

February 28, 2025

Hon. Richard Westman, Chairman
Senate Committee on Transportation
Vermont State Capitol
115 State Street
Montpelier, VT 05633

**RE: Senate Bill 66 – Exhaust Noise
Related Item – Window Tinting**

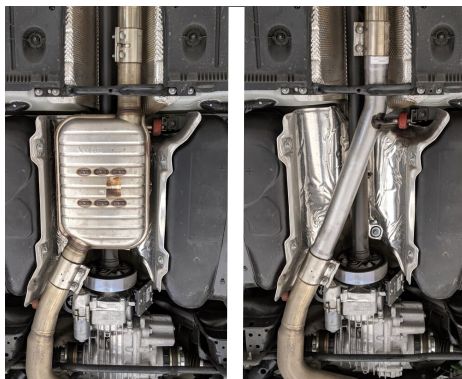
Dear Chairman Westman and Members of the Committee:

On behalf of the Alliance for Automotive Innovation¹, thank you for the opportunity to provide testimony on Senate Bill 66, which pertains to vehicle exhaust systems, and share some additional information relative to window tinting that may be of interest to the Committee.

*** * * Senate Bill 66 – Exhaust Noise * * ***

Although our members have no objections to the state taking steps to address the challenges that local communities face when trying to ensure a certain quality of life for residents that is being degraded by the actions of some unruly vehicle owners, we do want to caution against any actions that have not been fully considered for potential impacts, especially on those who a rational person would not deem to be driving a car that produces excessive noise.

First, it is very important to recognize the real problems that many municipalities are dealing with around excessive vehicle noise. In virtually every instance, the vehicle owner has intentionally modified their vehicle exhaust system in a manner that increases decibel levels produced. Below are two examples.



¹ **About Alliance for Automotive Innovation**

From the manufacturers that produce most of the vehicles sold in the U.S., to autonomous vehicle innovators, to equipment suppliers, battery producers, and semiconductor manufacturers – the Alliance for Automotive Innovation represents the full auto industry, a sector supporting 10 million American jobs and five percent of the entire economy. Active in Washington, D.C. and all 50 states, the association is committed to a cleaner, safer and smarter personal transportation future. www.autosinnovate.org.

On the left, a muffler-delete or straight pipe; on the right, a cut-out that can be opened or closed by a switch within a vehicle. These are the types of modifications that can be caught (and deterred) by an inspection of exhaust system hardware as part of annual safety inspection. Additional enforcement (and deterrence) can be accomplished through both police enforcement and “sound camera” technologies, especially if the issue has been geographically centered in a particular area, allowing targeted enforcement.

Concerns

Where our concerns lie on Senate Bill 66, as drafted, is the prescribed decibel levels for passenger cars traveling under 35 miles per hour of 72 decibels, and for those traveling more than 35 miles per hour of 80 decibels. Selecting a target decibel level without citing the testing protocol to be used to measure runs the risk of seeing far too many vehicles labeled as offenders, which will generate angry vehicle owners and do little to address the biggest offenders.

Additionally, speed is hardly the only variable that justifiably impacts the decibel levels produced by a vehicle during responsible operation. For example, a vehicle accelerating to merge onto a highway will likely produce considerably more sound than the cars that are already traveling at speed on that same highway. Likewise, two vehicles transiting the same hill, but in opposite directions will likely produce dramatically different decibel levels even if traveling the same speed – with one working to go up, while the other lightly coasting down. Such roadway variables, along with engine RPM, transmission and differential gearing, number of passengers, and any towed load all contribute total noise generated.

Recommendation

The report commissioned after last year’s legislative session did a commendable job of capturing the many variables of this deceptively complicated issue, including testing complexity, efficacy, and cost. If the Committee believes legislation in this area is necessary, we would suggest a focus on driver behavior as opposed to vehicle capabilities. Just as vehicles today are capable of multiples of posted speed limits, but the obligation is placed on the driver to operate responsibly, vehicle noise is no different. This focus on behavior lends itself to sound cameras and targeted enforcement to capture the worst offenders. Given the complexity of all of the above, any policy in this area should also be accompanied by a thoughtful regulatory process to ensure the net cast captures only the offending drivers.

Final Note

As Auto Innovators only represents the light duty vehicle marketplace, we do not have a set position on Section 3 of the bill, which seeks to further regulate the use of engine compression braking devices on heavy duty vehicles. We do, however, represent our customers who have to share the roadways with heavy duty vehicles, and would again caution against any action that has not been carefully considered in this space. Absent the use of compression braking devices, heavy duty trucks will need to only rely upon on their service brake systems, which can build heat and fade on long brake usage. Vermont and many other states already employ runaway ramps along their highways to protect against this very problem after downhill stretches. Removing the ability to utilize a compression braking device could potentially increase the safety risk to other roadway users and should be carefully considered before a final decision is made.

***** Act 165 of 2024 – Vehicle Window Tinting or Glazing Materials *****

While not currently a matter of legislation before the Committee, I understand that questions remain about a provision pertaining to automobile window tinting as included in Senate Bill 309 from last session, which was passed into law as Act 165 of 2024. That section referenced as a standard the Federal Motor Vehicle Safety Standards (FMVSS) for the luminous transmittance of all glazing in new vehicles (49 C.F.R. § 571.205). FMVSS 205 then incorporates by reference a standard produced by the American National Standards Institute (ANSI/SAE Z26.1-1996), which stipulates that for passenger

vehicles the windshield, front side windows, and rear side windows are all requisite for driving visibility. For such windows, the light transmittance levels must not be less than 70%. However, for multipurpose passenger vehicles – think SUVs – the rearmost side windows are allowed to be tinted because they are not seen as requisite for visibility.

It is important to note that the FMVSS typically only applies to requirements for new vehicles to be sold in the United States. In this instance, however, Section 205.1.2 specifically notes that:

“Aftermarket replacement glazing. Glazing intended for aftermarket replacement is required to meet the requirements of this standard... applicable to the glazing being replaced.”

On a face value reading of that text, it would appear that any aftermarket tint applied to the windshield, front side windows, and rear side windows should have a light transmittance level of not less than 70% as well. This seems to be reflected in New York, Pennsylvania, and Rhode Island state laws. However, despite this directive, it would seem every other state has taken its own path on light transmittance allowed on aftermarket tinting, with Massachusetts allowing 35% on each of these windows, while New Hampshire allows 35% on rear side windows, but no tinting on front side windows.

While Auto Innovators has not official position on aftermarket window tinting, it is worth noting that automakers deliver vehicles to consumers in compliance with all FMVSS regulations, including the use of glazing materials. Such glazing levels allow clear driver vision to other roadway users and hazards, increasing roadway safety for all.

Thank you for your consideration of the Auto Innovators’ views on both of the above referenced issues. We are happy to provide the Committee with additional input from industry experts on these topics as necessary. If you have any additional questions, please do not hesitate to contact me at wweikel@autosinnovate.org or contact our in-state representative, Bridget Morris with Morris Strategies, at bmorris@vtlobbyists.com.

Sincerely,



Wayne Weikel
Vice President, State Affairs

cc: Members, Senate Committee on Transportation