



To: The State of Vermont Senate Transportation Committee
Chairman Westmann Senator

RE: The proposed Bill introduced on February 21, 2025, as S66.

Date: 2/21/2025

My name is David Molloy, Operations Director at Bellavance Trucking located in Barre Barre, Vermont with a second location in Milton Vermont. I have been in the transportation industry for 46 years.

I am testifying to give the committee a fleet owner's point of view regarding S66. We could potentially support this bill if some key changes are made.

To start with, noise pollution needs to be addressed, this bill targets motorcycles, cars and trucks. Our stance is, "Excessive noise from trucks gives the entire trucking industry a black eye". There is absolutely no good reason for it. If you are hearing a truck's jake brake from a distance it's because someone has changed the manufacturer's design. This could have been done for any number of reasons. This practice is most common among single truck owner operators, small truck fleets with dump trucks and logging trucks. You may hear the argument that when you change the exhaust you gain performance. We find that to be a fallacy, if there really was anything to gain, larger fleets would be making these changes. We look at any type of enhancement that will save us a fraction of mile per gallon of fuel and we have never found one worth doing that increases the noise emulated from our vehicles.

There are two areas in the bill as presented that we cannot support.

Section 4, specifically on page 7, line 9 through 12. Currently Bellavance Trucking is certified by the State of Vermont to inspect our fleet vehicles. Inspecting a CDL commercial vehicle cannot be done by your neighborhood service station. It needs to be done by a certified technician that holds a CDL license. We have over 100 power units and 400 trailers, not being able to inspect our own vehicles would not only drive up the cost to serve it would also be a logistical nightmare. No reputable fleet would pass a vehicle through inspection that didn't meet the state standards, there is simply too much liability at stake.

Section 4 as written essentially takes away the right for any vehicle dealers to inspect their own vehicles that they have on the lot for sale.

Within the State of Vermont's Motor vehicle inspection certifications department, there is a mechanism within the enforcement division of that department to assess repercussions to those inspecting vehicles that should not have been passed. I think we need to ensure the DMV has what they need to properly enforce without creating an entire new process.

This leads me to the second area of this bill as presented we cannot support.

Section 5. You are asking the AOT to create a reporting system, then pass the information to the appropriate agencies to respond.

In today's law enforcement environment who would that be?

As we are all aware, over the past few years there has been widespread de-funding of law enforcement across the state of Vermont. Departments in some communities are trying to rebuild, however, in some communities, the boots on the ground hands are tied in what they have the ability to enforce. In talking with my friends within such departments, they claim receiving a noise complaint from the AOT would not be a top priority for them when faced with their current issues.

There are hot spots where this bill could really have an impact on noise pollution, such as the example that was used in the unveiling of the bill; Route 12a in Roxbury and other areas such as Route 4 through Woodstock, along with heavier populated areas like route 7 through Shelburne and 22A in Vergennes.

You have set noise standards in this bill, if given the tools and properly trained, local enforcement agencies would be able to provide the enforcement this bill's intent is geared to resolve across the state at the time of the violation. Without local involvement this bill will become a feel-good bill with no teeth and no resolution for those constituents it's directed to protect.

I want to thank Chairman Westmen for allowing me to testify and thank the entire committee hearing / reading my testimony.

If you need any additional testimony from me, I am available the week you are all back from the town meeting break.

Sincerely,

David J Molloy

