

Testimony--Written

Re: Bill S.66 (2025) Excessive Motor Vehicle Noise

To: VT Senate Transportation Committee, 2 21 2025

From: Laura Hill-Eubanks, Northfield, VT

1. Background

My name is Laura Hill-Eubanks. I am an attorney, and I have served on various local and regional commissions in central Vermont; my work has been primarily related to land use and conservation. I am speaking on behalf of myself today, but I also work on the noise issue with some of the others testifying.

I live on VT Route 12A in Northfield, a rural state highway that connects Northfield to Randolph. When we moved into our house in 2001, it seemed to be in a nice, quiet rural area--mostly low density residential. But in the last several years, the traffic has increased, and with it, the road noise. At times, the noise from motor vehicles is extremely loud--so loud we cannot hear one another speak. In recent years I have seen no effort by law enforcement to stop it.

The noise problem is due mostly to very loud motorcycles and, to a lesser extent, cars and pickup trucks, that travel on the road. The worst of the loud noise is unnecessary and easily prevented. Most of the loudest motor vehicles have obviously modified their vehicles, and especially their exhaust systems, to make them louder.

2. Efforts to Convince Law Enforcement to Address the Noise Issues Have Failed

Over the last several years, I have asked for help with motor vehicle noise from all levels of government and law enforcement in Vermont. All to no avail.

- The VT Dept. of Motor Vehicles (DMV) official gave several reasons for the apparent lack of enforcement: That the DMV deals primarily with violations of motor vehicle inspections; it can't be everywhere all at once; it does not have policing authority--so it is a matter for the police department; it needs to receive a complaint specific to a vehicle and inspection station before it can investigate violations. (Am I supposed to be the one to collect all that information—follow the offenders around perhaps?)
- The former town police chief (now retired) gave various reasons at different times for no enforcement: That the state law was unclear and not enforceable; that it was up to DMV to enforce the law; that the town ordinance against disturbing the peace did not apply to motor vehicle noise (although our new police chief now says it does apply, but they don't have the resources to enforce it); that local police didn't have jurisdiction on a state road, so State Police must do the enforcement. The Town Manager and Select Board defer to the town police chief—so nothing has been done.
- A VT State Police officer said they would not enforce the law because, if a town has its own police department, it is up to local police to enforce the noise law.
- The State Police also suggested I talk to the VT Attorney General's Office. I sent the AG a letter of complaint—no answer. Then I followed up with a call and waited for a response. They eventually said they would look into it. It's been two years with no further response.

Am I getting the runaround? I don't mean to disparage any of these officials, some of whom may have moved on from their positions over time. But after all the failed efforts to compel law enforcement to do anything about the noise, and all the years spent listening to extremely and illegally loud vehicles on the road, I'm left wondering if there might be a general resistance to enforcing laws on motor vehicle noise at all.

How can there be so many loud motorcycles riding on our public roads with such impunity, and presumably with valid inspection stickers? It seems to me that the current laws must be inadequate, or are not being enforced, or both.

3. Bill S.66

I helped draft the language submitted for the Bill, S.66. It was based on information provided by noise expert, Les Bloomberg; and by Karen Akins, who made the documentary, The Quietest Year, and who is a wonderful source of knowledge about the issues of noise pollution after having researched the issues for her film. The Bill is further based on Federal law and is in line with what other states and cities have done with their own laws in their attempt to more effectively regulate loud noise from motor vehicles.

The main point I'd like to make about the Bill is that it is not radical or extreme in any way. The Bill includes very reasonable standards to meet. In fact, the sound limits in the Bill could be much more restrictive if recommendations for noise levels that would have minimal impacts on humans were followed more stringently—especially in residential areas (where the standard is generally 45-55 dB). But this Bill seeks to curtail the loudest and most obvious sources of loud motor vehicle noise—or skim off the worst offenders.

In addition, I heard from law enforcement that one of the reasons they did not want to take enforcement actions against operators of loud motor vehicles was that the current standards seemed subjective and were not clear enough to pass legal muster if challenged—law enforcement seems to want standards that are in black and white. This Bill attempts to meet that “black and white” standard.

Further, the Bill authorizes the use of technology that measures sound levels to facilitate accurate and potentially automated enforcement procedures. The Bill also includes funding for its enforcement provisions through penalties collected from violators.

More specifically on S.66:

- a. The Bill prohibits use of a motor vehicle that has an inadequate muffler, or one that has been modified to produce increased noise. This requirement allows for violations to be caught either at state inspection, or by law enforcement during operation on the road. This is important because the [Report on Excessive Motor Vehicle Noise](#) points out that, even if an exhaust system meets state law at time of inspection, the owner of the vehicle can change it out after inspection to one that violates the law. [§ 1221(b)(1)]
- b. The Bill prohibits operating a motorcycle that does not comply with the Federal requirement to have a label stating that it meets the standards for noise limits on motorcycles: 80 dBA at

50 feet. This requirement makes it easier to identify motorcycles that are in violation of the standard, both at time of inspection and when operating on a road. It is an objective standard to meet. [§ 1221(b)(2)].

- c. The Bill includes specific sound limits for cars and trucks. The sound limits in the Bill are very reasonable and allow for higher sound levels for some vehicles at higher speeds. Objective and quantitative limits in the Bill are needed for two reasons. First, the limits facilitate the use of sound meters and noise cameras, or other equipment that could be used to measure violations--which would also allow for automatic methods of enforcement, and less need for law enforcement personnel to be on the scene. Second, sound level limits address the need for objective and clear standards. This is something law enforcement has stated that they currently lack and would go towards preventing legal challenges to enforcement. [§ 1260]
- d. The Bill requires that any truck with an air compression brake be equipped with a muffler for that device. This requirement in the Bill seems like an easy way to address the noise from engine (or "Jake") brakes. The lack of an appropriate muffler can be found and remedied at inspection; and law enforcement should find it a clear standard to apply. There is an exception in the Bill for emergency braking [§ 1309]

4. The Report to the Legislature

A. The [Report on Excessive Motor Vehicle Noise](#) prepared for the legislature ("Report") attempts to answer two questions regarding motor vehicle noise laws: 1) *What types of noise standards and enforcement methods should be used to limit excessive motor vehicle noise?* And 2) *Whether there is a need for such standards or methods?*

The Report states that the "stakeholders" consulted were generally against the need for a noise standard in statute or in the Vermont Periodic Inspection Manual (VPIM). However, the Report also acknowledges that "some stakeholders" did indeed express support for the noise standards. But those opinions in support of noise standards seem to have been dismissed in the Report (as they were based on "personal experiences" or "referenced anecdotes.") [see page ES-5 – ES-6 of the Report]. Why are the opinions of those stakeholders that have been impacted by noise being dismissed?

The stakeholders included VT Agency of Transportation, DMV, three police organizations (State Police, Sheriffs, and Chiefs of Police), and the Vermont League of Cities and Towns (which represents town governments). Those groups do not seem to directly represent citizens impacted. Such groups or individuals should have been invited to participate if the Report was intended to address the need for new noise regulation.

Further, the Report's *conclusion that there was no need for new noise standards* was based on a lack of resources and other potential challenges to new law. But the lack of resources and challenges is not the same issue as need. The information in the Report did not in fact establish the lack of a need for new noise standards.

B. The [Summary of Findings section in the Report](#) lists the options that the drafters considered, and their relative advantages and disadvantages, described as follows [p. ES-6]:

- i. Changes to the VPIM and inspection procedure “that would require inspection mechanics to reject modified or excessively noisy exhausts for passenger vehicles / light trucks,” was considered the simplest and least costly noise control measure. But this option was found to likely be “the least effective, as it is subjective and vehicle owners can remove aftermarket mufflers before inspections and then reinstall them after passing inspection.”
- ii. Noise testing as part of the VPIM and inspection process that “would provide an objective standard for vehicle noise levels and could be incorporated into the existing Automated Vehicle Inspection Program (AVIP) software.” But it was thought that this option would be expensive due to the number of sound meters required.
- iii. Noise testing instituted in statute and implemented by law enforcement personnel is an option described as one that would require less equipment than the VPIM option, but more dependence on increasing law enforcement responsibilities. However, as the Report points out, this hurdle could be overcome: “Using an acoustic camera-based automated testing system could provide a scalable, objective vehicle noise testing solution that would not add any additional burden to law enforcement or inspection stations.” The Report recommends allowing for remote or unattended enforcement by statute to implement this type of enforcement system.

Bill S.66 would allow for implementation of any of the recommendations for noise standards and enforcement options included in the Report. However, if the new standards are to be based primarily on changes to the VPIM, those standards should be laid out in statute to ensure they are effective and reasonably likely to be implemented.

5. The Need for Legislation to Curb Unreasonably Loud Motor Vehicle Noise in Vermont

The impacts of loud noise on human health have been well documented. “Exposure to high noise levels is associated with elevated blood pressure, heart disease, hearing loss, sleep deprivation, ringing of the ears, headaches and chronic fatigue.”¹ By failing to enact or enforce laws to curb the noise, those of us being impacted are essentially being told that it’s OK to suffer those impacts.

Some people move out of their homes when the noise gets to be too much to bear. But I like my home. My husband and I put a great deal of work, money, and love into renovating our old farmhouse. We’ve lived in it for more than 20 years and expect to retire here. Aren’t we entitled to live with some basic level of peace and quiet?

New and more effective law would at least work to let offenders know they do not have the freedom to violate motor vehicle noise standards with impunity, as they seem to believe now. And new law would authorize, and hopefully encourage, law enforcement to take the issue more seriously and enforce the law. I ask that you help us by making S.66 that law.

¹ Vermont Public Health Association Policy Statement Environmental Noise Pollution, https://vtpha.org/wp-content/uploads/2025/01/Environmental-Noise-Pollution_2024.10.pdf].