R6 3lr1473

By: Delegates Lehman, Pena-Melnyk, 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

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## Motor Vehicles – Noise Limits and Modification of Exhaust Systems and Noise Abatement Devices

4 FOR the purpose of establishing the Sound Measuring Equipment Grant Program in the Governor's Office of Crime Prevention, Youth, and Victim Services to provide grants 5 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 devices; and generally relating to motor vehicle sound level limits and the 13 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

(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:



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## Article - Public Safety

- 24-1012.
- 3 (A) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS **(1)**
- INDICATED. 4
- "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF 5
- 6 THE GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES.
- 7 "LOCAL LAW ENFORCEMENT AGENCY" MEANS: **(3)**
- 8 (I)A POLICE DEPARTMENT OF A COUNTY OR MUNICIPAL
- 9 CORPORATION IN THE STATE; OR
- 10 (II) A SHERIFF'S OFFICE THAT PROVIDES A LAW ENFORCEMENT
- FUNCTION IN A COUNTY OR MUNICIPAL CORPORATION IN THE STATE. 11
- 12 (4) "PROGRAM" MEANS THE SOUND MEASURING EQUIPMENT
- 13 GRANT PROGRAM.
- THERE IS A SOUND MEASURING EQUIPMENT GRANT PROGRAM IN THE 14
- GOVERNOR'S OFFICE OF CRIME PREVENTION, YOUTH, AND VICTIM SERVICES. 15
- 16 THE PURPOSE OF THE PROGRAM IS TO PROVIDE GRANTS TO LOCAL LAW
- 17 ENFORCEMENT AGENCIES FOR THE PURCHASE OF EQUIPMENT TO MEASURE THE
- SOUND LEVEL OF A MOTOR VEHICLE IN OPERATION ON A HIGHWAY. 18
- 19 THE EXECUTIVE DIRECTOR SHALL ADMINISTER THE GRANT
- FUNDS IN ACCORDANCE WITH § 4–1008 OF THIS SUBTITLE. 20
- 21**(2)** A LOCAL LAW ENFORCEMENT AGENCY MAY USE THE GRANT
- 22FUNDS AWARDED UNDER THE PROGRAM TO PURCHASE HARDWARE, SOFTWARE, OR
- ANY OTHER TECHNICAL EQUIPMENT NECESSARY FOR A LOCAL LAW ENFORCEMENT 23
- AGENCY TO MEASURE THE SOUND LEVEL OF A MOTOR VEHICLE IN OPERATION ON A 24
- 25 HIGHWAY.
- FOR FISCAL YEAR 2025 AND EACH FISCAL YEAR THEREAFTER, THE 26
- 27 GOVERNOR SHALL INCLUDE IN THE ANNUAL BUDGET BILL AN APPROPRIATION OF
- \$2,000,000 FOR THE PROGRAM. 28
- 29 THE EXECUTIVE DIRECTOR MAY ADOPT REGULATIONS NECESSARY TO
- 30 CARRY OUT THIS SECTION.

## **Article – Transportation**

2 22-601.

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- 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 the Environment and after a public hearing following 60 days' notice, the Administrator 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

such a way that the noise emitted by the vehicle exceeds that emitted by the vehicle as 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.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2023.