORE INFORMATION CONTACT:

Theresa Kuhns

Angelica Bailey Thupari, Esq.

Bill Jorch

Justin Fiore

Chief Executive Officer

Director, Advocacy & Public Affairs

Director, Public Policy

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1212 West Street, Annapolis, Maryland 21401

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loud cars.pdf

Uploaded by: Daron Showalter

Position: FAV

Loud noise produced by modified mufflers has become a common nuisance in our community. Modified mufflers are aftermarket exhaust systems that replace the original mufflers of a vehicle with a more aggressive, louder sounding one. While some people might enjoy the loud sound produced by these mufflers, it is important to recognize that it has numerous negative impacts on our environment and the people around us.

One of the most significant negative impacts of loud noise by modified mufflers is the health implications it poses to individuals. Prolonged exposure to loud noise can lead to permanent hearing loss, tinnitus, and even high blood pressure. According to the World Health Organization, noise pollution is one of the leading causes of hearing loss, and this can result in significant social and economic implications for individuals and society as a whole.

Moreover, loud noise produced by modified mufflers can also lead to an increase in stress levels among individuals and can impact the quality of life of individuals living in our community. I can tell you as someone who frequently jogs or walks in my North college park neighborhood that I get scared when a car with a car with one of these modified mufflers passes me by, which in turn produces stress on me during a time when I am trying to relief stress. Exercise helps to release endorphins, which are natural mood-boosting chemicals in the brain. When you exercise, your body produces endorphins, which help to reduce feelings of stress and anxiety. I don't want these cars passing me by which negatives the effects of exercising!

Additionally, loud noise produced by modified mufflers also has legal implications. It is illegal in most states to modify mufflers to produce louder sounds than the original factory mufflers. Thus, individuals who modify their mufflers risk being fined, having their vehicles impounded, or even facing criminal charges.

In conclusion, while some people might find loud noise produced by modified mufflers enjoyable, it is essential to recognize the negative impacts it has on individuals, our environment, and the society as a whole. It is important that we advocate for policies and regulations that enforce compliance with the law and ensure that individuals who engage in this practice are held accountable for their actions. We must work together to reduce the noise pollution in our community.

Daron Showalter

College Park, MD

FROM THE DESK OF DENISE MITCHELL.pdf

Uploaded by: Denise Mitchell

Position: FAV

FROM THE DESK OF DENISE MITCHELL, MAYOR PRO TEM CITY OF COLLEGE PARK

HB-1130-Vehicle Laws - Noise Abatement Monitoring Systems - Authorization, Use, and Penalties

2/27/2023

Dear Chair Kumar P. Barve,

My name is Denise Mitchell and I currently serve as the Mayor Pro Tem for the City of College Park representing District 4. I am writing today in support of HB 1130-Vehicle Laws-Noise Abatement Monitoring Systems-Authorization, Use, and Penalties. I have lived in the City of College Park for approximately 45 years and one of the main reasons why my family moved to College Park Woods was because of the serene quality of life we have experienced. Unfortunately, I cannot say that is the same and this has been an ongoing concern for the past five years.

We have a very diverse community and as such we are now experiencing the sound of loud mufflers at various times of the day and night. This creates a hardship for our young and elderly and their quality of life. The City of College Park City Council has tried since 2019 to creatively deal with this matter and to no avail, we are still grappling with the side effects and increased vehicles and then loud noise.

This bill will be a tool to assist us in begin setting our legislation regarding loud noise. I urge the members of this committee to pass this bill for the quality of life of every resident in the City of College Park.

Respectfully,

Denise Mitchell,

Mayor Pro Tem-City of College Park, MD

HB1130 Testimony.pdf

Uploaded by: Jenna O'Connell

Position: FAV



Prince George's County Municipal Association
An Association of 27 Municipalities



HOUSE BILL 1130 – SUPPORT
Environment & Transportation Committee
March 3, 2023

The Prince George's County Municipal Association (PGCMA) writes to **SUPPORT House Bill 1130 - Vehicle Laws – Noise Abatement Monitoring Systems – Authorization, Use, and Penalties**. If enacted, this legislation would authorize a local government to use noise abatement monitoring systems, subject to local law, and provides that the owner or driver of a motor vehicle recorded in violation of certain motor vehicle noise requirements is subject to a citation and a certain civil penalty under certain circumstances. This bill establishes necessary measures for reducing the excessive noise levels that often disturb and disrupt the lives of Maryland residents.

We believe that this bill is a significant step towards mitigating the negative effects of excessive noise levels in Maryland communities. The use of noise abatement monitoring systems will enable local governments to better monitor and enforce noise regulations, ultimately promoting a peaceful living environment.

Moreover, the establishment of certain defenses to a charge of an alleged violation recorded by a noise abatement monitoring system provides necessary safeguards to ensure that the law is enforced fairly and accurately. This will prevent false or incorrect citations from being issued and ensure that drivers have a fair opportunity to contest their citation, if necessary.

This bill is also crucial for the health and well-being of Maryland residents, as excessive noise levels have been linked to stress, sleep disturbances, and even cardiovascular disease. The provisions in HB1130 will enable local governments to better control and monitor the sources of noise pollution, providing a safer and more comfortable living environment for all residents.

We know this legislation will take a significant step towards reducing the negative impacts of excessive noise levels in Maryland communities. Therefore, we respectfully request a favorable report on HB1130. Thank you.

A handwritten signature in blue ink, appearing to read "Patrick Wojahn".

Patrick Wojahn (He/Him/His)

PGCMA President

240-988-7763 (C)

President@ThePGCMA.com

Delegate Palakovich Carr Testimony - HB1130 - Nois

Uploaded by: Julie Palakovich Carr

Position: FAV



THE MARYLAND HOUSE OF DELEGATES
ANNAPOLIS, MARYLAND 21401

Testimony in Support of HB 1130
Vehicle Laws – Noise Abatement Monitoring Systems – Authorization, Use, and Penalties

Noise from vehicles with illegally modified exhaust systems or muffler problems is a growing problem in communities across the state. Overly loud vehicles are a quality-of-life concern for community members, especially those adjacent to multi-lane highways where racing engines can be heard blocks away.

HB 1130 would enable counties and municipalities to use noise abatement monitoring systems to automatically detect vehicles in violation of motor vehicle noise requirements. By using noise cameras, counties and municipalities can address excessive noise concerns without increasing traffic stops by law enforcement.

Noise Pollution: An Increasing Quality of Life Concern

Maryland and federal regulations both establish a maximum sound limit of 80 decibels for vehicles sold and operating on our state's roads.^{1,2} Under current law, it's illegal to modify a vehicle's exhaust system or to operate a vehicle that exceeds this threshold. These laws exist because excessive noise negatively affects the health of humans and animals, including increased risk of hearing damage, elevated blood pressure, higher stress levels, stroke, and dementia, in addition to being a public nuisance.

Although state law currently allows for police to ticket excessively loud vehicles, enforcement is difficult for police, as most officers aren't equipped with decibel meters and many police departments don't want to increase traffic stops.

New Technology for Automatic Enforcement

New technology is emerging to automatically detect excessively loud vehicles and to send the vehicle owner a citation. Noise cameras work similarly to speed cameras, with technology placed adjacent to a road that can measure the loudness of each vehicle

¹ COMAR Section 11.14.07.13

² 40 CFR § 205.52

that drives past. If a vehicle exceeds 80 decibels, the noise camera is triggered to take a picture of the license plate of the offending vehicle.

The cameras are sophisticated enough to recognize the difference between different types of sound by monitoring the noise pattern. As such, these noise cameras can specifically look for noise caused by illegally modified exhaust pipes and mufflers.

The potential citation is reviewed by a person before it is sent to the vehicle owner to ensure that it is appropriate and complies with the law.

Automated Enforcement by Other Jurisdictions

Several states and cities have taken action to authorize and start using noise cameras. The states of New York and California enacted legislation to authorize pilot programs. New York's pilot is operational and is currently ticketing excessively loud vehicles.

Knoxville, Tennessee started a pilot program in February 2022 and has since decided to continue the use of noise cameras. Albuquerque, New Mexico is moving ahead with sound cameras. Washington, DC and Miami Beach, Florida are currently considering the use of noise cameras. Worldwide, several jurisdictions currently use or will soon be deploying noise cameras, including in Paris, Taipei, the United Kingdom, and Australia.

What the Bill Does

This bill is modeled after Maryland's speed camera program and includes the same legislative safeguards:

- Enables local governments to use sound cameras to catch illegally loud vehicles.
- A local government would need to authorize the use of the sound cameras, after public notice and holding at least one public hearing.
- Before each sound camera could be installed, the local government would need to provide public notice about the proposed location of the camera and install a sign near the camera that indicates that noise abatement monitoring is happening in the area.
- An employee of the local government must review each citation.
- For the first offense, a warning must be issued.
 - For subsequent offenses, a citation is mailed for a civil penalty of up to \$70—the same penalty if a law enforcement officer issues the violation.
 - No points can be assessed.
- A vehicle owner who receives a citation can either pay it or contest it in court.
- Rental car companies are exempted, as they are under the speed camera bill.
- The camera vendor's fee cannot be contingent on a per-ticket basis.

Noise Abatement Testimony HB1130 SB229 L.Esters 28

Uploaded by: Llatetra Esters

Position: FAV

Environmental and Transportation Committee
Maryland General Assembly
Annapolis, MD 21401

The Honorable Kumar Barve, Committee Chair

I am writing in support of the HB1130/SB229, cross filed legislation introduced by Delegate Palakovich Carr and Senator Beidle, respectively. I serve as a Councilmember in the City of College Park Maryland. For years, residents in the City, including those I represent, have continued to deal with the nuisance of consistent roadway noise from speeding vehicles, revving motorcycles, and modified mufflers along University Blvd, Rhode Island Ave, Greenbelt Road and other roadways. The noise, which seems to have worsened over time, occurs at all hours of the day and night and has become a quality-of-life issue. In fact, on occasion I have been awoken by the sound of a driver with a modified muffler or revving motorcycle taking advantage of a roadway with few cars in the very early hours of the morning.

Although police have made a concerted effort to cite a growing number of vehicles for modified mufflers, the fine for the citation is minimal and has not served as an effective deterrent to car enthusiasts who have little or no regard for those living in the community. Needless to say, this is a concern and irritant to many residents who rightfully seek solace and refuge in their homes. And they continue to seek relief from this annoyance.

Research indicates that noise pollution has adverse effects on health and wellbeing and can degrade living environments (Goines & Hagler, 2007). Issues related to stress, sleep disruption and heart disease have been associated with noise pollution (Duent, 2022). There is enough noise associated with everyday living, why must people be subjected to unnecessary noise that adversely impacts their lives?

Similar to speed cameras, I believe that noise abatement monitoring systems will serve as a disincentive to those who are identified and fined for their noise pollution. If you seek to take steps toward improving the quality of life and living environments for Marylanders, I urge you to pass this legislation and allow local governments to utilize noise abatement monitoring systems to cite drivers and hold them accountable for such noise violations.

Sincerely,



Latetra Brown Esters, Councilmember City of College Park

References

- Goines and Hagler, 2007, *Noise Pollution: A Modern Plague*. Retrieved on February 28, 2023 from <https://docs.wind-watch.org/Goines-Hagler-2007-Noise-pollution-a-modern-plague.pdf>
- Duent, 2022, *The Effects of Noise on Health*. Retrieved on February 2023 from <https://hms.harvard.edu/magazine/viral-world/effects-noise-health>

HB 1130 - MoCo_Elrich_FAV (GA 23).pdf

Uploaded by: Marc Elrich

Position: FAV



OFFICE OF THE COUNTY EXECUTIVE

Marc Elrich
County Executive

March 2, 2023

TO: The Honorable Kumar P. Barve
Chair, Environment and Transportation Committee

FROM: Marc Elrich
County Executive

RE: House Bill 1130, *Vehicle Laws – Noise Abatement Monitoring Systems – Authorization, Use, and Penalties*
Support

I am writing to express my support for House Bill 1130, *Vehicle Laws – Noise Abatement Monitoring Systems – Authorization, Use, and Penalties*.

House Bill 1130 would enable a local government to establish an automated noise abatement program to enforce noise limits on State and local roadways. Similar to automated traffic enforcement of red light and speed limit violations, noise-monitoring cameras would be used to capture motorists operating vehicles that exceed outdoor noise level guidelines. A noise abatement monitoring system could be a mobile or fixed-vehicle sensor that would work in conjunction with a noise measuring device (such as a decibel reader) that produces two or more photographs, a videotape, or other recorded images of an offending vehicle. A citation would be mailed to the registered owner of the vehicle who would be liable for the citation. The vehicle owner would receive a warning for the first offense, and a \$70 ticket for a second and subsequent offense. Violations would also require the owner to make any necessary alterations to the vehicle to avoid future citations. The citation could be challenged in District Court by the vehicle owner.

Local law enforcement agencies have continued to be challenged by increasing numbers of complaints about street racing events on State and County roadways. Acts of aggressive driving by motorists who have deliberately modified their vehicles to increase engine performance and power have resulted in increased traffic safety risks on our roads and have harmed the health and comfort of our residents. House Bill 1130 recognizes that there's a need to think outside the box by allowing local governments to pursue promising automated noise-monitoring enforcement technology rather than relying on enforcement of traffic laws and vehicle noise ordinances by armed police officers. I would urge that the Committee adopt a favorable report on House Bill 1130.

HB1130_FAV_City of Rockville_Veh. Laws - Noise Aba

Uploaded by: Mark Pierzchala

Position: FAV



Testimony of the Mayor and Council of Rockville
HB 1130 – Vehicle Laws – Noise Abatement Monitoring Systems –
Authorization, Use, and Penalties
SUPPORT

Good afternoon, Chairman Barve and members of the House Environment and Transportation Committee. I'm Mark Pierzchala, Council Member of the City of Rockville and I want to thank Delegate Palakovich Carr for sponsoring this important legislation – and each of you for your consideration.

The Mayor and Council unanimously support HB 1130 – authorizing local governments to install noise monitoring systems on roadways. Since the beginning of the pandemic, excessive noise from vehicles with illegally modified exhaust systems has plagued our cities and towns – frightening those on sidewalks, in nearby cars, and even those just simply in the privacy of their own homes.

We strongly support the provisions of HB 1130 for the following reasons:

- This legislation would help address the serious concerns of our residents regarding excessive noise disruptions.
- HB 1130 would broadly expand the capability of the City Police to address this public nuisance as there aren't enough police patrols in the City and Montgomery County to respond to noise violations through traffic enforcement.
- We saw a dramatic and positive change in driver behavior when speed and red-light cameras were installed in Rockville – and HB 1130 has the potential to have a similar impact by providing an incentive for drivers to comply with laws governing noise violations.

Automated noise monitoring systems are a promising new tool that could dramatically reduce noise pollution, excessive noise violations and restore the peace and quiet for those enjoying a walk, a bike ride, or working from home. For these reasons – we urge the Committee to provide HB 1130 with a favorable report. Thank you.

HB1130-ET_MACo_SUP.pdf

Uploaded by: Sarah Sample

Position: FAV



MARYLAND
Association of
COUNTIES

House Bill 1130

Vehicle Laws – Noise Abatement Monitoring Systems – Authorization, Use, and Penalties

MACo Position: **SUPPORT**

To: Environment and Transportation
Committee

Date: March 2, 2023

From: Sarah Sample

The Maryland Association of Counties (MACo) **SUPPORTS** HB 1130. This bill would allow counties to install noise abatement monitoring systems on county roadways. This is enabling legislation that authorizes counties to apply an additional tool in maintaining motor vehicle compliance and safety in neighborhoods and communities.

In addition to the enhanced security and order these programs help local governments maintain, they also help to support other public safety measures that keep these communities thriving. With an automated option for enforcing motor vehicle laws and violations, there is great potential to divert costs associated with law enforcement personnel who would typically be tasked with motor vehicle monitoring. These savings can be reinvested in other areas, while maintaining compliance and calming neighborhoods via the automated monitoring system.

Counties welcome this additional means to provide the accommodations necessary to maintain safe streets for all and doing so in a way that is sensitive to the constant demands on taxpayer dollars and county budgets. For these reasons, MACo urges a **FAVORABLE** report for HB 1130.

LetterInSupportOfHB1130_02272023_SWhitney.pdf

Uploaded by: Susan Whitney

Position: FAV

February 27, 2023

Esteemed Members of the Environment and Transportation Committee:

I am writing to express my support for HB1130, *Vehicle Laws – Noise Abatement Monitoring Systems – Authorization, Use, and Penalties*. As a member of the College Park City Council representing District 2, I am eager to have as many tools as possible to address what has become one of the biggest disturbances to quality of life in our area. We have posted signs informing the public of laws against modified mufflers. We have requested and received increased enforcement of those laws by our Contract Police Officers. Still, the issue persists.

When I was campaigning in 2021, noise from speeding cars and vehicles with modified mufflers was a common complaint. Last year, one resident appeared before the Council saying he was at his wits' end. He was near a main thoroughfare and was increasingly having difficulty sleeping through the night. He begged us to do something to help, saying it was negatively impacting his mental health. Studies have shown that noise pollution negatively impacts both mental and physical health, increasing the [risk of elevated blood pressure](#), causing stress, sleep disturbance, and [depression](#) – all of which are linked to negative health outcomes.

Thank you for putting this legislation forward. Employing noise abatement technology will allow us to further disincentivize the choices too many motorists continue to make.

Respectfully,
Susan Whitney
College Park City Council
District 2
(202) 603-3634

HB 1130 - Vehicles Laws-Noise Abatement Monitoring

Uploaded by: Therese Hessler

Position: FAV



March 2, 2023

**Bill: HB1130 - Vehicle Laws – Noise Abatement Monitoring Systems –
Authorization, Use, and Penalties
House Environment & Transportation Committee**

Position: Support

Dear Chair, Vice-Chair, and Members of the Committee:

The City of Gaithersburg writes to support HB1130 - Vehicle Laws – Noise Abatement Monitoring Systems – Authorization, Use, and Penalties. If enacted, this legislation would authorize a local government to use noise abatement monitoring systems, subject to local law, and provides that the owner or driver of a motor vehicle recorded in violation of certain motor vehicle noise requirements is subject to a citation and a certain civil penalty under certain circumstances. This bill establishes necessary measures for reducing the excessive noise levels that often disturb and disrupt the lives of Maryland residents.

We believe that this bill is a significant step towards mitigating the negative effects of excessive noise levels in our communities. The use of noise abatement monitoring systems will enable local governments to better monitor and enforce noise regulations, ultimately promoting a peaceful living environment. Moreover, the establishment of certain defenses to a charge of an alleged violation recorded by a noise abatement monitoring system provides necessary safeguards to ensure that the law is enforced fairly and accurately. This will prevent false or incorrect citations from being issued and ensure that drivers have a fair opportunity to contest their citations, if necessary.

This bill is also crucial for the health and well-being of Maryland residents, as excessive noise levels have been linked to stress, sleep disturbances, and even cardiovascular disease. The provisions in HB1130 will enable local governments to better control and monitor the sources of noise pollution, providing a safer and more comfortable living environment for all residents.

City of Gaithersburg • 31 South Summit Avenue, Gaithersburg, Maryland 20877-2038
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MAYOR
Jud Ashman

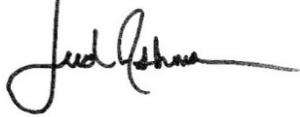
COUNCIL MEMBERS
Neil Harris
Lisa Henderson
Jim McNulty
Ryan Spiegel
Robert Wu

CITY MANAGER
Tanisha R. Briley

We know this legislation will take a significant step towards reducing the negative impacts of excessive noise levels in Maryland communities. Therefore, we respectfully request a favorable report on HB1130.

Should you have any questions, please feel free to contact me at 301-466-5350 or our government relations consultant, Therese Hessler, at therese@ashlargr.com. We appreciate your support.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jud Ashman", with a long horizontal flourish extending to the right.

Jud Ashman, Mayor
City of Gaithersburg

HB1130 Written Testimony.pdf

Uploaded by: Todd Reitzel

Position: FAV

I am a resident of College Park, and I support HB1130: Noise Abatement Monitoring Systems - Authorization, Use, and Penalties.

I have lived in Maryland for 30 years and, in the past several years, have noticed a growing number of loud vehicles on our neighborhood streets and local thoroughfares. This happens, unfortunately, at all hours of the day and night, and it has the effect of increasingly disturbing the peace and our quality of life.

At various community meetings with the police, I've heard my neighbors share how this unnecessary noise negatively affects their quality of life, and I agree with them. In those meetings, I've also heard the police assure us there are laws forbidding the modified mufflers that make this noise and assure us that they are issuing citations. I am grateful for these laws and for this enforcement, but despite that, this unnecessary noise continues. Our hard-working police cannot be everywhere, and thankfully there is the technology of noise-abatement monitoring systems that could assist our police enforce the law.

We need communities that allow us and our children to get adequate sleep to allow us rest to do well the next day at work or at school. We need communities in which we can live without frequent unnecessary loud noise from modified automotive systems. We need our hard-working police officers to be able to focus their efforts on other, more dangerous activities such as crimes.

I encourage you to support SB-229 to allow municipalities such as mine to post noise-abatement monitoring systems to identify these vehicles that are disturbing the peace in our community.

Todd Reitzel
9743 Narragansett Parkway
College Park, Maryland 20740

hb1130.pdf

Uploaded by: Matthew Pipkin

Position: UNF

MARYLAND JUDICIAL CONFERENCE
GOVERNMENT RELATIONS AND PUBLIC AFFAIRS

Hon. Matthew J. Fader
Chief Justice

187 Harry S. Truman Parkway
Annapolis, MD 21401

MEMORANDUM

TO: House Environment and Transportation Committee
FROM: Legislative Committee
Suzanne D. Pelz, Esq.
410-260-1523
RE: House Bill 1130
Vehicle Laws – Noise Abatement Monitoring Systems –
Authorization, Use and Penalties
DATE: February 10, 2023
(3/2)
POSITION: Oppose, as drafted

The Maryland Judiciary opposes House Bill 1130, as drafted. This bill establishes that, under § 22-612 of the Transportation Article, a noise abatement monitoring system may be used in a local jurisdiction if its use is authorized by the governing body of the local jurisdiction by local law enacted after reasonable notice and a public hearing.

The Judiciary has concerns with Transportation Article § 22-612(f)(4). This provision requires court clerks' offices to send to local law enforcement agencies "evidence substantiating who was operating" vehicles when the alleged offender is shown not to have been the operator when the traffic violations were committed. This inappropriately puts courts in the position of assisting a prosecuting agency.

cc. Hon. Julie Palakovich Carr
Judicial Council
Legislative Committee
Kelley O'Connor