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GOVERNMENT & POLITICS

Bill would set fines for illegal exhaust noise, fumes

By Shaun Robinson
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A truck travels along Route 22A, which is also Main Street in downtown Vergennes, in July 2022. File photo by Glenn Russell/VTDigger

Spurred by a group of Springfield residents who live close to Interstate 91, state Sen. Becca White, D-Windsor, is advocating for legislation that would establish civil penalties in Vermont for illegal modifications to a vehicle's exhaust system.

The bill, S.64, proposes levying fines for operating any vehicle with an exhaust system modified to either produce more noise than it would with its original muffler or produce more exhaust fumes. The suggested fines start at \$100 for a first offense, then rise to \$200 for a second offense and \$350 for all subsequent violations.

Those penalties would apply only if, during an inspection, a vehicle's exhaust noise is measured at greater than 95 decibels — about as loud as a

subway train underground.

Vermont law already requires vehicles to have a functioning muffler, which is intended to limit noise. But while a vehicle without a muffler would almost certainly fail an inspection, there are no specific fines for those driving without one.

Though the legislation was discussed briefly this week in the state Senate Transportation Committee, members indicated that they were disinclined to immediately address it.

White said she drafted the bill after hearing concerns from Springfield residents about frequent noise pollution from trucks that brake as they travel downhill on I-91. The bill also calls for the state to study whether to seek out new federal funding for noise abatement measures along Vermont's highways.

Highway noise is a perennial issue in Vermont, White said, but "there's got to be ways that we can help remedy some of the situation and put the onus back on drivers who are exacerbating the problem unnecessarily."

Many truckers on the road today use compression engine brakes — known commonly as "jake brakes" — as a supplement to their friction brakes. When activated, these systems use compressed air to slow a truck, which can alleviate the stress placed on friction brake systems and, in some cases, provide an important safety backup.

But engine brakes are also very loud, emitting a characteristic staccato noise when they are activated. “It sounds a whole lot like a machine gun,” said Mark Bevis, one of the Springfield residents who brought the matter to White.

White’s bill would not ban engine brakes. But it takes aim at trucks without adequate mufflers, making the brakes’ noise especially loud. Connecticut-based Jacobs Vehicle Systems — the first company to manufacture compression engine brakes, hence the “jake” nickname — has also said that it does not support users modifying their trucks in ways that make the exhaust sound louder, and encourages using proper mufflers.

Bevis acknowledged that he expects to hear the noise of vehicle traffic living about a half-mile away from the interstate. But he and two of his neighbors said in interviews that the engine brake noise is so loud that they’re certain some truckers are running either modified or defective exhaust systems.

“It’s incredibly annoying,” Bevis said, noting that he and his wife have come to expect hearing the sound of engine brakes at any time of day or night. “This kind of noise is just unacceptable.”

White’s bill also calls for the state to mount a public outreach campaign, emphasizing that unnecessary vehicle idling, as well as modifying diesel engines to emit large clouds of sooty fumes — known as “rolling coal” — harms human health and the environment.

At least 17 states, as well as Washington, D.C., have laws that prohibit modification of an exhaust system — as White’s would — if it causes the vehicle to emit more noise than it did with its original, factory-installed muffler, according to data from the Specialty Equipment Market Association Action Network.

Matt Cota, a lobbyist for the Vermont Vehicle and Automotive Distributors Association, questioned the notion that commercial truckers are illegally modifying their rigs, saying “no reputable service station would do that type of work.” Rather, Cota said, he thinks the bill would mainly affect people who modify their personal vehicles.

Still, he said he supports the bill, agreeing that loud exhaust systems can be a nuisance.

“A lot of time with these types of things, it’s more that people might not know it was illegal,” Cota said Thursday. “So bringing attention to it, and having a modest fine for doing it — maybe that will get people to not do it.”

The Senate Transportation Committee took up S.64 briefly on Tuesday, though reception was lukewarm and it opted to table discussion until a later date. Committee members agreed that they would not include the bill’s provisions about exhaust systems in their version of the annual

miscellaneous Department of Motor Vehicles bill, which the committee unanimously voted out Wednesday morning.

Sen. Thomas Chittenden, D-Chittenden Southeast, told the other members that he supports having the committee look into vehicle noise issues in the coming weeks.

Another committee member, Sen. Russ Ingalls, R-Essex, said he'd "love to put this (bill) back up on the wall," meaning that the committee would not take it up immediately. "There's some parts of it that I could probably get to, but I think we'd have a lot more work to flesh it out," he said.

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