

Bill No. 14-24  
Concerning: Vehicle Noise Abatement  
Monitoring – Pilot Program  
Revised: 10/7/2024 Draft No. 4  
Introduced: July 30, 2024  
Enacted: October 15, 2024  
Executive: October 18, 2024  
Effective: January 17, 2025  
Sunset Date: June 30, 2026  
Ch. 16 , Laws of Mont. Co. 2024

## COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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Lead Sponsors: Council Vice-President Stewart and Councilmember Fani-González  
Co-Sponsors: Councilmembers Glass, Balcombe, Katz, and Luedtke and Council President  
Friedson, and Councilmembers Sayles, Mink, Albornoz, and Jawando

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**AN ACT** to:

- (1) establish a pilot program to use noise abatement monitoring systems in the County to enforce motor vehicle noise requirements; and
- (2) generally amend the law regarding the regulation, monitoring, and abatement of vehicle noise.

By adding

Montgomery County Code  
Chapter 31, Motor Vehicles and Traffic  
Section 31-9E

<b>Boldface</b>	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

*The County Council for Montgomery County, Maryland approves the following Act:*

1           **Sec. 1. Section 31-9E is added as follows:**

2           **31-9E. Vehicle Noise Abatement Monitoring – Pilot Program.**

3           (a) Definitions. In this Section, the following terms have the meanings  
 4           indicated.

5           (1) Chief means the Chief of the Department or the Chief’s designee.

6           (2) Department means the Montgomery County Police Department.

7           (3) Program or pilot program means the Vehicle Noise Abatement  
 8           Monitoring Pilot Program established under this Section.

9           (4) Program liaison means the local designee required under Chapter  
 10           624 of the 2024 Laws of Maryland.

11           (5) The following terms have the same meanings as indicated under  
 12           Chapter 624 of the 2024 Laws of Maryland:

13           (A) noise abatement monitoring system;

14           (B) noise abatement monitoring system operator;

15           (C) owner; and

16           (D) violation.

17           (b) Program established. There is a Vehicle Noise Abatement Monitoring  
 18           Pilot Program implemented by the Department pursuant to Chapter 624  
 19           of the 2024 Laws of Maryland.

20           (c) Program requirements and location of monitoring systems.

21           (1) The Department must deploy and utilize 3 noise abatement  
 22           monitoring systems within the County to enforce motor vehicle  
 23           noise requirements under Section 22-602 of the Transportation  
 24           Article of the Maryland Code, as amended.

25           (2) The County must not deploy or utilize a noise abatement  
 26           monitoring system within the County for any purpose other than

27 to enforce motor vehicle noise requirements under Section 22-602  
 28 of the Transportation Article of the Maryland Code, as amended.

29 (3) Before activating a noise abatement monitoring system, the  
 30 Department must:

31 (A) publish notice of the location of the noise abatement  
 32 monitoring system on the County website; and

33 (B) ensure that each noise abatement monitoring system is  
 34 proximate to a sign that:

35 (i) indicates that noise abatement monitoring systems  
 36 are in use in the area; and

37 (ii) is in accordance with the manual and the  
 38 specifications for a uniform system of traffic control  
 39 devices adopted by the State Highway  
 40 Administration under Section 25-104 of the  
 41 Transportation Article of the Maryland Code, as  
 42 amended.

43 (4) If the Department moves or places a noise abatement monitoring  
 44 system to or at a location where a noise abatement monitoring  
 45 system had not previously been moved or placed, the Department  
 46 must not issue a citation for a violation recorded by that noise  
 47 abatement monitoring system:

48 (A) until signage is installed in accordance with paragraph (2)  
 49 of this subsection; and

50 (B) for at least the first 15 calendar days after the signage is  
 51 installed.

52 (d) Program liaison.

- 53           (1)   The Chief must designate a program liaison.
- 54           (2)   The program liaison must not:
- 55                 (A)   be employed by a noise abatement monitoring system
- 56                         contractor; or
- 57                 (B)   have been involved in the initial review or issuance of the
- 58                         warning notice or citation.
- 59           (3)   The program liaison must:
- 60                 (A)   investigate and respond to questions or concerns about the
- 61                         pilot program;
- 62                 (B)   review a warning notice or citation generated by a noise
- 63                         abatement monitoring system if the person who received the
- 64                         warning notice or citation requests review before the
- 65                         deadline for contesting liability under Chapter 624 of the
- 66                         2024 Laws of Maryland;
- 67                 (C)   subject to paragraph (4), if the program liaison determines
- 68                         that the warning notice or citation is an erroneous violation,
- 69                         void the warning notice or citation;
- 70                 (D)   on receipt of a written question or concern from a person,
- 71                         provide a written answer or response to the person within a
- 72                         reasonable time; and
- 73                 (E)   if the program liaison voids or waives a citation, notify the
- 74                         Maryland Vehicle Administration for the purpose of
- 75                         rescinding any administrative penalties imposed by the
- 76                         Maryland Vehicle Administration.

77 (4) The program liaison must not determine that a warning notice or  
 78 citation is an erroneous violation based solely upon the dismissal  
 79 of the warning notice or citation by a court.

80 (5) If the program liaison determines that a person did not receive  
 81 notice of a warning notice or citation due to an administrative error,  
 82 the program liaison may resend the warning notice or citation in  
 83 accordance with Chapter 624 of the 2024 Laws of Maryland.

84 (6) The program liaison may waive a warning notice or citation if the  
 85 person alleged to be liable under this Section provides sufficient  
 86 evidence that the person has made any alterations to the motor  
 87 vehicle necessary to avoid future violations.

88 (e) Operations and enforcement.

89 (1) Operation of a monitoring system. In accordance with Chapter  
 90 624 of the 2024 Laws of Maryland, a noise abatement monitoring  
 91 system:

92 (A) must be operated by a trained and qualified operator; and

93 (B) must undergo an annual calibration check by an  
 94 independent calibration laboratory.

95 (2) Warning notices and citations – contents and mailing. A  
 96 warning notice or citation issued under this Section must be  
 97 mailed to an owner and must include the information required  
 98 under Chapter 624 of the 2024 Laws of Maryland.

99 (3) Number and timing of citations – limitations. The Department  
 100 must not:

- 101                    (A) issue more than one citation to a person per day for a  
 102                    violation enforced by a noise abatement monitoring  
 103                    system; or
- 104                    (B) issue a citation applicable to a motor vehicle during the  
 105                    first 30 days after a warning for a first offense applicable  
 106                    to the motor vehicle is mailed to the owner.
- 107                    (4) District Court procedures. The Department must administer and  
 108                    process civil citations issued under this Section:
- 109                    (A) using a uniform citation form prescribed by the District  
 110                    Court; and
- 111                    (B) in accordance with procedures adopted by the Chief Judge  
 112                    of the District Court.
- 113                    (5) County contractors. If a contractor operates a noise abatement  
 114                    monitoring system or administers or processes warning notices  
 115                    of citations generated by a noise abatement monitoring system  
 116                    on behalf of the County, the contractor's fee must not be  
 117                    contingent upon a per-ticket basis on the number of warning  
 118                    notices or citations issued or paid.
- 119                    (f) Civil penalties. A person liable for a violation enforced by a noise  
 120                    abatement monitoring system is subject to:
- 121                    (1) for a first offense, a warning notice; and
- 122                    (2) for a second or subsequent offense, a civil penalty not exceeding  
 123                    \$75.
- 124                    (g) Use of funds. The fines collected by the County as a result of violations  
 125                    enforced by noise abatement monitoring systems must be used solely:

126                   (1)    to recover the costs of implementing and administering the noise  
127                               abatement monitoring systems; and

128                   (2)    for public safety purposes, including pedestrian safety programs.

129                   **Sec. 2. Sunset.** This Act must sunset, and must have no further force or effect,  
130 at the end of June 30, 2026.

131                   **Sec. 3. Public Information Act.** The County Council intends that recorded  
132 images maintained by the Montgomery County Police Department (MCPD) under  
133 Section 31-9E, added under Section 1 of this Act, are exempt from disclosure under  
134 the Maryland Public Information Act (PIA), Md. Code Ann., § 4-101 et seq. The  
135 MCPD may adopt regulations to ensure the confidentiality of the recorded images  
136 under the PIA, including a regulation to define the recorded images as sociological  
137 data under PIA § 4-330.

*Approved:*



October 15, 2024

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Andrew Friedson, President, County Council

Date

*Approved:*



October 18, 2024

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Marc Elrich, County Executive

Date

*This is a correct copy of Council action.*



October 18, 2024

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Sara R. Tenenbaum, Clerk of the Council

Date