



Committee: Joint
Committee Review: At a future date
Staff: Christine Wellons, Chief Legislative Attorney
Purpose: To receive testimony – no vote expected

AGENDA ITEM #3
September 17, 2024
Public Hearing

SUBJECTS

Bill 14-24, Vehicle Noise Abatement Monitoring – Pilot Program

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

EXPECTED ATTENDEES

Members of the public

COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- N/A; to receive testimony

DESCRIPTION/ISSUE

Bill 14-24 would:

- (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.

SUMMARY OF KEY DISCUSSION POINTS

- N/A

This report contains:

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Economic Impact Statement	© 10
Racial Equity Impact Statement	© 14
Climate Assessment	© 21

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MEMORANDUM

September 12, 2024

TO: County Council

FROM: Christine Wellons, Chief Legislative Attorney

SUBJECT: Bill 14-24, Vehicle Noise Abatement Monitoring – Pilot Program

PURPOSE: Introduction – no Council votes required

Bill 14-24, Vehicle Noise Abatement Monitoring – Pilot Program was introduced on July 30, 2024. The Lead Sponsors are Council Vice-President Stewart and Councilmember Fani-González. The Co-Sponsors are Councilmembers Glass, Balcombe, Katz, and Luedtke, Council President Friedson, Councilmember Sayles, Mink, Alborno and Jawando. A public hearing on the bill is scheduled for September 17 at 1:30 p.m. A joint Transportation & Environment and Public Safety Committee worksession will be held on October 7, 2024.

Bill 14-24 would:

- (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.

BACKGROUND

In the 2024 state legislative session, the General Assembly enacted legislation (Chapter 624 of the 2024 Laws of Maryland) to enable Montgomery County to implement a pilot vehicle noise abatement pilot program.

BILL SPECIFICS

Consistent with the state enabling legislation, Bill 14-24 would establish a Vehicle Noise Abatement Monitoring Pilot Program under the auspices of the Montgomery County Police Department (MCPD or the Department).

Under the pilot program, MCPD would deploy three noise abatement monitoring systems within the County to enforce motor vehicle noise requirements under Section 22-602 of the

Transportation Article of the Maryland Code. The County would not be permitted to deploy or use the noise abatement systems for any purpose other than enforcement of the motor vehicle noise requirements.

Before activating a noise abatement monitoring system, the Department would be required to: (1) publish notice of the location of the noise abatement monitoring system on the County website; and (2) ensure that each noise abatement monitoring system is proximate to a sign indicating that noise abatement monitoring systems are in use in the area. If a monitoring system is moved, MCPD would be required to install appropriate signage and would not be permitted to issue violations for the first 15 calendar days after the signage is installed.

The Police Chief would be required to designate a program liaison to investigate and respond to concerns, review citations and void or waive them as appropriate, and respond to resident questions.

In accordance with the enabling legislation, a noise abatement monitoring system would have to: (1) be operated by a trained and qualified operator; and (2) undergo an annual calibration check by an independent calibration laboratory.

The bill would be enforced, for a first offense, by a warning notice. A second or subsequent offense would incur a civil penalty not exceeding \$75. Civil citations under the bill would have to be issued using a uniform citation form and in accordance with procedures adopted by the District Court.

The fines collected by the County as a result of violations enforced by noise abatement monitoring systems would be used solely: (1) to recover the costs of implementing and administering the noise abatement monitoring systems; and (2) for public safety purposes, including pedestrian safety programs.

Any County contractor administering the program would be prohibited from being paid contingent upon the number of warning notices or citations issued or paid.

As required by the enabling legislation, the pilot program would sunset at the end of June 30, 2026.

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Bill No. 14-24
Concerning: Vehicle Noise Abatement
Monitoring – Pilot Program
Revised: 7/31/2024 Draft No. 4
Introduced: July 30, 2024
Expires: December 7, 2026
Enacted: _____
Executive: _____
Effective: _____
Sunset Date: June 30, 2026
Ch. _____, Laws of Mont. Co. _____

COUNTY COUNCIL FOR MONTGOMERY COUNTY, MARYLAND

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

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

Boldface	<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-
 28 602 of the Transportation Article of the Maryland Code, as
 29 amended.

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

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

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

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

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

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

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

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

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

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

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

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

90 (e) Operations and enforcement.

91 (1) Operation of a monitoring system. In accordance with Chapter
 92 624 of the 2024 Laws of Maryland, a noise abatement
 93 monitoring system:

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

95 (B) must undergo an annual calibration check by an
 96 independent calibration laboratory.

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

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

103 (A) issue more than one citation to a person per day for a
 104 violation enforced by a noise abatement monitoring
 105 system; or

106 (B) issue a citation applicable to a motor vehicle during the
 107 first 30 days after a warning for a first offense applicable
 108 to the motor vehicle is mailed to the owner.

109 (4) District Court procedures. The Department must administer
 110 and process civil citations issued under this Section:

111 (A) using a uniform citation form prescribed by the District
 112 Court; and

113 (B) in accordance with procedures adopted by the Chief
 114 Judge of the District Court.

115 (5) County contractors. If a contractor operates a noise abatement
 116 monitoring system or administers or processes warning notices
 117 of citations generated by a noise abatement monitoring system
 118 on behalf of the County, the contractor's fee must not be
 119 contingent upon a per-ticket basis on the number of warning
 120 notices or citations issued or paid.

121 (f) Civil penalties. A person liable for a violation enforced by a noise
 122 abatement monitoring system is subject to:

123 (1) for a first offense, a warning notice; and

124 (2) for a second or subsequent offense, a civil penalty not
 125 exceeding \$75.

126 (g) Use of funds. The fines collected by the County as a result of
 127 violations enforced by noise abatement monitoring systems must be
 128 used solely:

- 129 (1) to recover the costs of implementing and administering the
130 noise abatement monitoring systems; and
131 (2) for public safety purposes, including pedestrian safety
132 programs.

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



Fiscal Impact Statement

Office of Management and Budget

Bill 14-24

Vehicle Noise Abatement Monitoring - Pilot Program

Bill Summary

Bill 14-24 would establish a pilot program to use noise abatement monitoring systems in the County to enforce motor vehicle noise requirements. The bill sunsets on June 30, 2026.

Fiscal Impact Summary

Expenditures are expected to increase by \$99,400 in FY25 and by \$198,800 over the six-year period. Anticipated revenues are difficult to predict, although some revenue generation is expected over the six-year period.

Fiscal Year	2025	2026	2027	2028	2029	2030	Total
Personnel Costs	\$18,400	\$18,400	\$0	\$0	\$0	\$0	\$36,800
Operating Expenses	\$81,000	\$81,000	\$0	\$0	\$0	\$0	\$162,000
Total Expenditures	\$99,400	\$99,400	\$0	\$0	\$0	\$0	\$198,800
Revenues	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Total Impact	(\$99,400)	(\$99,400)	\$0	\$0	\$0	\$0	(\$198,800)
FTE	0.00	0.00	0.00	0.00	0.00	0.00	

Fiscal Impact Analysis

The proposed pilot program has a fiscal impact for known costs totaling \$198,800 over the program's two-year term. Personnel costs total \$18,400 in each year of the pilot program, assuming six hours of weekly overtime at a Police Officer I level are required to administer the program. Operational expenses total \$81,000 in each year of the two-year term to support leases for three noise abatement systems. Operating costs for IT/Conduit Infrastructure, Laboratory Calibration, and Program Administration would require requests for proposal/ information to establish market pricing and are unknown at this time.

Anticipated revenues are difficult to predict, although some revenue generation is expected over the six-year period. Revenue generation will depend on the number of \$75 citations paid as a result of program implementation. It is unlikely for the pilot program to be self sustaining.

Staff Impact

The pilot requires the designation of a program liaison, which is assumed at the Police Officer I level. It is assumed that program administration would result in 6 hours of overtime work for an existing Police Officer I at an estimated annual cost of \$18,400 assuming an average overtime rate of \$59 an hour. It is possible that a contractor be hired in lieu of uniform staff, though the cost of contract staff is unknown at this time.

Actuarial Analysis

The bill is not expected to impact retiree pension or group insurance costs.

Information Technology Impact

The cost of integrating the systems into the County's IT, conduit infrastructure, and laboratory calibration of the noise abatement system are unknown until an RFP/RFI is issued to establish market pricing. Given the vacancy rates and staffing challenges for MCPD, it is possible that a contractor be hired to administer the program which would require an RFP/RFI to establish market pricing.



Other Information

Later actions that may impact revenue or expenditures if future spending is projected

Ranges of revenue or expenditures that are uncertain or difficult to project

Anticipated revenues are difficult to predict, although some revenue generation is expected over the six-year period. Revenue generation will depend on the number of \$75 citations paid because of program implementation. It is unlikely for the pilot program to be self-sustaining. The cost of integrating the systems into the County's IT, conduit infrastructure, and laboratory calibration of the noise abatement system are unknown until an RFP/RFI is issued to establish market pricing.

Sources of information

Collective Bargaining Agreement in place between Fraternal Order of Police and Montgomery County Government Montgomery County Office of Human Resources, FY25 FOP Salary Schedule.

Contributors

Christopher Tippery, Montgomery County Police Department Program Manager
Warren Jensen, Montgomery County Police Department Captain
Willie Morales, OMB Analyst



Economic Impact Statement

Montgomery County, Maryland

Bill 14-24 Vehicle Noise Abatement Monitoring – Pilot Program

SUMMARY

The Office of Legislative Oversight (OLO) anticipates that Bill 14-24 would have an insignificant impact on economic conditions in the County in terms of the Council’s priority indicators.

BACKGROUND AND PURPOSE OF BILL 14-24

Noise abatement monitoring systems, or “noise cameras,” are devices that detect noise levels above an established limit. When noise from a vehicle exceeds the limit, a noise camera captures identifying images of the vehicle for law enforcement. In recent years, several cities in the U.S. and around the globe have installed noise cameras on their roads to help control loud noises from vehicles, including from modified mufflers and exhaust systems.¹

In 2024, the Maryland General Assembly passed a bill allowing Montgomery and Prince George’s Counties to establish pilot programs for installing noise cameras on their roads.² The purpose of Bill 14-24 is to establish this pilot program in the County – the Vehicle Noise Abatement Monitoring - Pilot Program – under the Montgomery County Police Department (MCPD).³

If enacted, Bill 14-24 would allow MCPD to install three noise cameras within the County for the sole purpose of enforcing legal noise requirements for vehicles.⁴ As described in the Council’s press release for Bill 14-24:

Under Maryland law, vehicles must not exceed a sound limit of 80 decibels. When the volume is detected at least five decibels above the standard set by state law, the camera would capture a video of the vehicle causing the noise for identification.⁵

¹ Johnson, “What To Know About Noise Cameras.”

² HB0212, Maryland General Assembly.

³ Introduction Staff Report for Bill 14-24.

⁴ Ibid.

⁵ “Council Vice President Stewart and Councilmember Fani-González Introduce Bill to Reduce Excessive Vehicular Noise with Automated Noise Cameras.”

Before activating a noise camera, MCPD would be required to:⁶

- Publish notice of the location of the noise camera on the County website; and
- Ensure that each noise camera is near a sign that indicates that noise cameras are in use in the area.

The Police Chief would also be required to designate a liaison to investigate and respond to concerns, review citations upon request, and respond to questions from community members.

MCPD would issue a warning for the first offense detected by a noise camera. A fine of no more than \$75 would be issued for the second offense and for any subsequent offenses. The pilot program would end on June 30, 2026, as required by the state’s enabling legislation.⁷

The Council introduced Bill 14-24, Vehicle Noise Abatement Monitoring – Pilot Program, on July 30, 2024.

INFORMATION SOURCES, METHODOLOGIES, AND ASSUMPTIONS

Per Section 2-81B of the Montgomery County Code, the purpose of this Economic Impact Statement is to assess the impacts of Bill 14-24 on County-based private organizations and residents in terms of the Council’s priority economic indicators and whether the Bill would likely result in a net positive or negative impact on overall economic conditions in the County.⁸

Empirical studies suggest that establishing a vehicle noise abatement policy may have economic impacts. On the one hand, studies have shown that fines for traffic violations cause adverse financial impacts for recipients, such as lower earnings, reduced consumption and borrowing, default on bills, and lower credit scores. These impacts are especially harmful for lower income households.⁹ On the other hand, studies have shown that vehicular noise pollution can lower property values for third party homeowners.¹⁰ These findings suggest that reducing vehicular noise pollution could prevent this form of negative externality for certain homeowners.¹¹

⁶ Introduction Staff Report for Bill 14-24.

⁷ Ibid.

⁸ Montgomery County Code, Sec. 2-81B.

⁹ Mello, “Fines and Financial Wellbeing”; Mello, “Speed Trap or Poverty Trap? Fines, Fees, and Financial Wellbeing”; LaScala-Gruenewald and Paik, “Legal Financial Obligations in the United States”; Dorsey and White, “No Exit: How Maryland’s Debt Collection Practices Deepen Poverty and Widen the Racial Wealth Gap.”

¹⁰ Nelson, “Hedonic Property Value Studies of Transportation Noise”; Rich and Nielsen, “Assessment of Traffic Noise Impacts”; Wilhelmsson, “The Impact of Traffic Noise on the Values of Single-Family Houses.”

¹¹ A negative externality is the indirect imposition of a cost on another party who does not bear the cost. In this case, vehicle owners may reduce the property values of certain homeowners, while not incurring the cost of doing so through, for instance, a “noise pollution tax.”

Despite these potential economic impacts of the Bill, a small number of residents likely would experience them, given the scale of the program. For this reason, OLO anticipates the Bill would have an overall insignificant impact on private organizations, residents, and economic conditions in the County in terms of the indicators prioritized by the Council.

VARIABLES

Not applicable

IMPACTS

WORKFORCE ▪ TAXATION POLICY ▪ PROPERTY VALUES ▪ INCOMES ▪ OPERATING COSTS ▪ PRIVATE SECTOR CAPITAL INVESTMENT ▪ ECONOMIC DEVELOPMENT ▪ COMPETITIVENESS

Not applicable

DISCUSSION ITEMS

Not applicable

WORKS CITED

- Arianna Johnson, “[What To Know About Noise Cameras — As NYC Lawmakers Consider Cracking Down On Illegal Mufflers And Exhaust Systems](#),” Forbes, December 4, 2023.
- “[Council Vice President Stewart and Councilmember Fani-González Introduce Bill to Reduce Excessive Vehicular Noise with Automated Noise Cameras](#),” Montgomery County Council, July 30, 2024.
- Dorsey, Robyn, and Marceline White. “[No Exit: How Maryland’s Debt Collection Practices Deepen Poverty and Widen the Racial Wealth Gap](#).” Maryland Consumer Rights Coalition, June 2018.
- [HB0212](#), Maryland General Assembly, Effective July 1, 2024.
- [Introduction Staff Report for Bill 14-24](#), Montgomery County Council, July 30, 2024.
- LaScala-Gruenewald, Angela, and Leslie Paik. “[Legal Financial Obligations in the United States: A Review of Recent Research](#).” *Sociology Compass* 17, no. 5 (2023): e13070.
- Mello, Steven. “[Fines and Financial Wellbeing](#).” *Working Paper*, October 12, 2012.
- . “[Speed Trap or Poverty Trap? Fines, Fees, and Financial Wellbeing](#).” *Working Paper*, November 14, 2018.
- Nelson, Jon P. “[Hedonic Property Value Studies of Transportation Noise: Aircraft and Road Traffic](#).” In *Hedonic Methods in Housing Markets: Pricing Environmental Amenities and Segregation*, edited by Andrea Baranzini, José Ramirez, Caroline Schaerer, and Philippe Thalmann, 57–82. New York, NY: Springer, 2008.

Rich, Jeppe Husted, and Otto Anker Nielsen. "[Assessment of Traffic Noise Impacts.](#)" *International Journal of Environmental Studies* 61, no. 1 (February 1, 2004): 19–29.

Wilhelmsson, Mats. "[The Impact of Traffic Noise on the Values of Single-Family Houses.](#)" *Journal of Environmental Planning and Management* 43, no. 6 (November 1, 2000): 799–815.

CAVEATS

Two caveats to the economic analysis performed here should be noted. First, predicting the economic impacts of legislation is a challenging analytical endeavor due to data limitations, the multitude of causes of economic outcomes, economic shocks, uncertainty, and other factors. Second, the analysis performed here is intended to *inform* the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the Bill under consideration.

CONTRIBUTIONS

Stephen Roblin (OLO) prepared this report.

Racial Equity and Social Justice (RESJ) Impact Statement

Office of Legislative Oversight

BILL 14-24: VEHICLE NOISE ABATEMENT MONITORING – PILOT PROGRAM

SUMMARY

The Office of Legislative Oversight (OLO) finds the anticipated impact of Bill 14-24 on racial equity and social justice (RESJ) in the County is indeterminant because the anticipated locations of the noise cameras are unknown. Further, because the pilot program created by the Bill would only install three noise cameras, the RESJ impact will likely be small. Nonetheless, data on traffic violations for noise suggests that Latinx community members could be disproportionately impacted by this Bill and by any future expansions of a noise camera program. While noise cameras could help reduce one source of noise pollution in Latinx communities, fines from noise cameras could also worsen existing racial disparities in fines and civic debt. OLO offers one policy option for Council consideration.

PURPOSE OF RESJ IMPACT STATEMENTS

The purpose of RESJ impact statements (RESJIS) is to evaluate the anticipated impact of legislation on racial equity and social justice in the County. Racial equity and social justice refer to a **process** that focuses on centering the needs, leadership, and power of communities of color and low-income communities with a **goal** of eliminating racial and social inequities.¹ Achieving racial equity and social justice usually requires seeing, thinking, and working differently to address the racial and social inequities that have caused racial and social disparities.²

PURPOSE OF BILL 14-24

Noise abatement monitoring systems, also known as noise cameras, are devices that detect noise levels above an established limit. When noise from a vehicle exceeds the limit, a noise camera captures identifying images of the vehicle for law enforcement. In recent years, several cities in the U.S. and around the globe have installed noise cameras on their roads to help control loud noises from vehicles, including from modified mufflers and exhaust systems.³

In 2024, the Maryland General Assembly passed a bill allowing Montgomery and Prince George's Counties to establish pilot programs for installing noise cameras on their roads.⁴ The purpose of Bill 14-24 is to establish this pilot program in the County – the Vehicle Noise Abatement Monitoring Pilot Program – under the Montgomery County Police Department (MCPD).⁵

If enacted, Bill 14-24 would allow MCPD to install three noise cameras within the County for the sole purpose of enforcing legal noise requirements for vehicles.⁶ As described in the Council's press release for Bill 14-24:

Under Maryland law, vehicles must not exceed a sound limit of 80 decibels. When the volume is detected at least five decibels above the standard set by state law, the camera would capture a video of the vehicle causing the noise for identification.⁷

Before activating a noise camera, MCPD would be required to:⁸

- Publish notice of the location of the noise camera on the County website; and

RESJ Impact Statement

Bill 14-24

- Ensure that each noise camera is near a sign that indicates that noise cameras are in use in the area.

The Police Chief would also be required to designate a liaison to investigate and respond to concerns, review citations upon request, and respond to questions from community members.

MCPD would issue a warning for the first offense detected by a noise camera. A fine of no more than \$75 would be issued for the second offense and any subsequent offenses. The pilot program would end on June 30, 2026 as required by the state's enabling legislation.⁹

The Council introduced Bill 14-24, Vehicle Noise Abatement Monitoring – Pilot Program, on July 30, 2024.

CIVIL FINES, NOISE POLLUTION & RACIAL EQUITY

Civil fines. A civil fine is a non-criminal penalty for a violation of laws or regulations.¹⁰ In Maryland, a wide range of violations can result in civil fines. For instance, one fine schedule from the District Court of Maryland lists over 100 pages of fines for motor vehicle violations.¹¹ Any fines incurred by an individual creates a civic debt that is owed to the government. As described by the Maryland Consumer Rights Coalition (MCRC), other government expenses that also create civic debts include “video tolls and associated civil penalties, tuition and fees at State schools, public assistance and food stamp overpayment, fines for lapsed auto-insurance, and court-ordered criminal restitution.”¹²

Unpaid civic debts arising from fines and other government-imposed expenses can escalate into larger consequences. In *No Exit: How Maryland's Debt Collection Practices Deepen Poverty & Widen the Racial Wealth Gap*, MCRC describes the civic debt collection process in Maryland. After a period of non-payment, civic debts in Maryland are eventually transferred to the state's internal debt collection department, the Central Collection Unit (CCU). The CCU reports on their collection efforts to the major credit bureaus,¹³ which could negatively impact credit. In coordination with the Motor Vehicle Administration, the CCU can also collect debt by flagging “vehicle registrations for non-renewal or immediate suspension.” This can lead to a maximum penalty of \$500 and driver's license restrictions for people who continue driving without a valid registration.¹⁴ Negative impacts to credit and driving privileges from debt collection can spill into other areas of life for people with civic debts, including housing and employment opportunities.

An analysis by MCRC found that Black, Indigenous, and Other People of Color (BIPOC) communities in Maryland “bear the brunt of debt collection efforts” for state-owned debts.¹⁵ Racial inequities in various domains – including in economic security and policing – make BIPOC more likely to accumulate civic debt from fines and experience the resulting consequences. These racial inequities are rooted in government policies and practices that have historically oppressed and excluded BIPOC, including slavery, occupational segregation, exclusion from New Deal economic programs,¹⁶ and targeting in the criminal legal system.¹⁷

Over-policing in BIPOC communities exposes BIPOC community members to more law enforcement interactions that lead to fines. A 2022 analysis by OLO found that Black and Latinx community members were overrepresented among the recipients of the over 200,000 traffic citations issued by MCPD officers between FY18 and FY22.¹⁸ Black and Latinx community members are also overrepresented among the community members with lower incomes who are more likely to have challenges affording fines and thus accumulate civic debt. Locally, 14 percent and 9 percent of Black and Latinx families have incomes below the poverty level, compared to 5 percent of Asian families and 3 percent of White families.¹⁹

RESJ Impact Statement

Bill 14-24

Noise pollution. The American Public Health Association (APHA) defines noise pollution, or environmental noise, as “unwanted and/or harmful outdoor sound created by human activities...to which the public is exposed involuntarily.”²⁰ A few common sources of noise pollution include:^{21,22,23}

- Road, rail, and air traffic (e.g., cars, buses, metro, airplanes);
- Recreational vehicles (e.g., motorcycles);
- Social, sports, and entertainment venues;
- Sirens and alarms; and
- Outdoor power equipment (e.g., construction equipment, gas powered lawn equipment).

Noise pollution has been recognized as a public health hazard in the United States for the last fifty years.²⁴ Noise exposure is a common cause of auditory health conditions such as hearing loss. Stress and sleep disruption from noise exposure can also increase the risk of non-auditory health conditions such as stroke, hypertension, and heart disease.²⁵

Racial inequities in housing and land use – entrenched by historical racial inequities such as residential segregation –²⁶ situates BIPOC and low-income communities in areas that are more exposed to noise pollution.²⁷ For instance, one 2017 study found that BIPOC and lower-income communities in the U.S. were generally exposed to higher levels of outdoor noise, especially in communities that were more racially segregated.²⁸ As noted by researchers at the Center for Progressive Reform, noise pollution interacts with many other cumulative stressors that also worsen health outcomes in BIPOC communities, including “inadequate access to healthcare, food insecurity, higher rates of unemployment and underemployment, and disproportionately greater exposures to various types of air pollution.”²⁹

To effectively address noise pollution, advocates and researchers have generally called for policy solutions that would provide more oversight and regulation of noise at the federal level.^{30,31,32} Nonetheless, several local level actions have also been suggested, including:

- Enacting noise ordinances to control road traffic noise, including noise from vehicle operation and illegally modified exhaust systems;³³
- Enacting ordinances to control neighborhood noise from equipment and households;³⁴
- Considering potential impact on noise when procuring municipal goods and services that contribute to noise pollution, including emergency sirens, transit vehicles, garbage and street maintenance equipment, and construction equipment;³⁵ and
- Promoting changes to the built environment (e.g., housing, roads) that can protect community members against noise exposure with careful analysis and planning to prevent inequities in the burden of noise reduction.³⁶

ANTICIPATED RESJ IMPACTS

To consider the anticipated impact of Bill 14-24 on RESJ in the County, OLO recommends the consideration of two related questions:

- Who would primarily benefit or be burdened by this bill?

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- What racial and social inequities could passage of this bill weaken or strengthen?

For the first question, OLO considered the demographics of community members who are most likely to receive a fine from a noise camera. According to the Bill, three noise cameras will be placed in various locations in the County at the discretion of MCPD. To help identify the community members who are most likely to be cited by noise cameras, OLO analyzed available data on traffic violations for noise to understand potential demographic and geographic patterns in noise-related violations issued by MCPD.

According to traffic violations data in dataMontgomery, since 2012, MCPD has issued nearly 3,000 traffic warnings or citations to drivers for violations of noise abatement transportation laws.³⁷ Table 1 summarizes the noise-related violations by the race or ethnicity of the driver receiving the violation. This data suggests that Latinx drivers are overrepresented among drivers receiving noise related traffic violations. Conversely, White, Asian, and Black drivers are underrepresented among drivers receiving these violations.

Table 1: Noise Related Traffic Warnings and Citations Issued by MCPD by Driver Race or Ethnicity

Race or ethnicity ³⁸	Number of Traffic Violations	Percent of Traffic Violations	Percent of County Population
Asian	120	4.1	15.2
Black	399	13.8	18.2
Native American	5	0.2	0.1
White	741	25.6	41.4
Latinx	1437	49.7	20.0

Source: OLO analysis of [Traffic Violations](#) dataset, dataMontgomery and [Table DP05](#), 2022 American Community Survey 5-Year Estimates, Census Bureau.

The map in Figure A (Appendix) shows the locations of the noise related traffic violations issued by MCPD since 2012 along with a heat map that depicts where the violations are concentrated. The map shows the violations are especially concentrated in Aspen Hill, Gaithersburg, Glenmont and Wheaton. Table A (Appendix) summarizes the demographics of community members in each of these communities by race and ethnicity. This data shows that Latinx community members are overrepresented in all four communities. Black and Asian community members are overrepresented in one of the four communities.

For the second question, OLO considered how noise cameras could impact racial inequities and disparities in noise pollution and in fines. As previously described, BIPOC are disproportionately impacted by noise pollution as well by the imposition of fines and the collection of civic debt. If noise cameras are primarily installed in BIPOC communities, this could help to reduce one source of noise pollution – cars that emit excessive noise. However, these benefits would be offset by an increase in fines on BIPOC community members, which could worsen existing racial disparities in fines and civic debt.

Taken together, OLO finds the anticipated impact of Bill 14-24 on RESJ is indeterminant as the anticipated locations of the noise cameras are unknown. Further, because the pilot program created by the Bill would only install three noise cameras, the RESJ impact will likely be small. Nonetheless, data on traffic violations suggests that Latinx community members could be disproportionately impacted by this Bill and by any future expansions of a noise camera program. Latinx community members are overrepresented among drivers receiving noise-related traffic warnings or citations. Latinx community members are also overrepresented in communities where noise-related traffic violations are concentrated. While noise cameras could help reduce one source of noise pollution in Latinx communities, fines from noise cameras could also worsen existing racial disparities in fines and civic debt.

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RECOMMENDED AMENDMENTS

The Racial Equity and Social Justice Act requires OLO to consider whether recommended amendments to bills aimed at narrowing racial and social inequities are warranted in developing RESJ impact statements.³⁹ OLO finds the anticipated impact of Bill 14-24 is indeterminant. Should the Council seek to improve the RESJ impact of this Bill, OLO offers one policy option for consideration:

- **Engage BIPOC community stakeholders to update Bill 14-24, draft Method 2 regulations, and develop annual reporting requirements to the Council.** The Council can consider engaging BIPOC community stakeholders, including Latinx and BIPOC youth stakeholders, to amend Bill 14-24 as needed to reflect the needs and priorities of the BIPOC communities who are most impacted by the Bill. The Council can also consider amending the Bill to require MCPD to partner with BIPOC community stakeholders to develop Method 2 regulations and annual reporting requirements for the noise camera program that help evaluate the program's impact on RESJ.

CAVEATS

Two caveats to this racial equity and social justice impact statement should be noted. First, predicting the impact of legislation on racial equity and social justice is a challenging analytical endeavor due to data limitations, uncertainty, and other factors. Second, this RESJ impact statement is intended to inform the legislative process rather than determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO's endorsement of, or objection to, the bill under consideration.

CONTRIBUTIONS

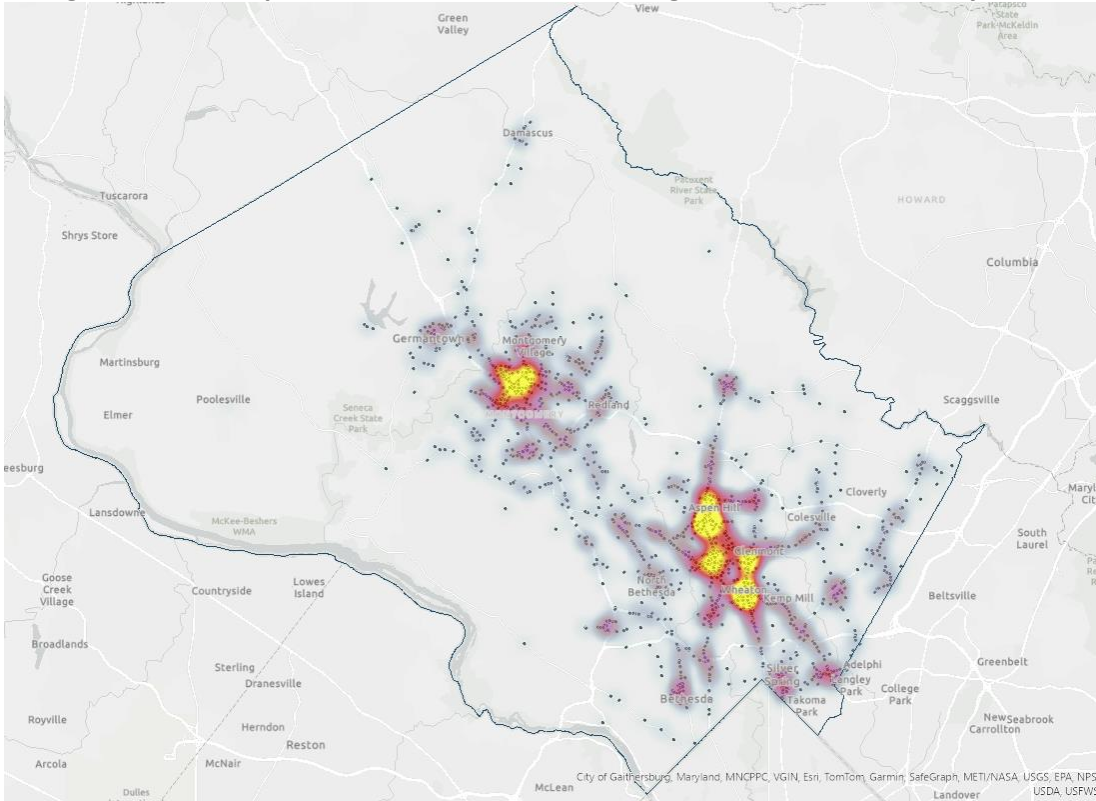
OLO staffer Janmarie Peña, Performance Management and Data Analyst, drafted this RESJ impact statement.

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APPENDIX

Figure A: Heat Map of Noise Related Traffic Warnings and Citations Issued by MCPD



Source: OLO analysis of [Traffic Violations](#) dataset, dataMontgomery.

Table A: Percent of Population by Race and Ethnicity, Aspen Hill, Gaithersburg, Glenmont, and Wheaton

Race or ethnicity ⁴⁰	Percent of Aspen Hill Population	Percent of Gaithersburg Population	Percent of Glenmont Population	Percent of Wheaton Population	Percent of County Population
Asian	9.3	20.9	10.2	11.0	15.2
Black	17.1	15.5	24.5	18.8	18.2
Native American	0.1	0.2	0.0	0.1	0.1
White	34.2	32.5	22.6	22.1	41.4
Latinx	33.1	26.0	38.3	44.2	20.0

Source: [Table DP05](#), 2022 American Community Survey 5-Year Estimates, Census Bureau.

¹ Definition of racial equity and social justice adopted from “Applying a Racial Equity Lens into Federal Nutrition Programs” by Marlysa Gamblin, et.al. Bread for the World, and from Racial Equity Tools. <https://www.racialequitytools.org/glossary>

² Ibid.

³ Arianna Johnson, “[What To Know About Noise Cameras — As NYC Lawmakers Consider Cracking Down On Illegal Mufflers And Exhaust Systems](#),” Forbes, December 4, 2023.

⁴ [HB0212](#), Maryland General Assembly, Effective July 1, 2024.

⁵ [Introduction Staff Report for Bill 14-24](#), Montgomery County Council, July 30, 2024.

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⁶ Ibid.

⁷ [“Council Vice President Stewart and Councilmember Fani-González Introduce Bill to Reduce Excessive Vehicular Noise with Automated Noise Cameras,”](#) Montgomery County Council, July 30, 2024.

⁸ Introduction Staff Report for Bill 14-24

⁹ Ibid.

¹⁰ Definition adapted from definition of [civil penalties \(civil fines\)](#), Legal Information Institute, Cornell Law School.

¹¹ [Fine schedule for certain motor vehicle violations](#), District Court of Maryland, October 2023.

¹² Robyn Dorsey and Marceline White, [“No Exit: How Maryland’s Debt Collection Practices Deepen Poverty & Widen the Racial Wealth Gap,”](#) Maryland Consumer Rights Coalition, June 2018, pg. 18.

¹³ Ibid, pg. 19.

¹⁴ Ibid, pg. 29.

¹⁵ Ibid, pg. 29.

¹⁶ Elaine Bonner-Tompkins, et. al., OLO Report 2024-11, [“Racial Equity and Social Justice Policy Handbook: Land Use, Housing, and Economic Development,”](#) Office of Legislative Oversight, June 18, 2024, pgs. 52-57.

¹⁷ Elizabeth Hinton, et. al., [“An Unjust Burden: The Disparate Treatment of Black Americans in the Criminal Justice System,”](#) Vera Institute of Justice, May 2018, pgs. 2-3.

¹⁸ Natalia Carrizosa, OLO Memorandum Report 2022-12, [Analysis of dataMontgomery Traffic Violations Dataset](#), Office of Legislative Oversight, October 25, 2022.

¹⁹ Poverty rates for families and people for whom poverty status is determined, [Table S0201: Selected Population Profile in the United States](#), 2022 American Community Survey 1-Year Estimates, Census Bureau.

²⁰ [“Noise Pollution as a Public Health Hazard,”](#) American Public Health Association, October 26, 2021.

²¹ Ibid.

²² Will Dobbs-Allsopp, et. al., [“Safe and Sound: How the Environmental Protection Agency Can Protect Us from Dangerous Noise,”](#) Center for Progressive Reform, January 2024, pgs. 22-24.

²³ Monica S. Hammer, et. al., [“Environmental Noise Pollution in the United States: Developing an Effective Public Health Response,”](#) Environmental Health Perspectives, December 5, 2013.

²⁴ “Noise Pollution as a Public Health Hazard”

²⁵ Will Dobbs-Allsopp, et. al., pg. 10.

²⁶ Bonner-Tompkins, et. al., pgs. 15-21.

²⁷ “Noise Pollution as a Public Health Hazard”

²⁸ Joan A. Casey, et. al., [“Race/Ethnicity, Socioeconomic Status, Residential Segregation, and Spatial Variation in Noise Exposure in the Contiguous United States,”](#) Environmental Health Perspectives, July 25, 2017.

²⁹ Will Dobbs-Allsopp, et. al., pg. 11.

³⁰ “Noise Pollution as a Public Health Hazard”

³¹ Will Dobbs-Allsopp, et. al., pg. 21.

³² Monica S. Hammer, et. al.

³³ “Noise Pollution as a Public Health Hazard”

³⁴ Ibid.

³⁵ Monica S. Hammer, et. al.

³⁶ Ibid.

³⁷ OLO analysis of [Traffic Violations](#) dataset as of August 19, 2024, dataMontgomery. Dataset was filtered to include charges related to the state’s noise abatement program (22-602(a), 22-602(b), 22-609(a), 22-609(b), 2-611(b)). For a description of each charge and the associated fine refer to [fine schedule for certain motor vehicle violations](#), pgs. 88-89.

³⁸ Racial groups included in this table are non-Latinx.

³⁹ Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council

⁴⁰ Racial groups included in this table are non-Latinx.

Climate Assessment

Office of Legislative Oversight

Bill 14-24: Vehicle Noise Abatement Monitoring – Pilot Program

SUMMARY

The Office of Legislative Oversight (OLO) anticipates Bill 14-24 will have no impact on the County's contribution to addressing community resilience as the bill is proposing a small pilot program for noise cameras which is likely to not change noise pollution significantly with the quantity of cameras proposed. OLO notes if more noise cameras are installed after the initial pilot program, noise pollution may decrease significantly which would have a positive impact on overall community resilience.

BACKGROUND AND PURPOSE OF BILL 14-24

Noise abatement monitoring systems, also known as noise cameras, are devices that detect noise levels above an established limit. When noise from a vehicle exceeds the limit, a noise camera captures identifying images of the vehicle for law enforcement. In recent years, several cities in the U.S. and around the globe have installed noise cameras on their roads to help control loud noises from vehicles, including from modified mufflers and exhaust systems.¹

In 2024, the Maryland General Assembly passed a bill allowing Montgomery and Prince George's Counties to establish pilot programs for installing noise cameras on their roads.² The purpose of Bill 14-24 is to establish this pilot program in the County – the Vehicle Noise Abatement Monitoring Pilot Program – under the Montgomery County Police Department (MCPD).³

If enacted, Bill 14-24 would allow MCPD to install three noise cameras within the County for the sole purpose of enforcing legal noise requirements for vehicles.⁴ As described in the Council's press release for Bill 14-24:

Under Maryland law, vehicles must not exceed a sound limit of 80 decibels. When the volume is detected at least five decibels above the standard set by state law, the camera would capture a video of the vehicle causing the noise for identification.⁵

Before activating a noise camera, MCPD would be required to:⁶

- Publish notice of the location of the noise camera on the County website; and
- Ensure that each noise camera is near a sign that indicates that noise cameras are in use in the area.

The Police Chief would also be required to designate a liaison to investigate and respond to concerns, review citations upon request, and respond to questions from community members.

MCPD would issue a warning for the first offense detected by a noise camera. A fine of no more than \$75 would be issued for the second offense and for any subsequent offenses. The pilot program would end on June 30, 2026 as required by the state’s enabling legislation.⁷

The Council introduced Bill 14-24, Vehicle Noise Abatement Monitoring – Pilot Program, on July 30, 2024.

ANTICIPATED IMPACTS

Noise pollution can affect human health, as long, sustained exposure to loud noises can lead to heart problems, hearing loss, high blood pressure, stress, anxiety, and other health issues.⁸ Further, the World Health Organization ruled noise as the second largest environmental factor contributing to health problems in Europe (the largest environmental factor being air pollution).⁹ Decreasing noise pollution can improve health outcomes, and subsequently increase community resilience.¹⁰

Bill 14-24 proposes only three cameras to be installed for the pilot program. It is unlikely that there will be a significant reduction of levels of noise pollution across the County. Due to the quantity of cameras proposed, OLO anticipates the bill will have no impact on the County’s contribution to addressing community resilience, including the reduction and/or sequestration of greenhouse gas emissions and adaptative capacity. OLO notes if the pilot program is successful and more noise cameras are installed, it may decrease noise pollution which would have a positive impact on community resilience.

RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.¹¹ OLO does not offer recommendations or amendments as Bill 14-24 is likely to have no impact on the County’s contribution to addressing climate change, including the reduction and/or sequestration of greenhouse gas emissions, community resilience, and adaptative capacity.

CAVEATS

OLO notes two caveats to this climate assessment. First, predicting the impacts of legislation upon climate change is a challenging analytical endeavor due to data limitations, uncertainty, and the broad, global nature of climate change. Second, the analysis performed here is intended to inform the legislative process, not determine whether the Council should enact legislation. Thus, any conclusion made in this statement does not represent OLO’s endorsement of, or objection to, the bill under consideration.

PURPOSE OF CLIMATE ASSESSMENTS

The purpose of the Climate Assessments is to evaluate the anticipated impact of legislation on the County's contribution to addressing climate change. These climate assessments will provide the Council with a more thorough understanding of the potential climate impacts and implications of proposed legislation, at the County level. The scope of the Climate Assessments is limited to the County's contribution to addressing climate change, specifically upon the County's contribution to greenhouse gas emissions and how actions suggested by legislation could help improve the County's adaptive capacity to climate change, and therefore, increase community resilience.

While co-benefits such as health and cost savings may be discussed, the focus is on how proposed County bills may impact GHG emissions and community resilience.

CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

¹ Arianna Johnson, "[What To Know About Noise Cameras — As NYC Lawmakers Consider Cracking Down On Illegal Mufflers And Exhaust Systems](#)," Forbes, December 4, 2023.

² [HB0212](#), Maryland General Assembly, Effective July 1, 2024.

³ [Introduction Staff Report for Bill 14-24](#), Montgomery County Council, July 30, 2024.

⁴ Ibid.

⁵ "[Council Vice President Stewart and Councilmember Fani-González Introduce Bill to Reduce Excessive Vehicular Noise with Automated Noise Cameras](#)," Montgomery County Council, July 30, 2024.

⁶ Introduction Staff Report for Bill 14-24.

⁷ Ibid.

⁸ "[Too Loud! For Too Long!](#)," Centers for Disease Control and Prevention, January 6, 2020.

⁹ "[Noise](#)," World Health Organization, April 27, 2010.; "[Could Everyday Noise be Affecting your Health?](#)," UC Davis Environmental Health Sciences Center, March 3, 2023.

¹⁰ Giles-Corti, B., et. al., "[What are the lessons from COVID-19 for creating healthy, sustainable, resilient future cities?](#)," June 2, 2023.; "[Perceptions Of Community Resilience: A Maryland Community Pilot Study](#)," National Oceanic and Atmospheric Association, 2016.; Hammer, M. S., et. al., "[Environmental Noise Pollution in the United States: Developing an Effective Public Health Response](#)," December 5, 2013.

¹¹ Bill 3-22, Legislative Branch – Climate Assessments – Required, Montgomery County Council, Effective date October 24, 2022