

1 S.66

2 Introduced by Senators White, Clarkson, Gulick, Major and Watson

3 Referred to Committee on

4 Date:

5 Subject: Motor vehicles; noise; exhaust; exhaust system modification; engine
6 compression brakes

7 Statement of purpose of bill as introduced: This bill proposes to establish
8 limits for noise from motor vehicles; to prohibit the modification of vehicle
9 exhaust systems in a manner that results in excess noise or smoke emissions;
10 and to prohibit the use of engine compression brake devices without a muffler.

11 An act relating to motor vehicle noise, exhaust modifications, and engine
12 compression brakes

13 It is hereby enacted by the General Assembly of the State of Vermont:

14 Sec. 1. 23 V.S.A. § 1221 is amended to read:

15 § 1221. CONDITION OF VEHICLE; EXCESSIVE NOISE

16 (a) A motor vehicle, operated on any highway, shall be in good mechanical
17 condition and shall be properly equipped.

18 (b)(1) An individual shall not operate on a highway a motor vehicle
19 equipped with a muffler lacking interior baffle plates or other effective

1 muffling devices, a gutted muffler, a muffler cutout, a straight pipe exhaust, or
2 a device or modification that amplifies the noise emitted by the vehicle.

3 (2) An individual shall not operate on a highway a motorcycle
4 manufactured after December 31, 1985 that is not labeled in compliance with
5 40 C.F.R. § 205.158 and equipped with a muffler that meets the requirements
6 of 40 C.F.R. § 205.169.

7 (3) The prohibition of subdivisions (1) and (2) of this subsection shall
8 not apply when a motor vehicle or motorcycle is operated in a race, contest, or
9 demonstration of speed or skill at an authorized public exhibition held in
10 accordance with applicable State or municipal law and land use permits.

11 (c) An individual shall not operate a motor vehicle with an exhaust system
12 that has been modified when the result of that modification is the emission of
13 increased exhaust fumes or smoke.

14 (d)(1) A motor vehicle equipped or modified as described in subdivision
15 (b)(1) of this section or that has been modified as described in subsection (c) of
16 this section shall not pass an inspection required under section 1222 of this
17 title.

18 (2) A motorcycle that does not meet the requirements of subdivision
19 (b)(2) of this section shall not pass an inspection required under section 1222
20 of this title.

1 (e)(1) An individual who violates subsection (b) or (c) of this section shall
2 be subject to a civil penalty of not less than:

3 (A) \$100.00 for a first violation;

4 (B) \$200.00 for a second violation; and

5 (C) \$350.00 for a third or subsequent violation.

6 (2) Penalties collected pursuant to the provisions of this subsection shall
7 be deposited in the Transportation Fund and used for costs related to enforcing
8 the provisions of this section and sections 1260 and 1309 of this chapter.

9 Sec. 2. 23 V.S.A. § 1260 is added to read:

10 § 1260. MOTOR VEHICLE SOUND LIMITS

11 (a) A person shall not operate or cause to be operated on a highway any
12 motor vehicle or combination of vehicles with a gross vehicle weight rating of
13 10,000 pounds or less, except a motorcycle, with a sound level in excess of:

14 (1) when the motor vehicle or combination of vehicles is traveling at 35
15 miles per hour or less, 72 decibels on the A scale at 50 feet; and

16 (2) when the motor vehicle or combination of vehicles is traveling at
17 more than 35 miles per hour, 80 decibels on the A scale at 50 feet.

18 (b) A person shall not operate or cause to be operated on a highway any
19 motor vehicle or combination of vehicles with a gross vehicle weight rating of
20 more than 10,000 pounds with a sound level in excess of:

1 (1) when the motor vehicle or combination of vehicles is traveling at 35
2 miles per hour or less, 80 decibels on the A scale at 50 feet; and

3 (2) when the motor vehicle or combination of vehicles is traveling at
4 more than 35 miles per hour, 87 decibels on the A scale at 50 feet.

5 (c)(1) For purposes of determining compliance with the provisions of
6 subsections (a) and (b) of this section, a law enforcement office may measure a
7 vehicle's sound level with a sound meter, noise camera, or other appropriate
8 device approved by the Secretary of Transportation by rule.

9 (2) Measurements taken pursuant to subdivision (1) of this subsection
10 from a distance other than 50 feet shall be adjusted to determine the equivalent
11 sound level at 50 feet.

12 (d)(1) The Secretary of Transportation shall adopt rules pursuant to the
13 provisions of 3 V.S.A. chapter 25 as necessary to implement the provisions of
14 this section.

15 (2) The Secretary of Transportation shall establish a training program
16 for law enforcement officers regarding procedure for measuring vehicle sound
17 and the proper use of sound level measurement devices.

18 (e)(1) A person who violates subsection (a) or (b) of this section shall be
19 subject to a civil penalty of not less than:

20 (A) \$100.00 for a first violation;

21 (B) \$200.00 for a second violation; and

1 (C) \$350.00 for a third or subsequent violation.

2 (2) Penalties collected pursuant to the provisions of this subsection shall
3 be deposited in the Transportation Fund and used for costs related to enforcing
4 the provisions of this section and sections 1221 and 1309 of this chapter.

5 Sec. 3. 23 V.S.A. § 1309 is added to read:

6 § 1309. ENGINE COMPRESSION BRAKE DEVICES; REQUIREMENTS

7 (a)(1) An individual shall not operate a motor truck or truck tractor
8 equipped with an engine compression brake device unless the motor truck or
9 truck tractor is also equipped with a muffler to prevent excessive noise from
10 the device.

11 (2) It shall not be a violation of subdivision (1) of this section to use an
12 engine compression brake device in a motor truck or truck tractor that is not
13 equipped with a muffler to prevent excessive noise from the device if the
14 device is used to slow down or stop the motor truck or truck tractor in an
15 emergency.

16 (b) A motor truck or truck tractor that is equipped with an engine
17 compression brake device but is not equipped with a working muffler to
18 prevent excessive noise from the device shall fail inspection pursuant to
19 section 1222 of this title.

20 (c)(1) An individual who violates subdivision (a)(1) of this section shall be
21 subject to a civil penalty of not less than:

1 (A) \$250.00 for a first violation;

2 (B) \$500.00 for a second violation; and

3 (C) \$750.00 for a third or subsequent violation.

4 (2) Penalties collected pursuant to the provisions of this subsection shall
5 be deposited in the Transportation Fund and used for costs related to enforcing
6 the provisions of this section and sections 1221 and 1260 of this chapter.

7 (d) As used in this section, “engine compression brake device” means a
8 device that slows a motor truck or truck tractor by utilizing engine
9 compression and the release of compressed air. “Engine compression brake
10 device” includes compression brakes, decompression brakes, engine
11 compression release brakes, “Jake” brakes, and “Jacobs” brakes.

12 (e) Nothing in this section shall be construed to prevent a municipality
13 from adopting an ordinance that prohibits the operation of engine compression
14 brake devices within the municipality or in specific parts of the municipality.

15 Sec. 4. 23 V.S.A. § 1223 is amended to read:

16 § 1223. PROHIBITIONS

17 (a) A person shall not affix or cause to be affixed to a motor vehicle, trailer,
18 or semi-trailer a certification of inspection that was not assigned to the motor
19 vehicle, trailer, or semi-trailer by an official inspection station to such motor
20 vehicle, trailer, or semi-trailer.

1 ~~(b) No person shall~~ A person shall not reaffix or cause to be reaffixed an
2 official sticker once the sticker has been removed; ~~instead, replacement.~~
3 Replacement stickers shall be affixed as prescribed by the rules for
4 replacement sticker agents.

5 (c) A person shall not knowingly operate a motor vehicle, trailer, or semi-
6 trailer to which a certification of inspection is affixed if the certification of
7 inspection was not assigned by an official station to that vehicle, trailer, or
8 semi-trailer.

9 (d) An official inspection station shall not inspect any motor vehicle,
10 trailer, or semi-trailer owned or operated by the owner or operator of the
11 inspection station or by a certified inspection mechanic employed by the
12 inspection station.

13 Sec. 5. AGENCY OF TRANSPORTATION; MOTOR VEHICLE NOISE;
14 CITIZEN REPORTING SYSTEM

15 The Agency of Transportation shall establish on its website a motor vehicle
16 noise reporting system through which individuals can report motor vehicles
17 that the individual believes are emitting noise at sound levels in violation of the
18 provisions of 23 V.S.A. §§ 1221 and 1260, and motor trucks and truck tractors
19 that are using a engine compression brake device without an appropriate
20 muffler in violation of 23 V.S.A. § 1309. The Agency shall share reports
21 received through the system with appropriate law enforcement agencies to

1 enable the agencies to investigate whether the reported vehicle is in
2 compliance with the provisions of 23 V.S.A. §§ 1221, 1260, and 1309.

3 Sec. 6. EFFECTIVE DATE

4 This act shall take effect on July 1, 2025.