

1 S.66

2 An act relating to motor vehicle noise, exhaust modifications, and engine
3 compression brakes

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

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

6 § 1221. CONDITION OF VEHICLE; EXCESSIVE NOISE

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

9 (b)(1) An individual shall not operate on a highway a motor vehicle
10 equipped with a muffler lacking interior baffle plates or other effective
11 muffling devices, a gutted muffler, a muffler cutout, or a straight pipe exhaust.

12 (2) An individual shall not operate on a highway a motorcycle
13 manufactured after December 31, 1985 that is not labeled in compliance with
14 40 C.F.R. § 205.158 and equipped with a muffler that meets the requirements
15 of 40 C.F.R. § 205.169.

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

1 (c)(1) A motor vehicle equipped or modified as described in subdivision
2 (b)(1) of this section shall not pass an inspection required under section 1222
3 of this title.

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

7 Sec. 2. 23 V.S.A. § 1309 is added to read:

8 § 1309. ENGINE COMPRESSION BRAKE DEVICES; REQUIREMENTS

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

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

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

1 (c) As used in this section, “engine compression brake device” means a
2 device that slows a motor truck or truck tractor by utilizing engine
3 compression and the release of compressed air. “Engine compression brake
4 device” includes compression brakes, decompression brakes, engine
5 compression release brakes, “Jake” brakes, and “Jacobs” brakes.

6 (d) Nothing in this section shall be construed to prevent a municipality
7 from adopting an ordinance that prohibits the operation of an engine
8 compression brake devices within the municipality or in specific parts of the
9 municipality.

10 Sec. 3. RULEMAKING; PERIODIC INSPECTION MANUAL; EXHAUST
11 MODIFICATIONS; ENGINE COMPRESSION BRAKE
12 MUFFLERS; OUTREACH

13 (a) The Department of Motor Vehicles shall, unless extended by the
14 Legislative Committee on Administrative Rules, adopt amendments to
15 Department of Motor Vehicles, Inspection of Motor Vehicles (CVR 14-050-
16 022) to implement the provisions of Secs. 1 and 2 of this act that shall take
17 effect on or before July 1, 2026.

18 (b) The Department of Motor Vehicles shall implement a public outreach
19 campaign regarding prohibited exhaust modifications pursuant to 23 V.S.A.
20 § 1221 and the requirement for engine compression brakes to be equipped with
21 a muffler pursuant to 23 V.S.A. § 1309. The public outreach campaign shall

1 include information on the provisions of the rules for Inspection of Motor
2 Vehicles (CVR 14-050-022), related to exhaust modifications and engine
3 compression brake mufflers, including the amendments adopted under the
4 Administrative Procedure Act pursuant to subsection (a) of this section. The
5 Department of Motor Vehicles shall begin to disseminate information pursuant
6 to this subsection not later than two months prior to the effective date of Secs.
7 1 and 2 of this act and shall disseminate information pursuant to this
8 subsection through email, bulletins, software updates, and the Department of
9 Motor Vehicles' website.

10 Sec. 4. MOTOR VEHICLE NOISE LEVELS; REPORT

11 (a) On or before December 15, 2025, the Commissioner of Motor Vehicles
12 shall submit a written report to the Senate and House Committees on
13 Transportation with a proposal for limits on motor vehicle noise and proposed
14 procedures for the enforcement of those limits.

15 (b) The report shall examine laws and procedures in Maine and other New
16 England states regarding:

- 17 (1) maximum sound levels for motor vehicles and trucks;
18 (2) enforcement of maximum sound levels for motor vehicles and
19 trucks;

1 (3) procedures for a person to challenge a determination that the
2 person's vehicle was operating in excess of the applicable maximum sound
3 level; and

4 (4) procedures for a citizen to report a suspected violation of the
5 maximum sound levels for motor vehicles and trucks to law enforcement.

6 (c) The report shall include proposals for:

7 (1) maximum sound levels above which motor vehicles and trucks
8 would not be permitted to operate on highways in Vermont, which may vary
9 depending on the type of vehicle, vehicle weight, and vehicle speed;

10 (2) methods for determining whether a vehicle is operating on a
11 highway in excess of the maximum sound levels;

12 (3) procedures for enforcing the maximum sound levels;

13 (4) procedures for a person to challenge a determination that the
14 person's vehicle was operating in excess of the applicable maximum sound
15 level; and

16 (5) procedures for allowing citizens to report a suspected violation of the
17 maximum sound levels for motor vehicles and trucks to law enforcement.

18 (d) The report shall identify any legislative action necessary to implement
19 the proposals included pursuant to subsection (c) of this section.

1 Sec. 5. EFFECTIVE DATES

2 (a) This section and Secs. 3 and 4 of this act shall take effect on July 1,
3 2025.

4 (b) Secs. 1 and 2 of this act shall take effect on July 1, 2026.