



**Committee:** Joint  
**Committee Review:** Completed  
**Staff:** Christine Wellons, Chief Legislative Attorney  
**Purpose:** Final action – vote expected

AGENDA ITEM #6A  
October 15, 2024  
**Action**

## 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

None

## COUNCIL DECISION POINTS & COMMITTEE RECOMMENDATION

- A Joint Committee of the Transportation and Environment Committee and the Public Safety Committee recommended (6-0) the enactment of Bill 14-24 with one amendment.

## 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

- The Joint Committee unanimously recommended the enactment of the bill to establish the pilot program. The Committee adopted one amendment to clarify the status of noise monitoring “recorded images” under the Public Information Act. See Lines 135-141 of the Committees’ Bill (© 7).

## This report contains:

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Karl Van Neste  
Robert Portnova  
FAQs by Council Vice-President Stewart and  
Councilmember Fani-González  
Uniform Civil Citation

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**MEMORANDUM**

October 10, 2024

TO: County Council

FROM: Christine Wellons, Chief Legislative Attorney

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

PURPOSE: Final action - vote expected

|  |
|--|
| <p><b><u>Committee Recommendation:</u></b> Recommended (6-0) the enactment Bill 14-24 with an amendment.</p> |
|--|

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, Albornoz and Jawando. A public hearing on the bill occurred on September 17.

A joint Transportation & Environment and Public Safety Committee worksession was held on October 7, 2024. The Joint Committee unanimously recommended the enactment of Bill 14-24 with a clarifying amendment (described on pages 5-6).

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) – sponsored by Delegates Palakovich Carr, Lehman, Charkoudian, Healey, Kaufman, Pena-Melnyk, Solomon, Spiegel, Wims, Guyton, and Stewart, and Senator Washington – to enable Montgomery County to implement a 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. A uniform civil citation form is attached at © 34.

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.

## SUMMARY OF IMPACT STATEMENTS

**Fiscal impact.** According to the Office of Management and Budget (OMB): “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.”

**Racial equity and social justice.** “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.”

The policy option identified by OLO: “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.”

**Economic impact.** “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.”

**Climate assessment.** “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.”

## SUMMARY OF PUBLIC HEARING

At the public hearing on September 17, State Delegate Palakovich-Carr testified in support of Council Bill 14-24. The Delegate sponsored the state legislation enabling the pilot program. The delegate stated that Bill 14-24 is a faithful interpretation of the enabling legislation, and noted that “noise camera” technology has been successfully deployed in New York City.

Several residents testified in support of the bill, citing concerns about the impacts of excessive noise and reckless driving upon local residents and businesses. One speaker emphasized the need for public education about the noise camera program.

#### **ISSUES CONSIDERED BY THE JOINT COMMITTEE**

The Joint Committee discussed the following issues, and adopted one amendment, in connection with Bill 14-24. Participating in the discussion were Assistant Chief of Police McBain, Captain Jensen, and Director Tippery. Mr. Morales of the Office of Management and Budget also participated.

#### **1. Components of a noise abatement monitoring system**

A “noise abatement monitoring system” (a/k/a “noise camera”) refers to a mobile or fixed vehicle sensor that works in conjunction with a noise measuring device, such as a decibel reader, that automatically produces two or more photographs, two or more microphotographs, a videotape, or other recorded images of a motor vehicle at the time the motor vehicle is operated during the commission of a noise violation.

A sample “noise camera” in New York:



Noise cameras are capable of recording the license plate of a vehicle that exceeds the state-mandated noise limits. The evidence obtained by the camera is transmitted to law enforcement for the issuance of a warning notice (in the first instance) or a civil citation (in a subsequent instance). Each monitoring system would undergo an annual calibration check by an independent calibration laboratory.

#### **2. Other Jurisdictions.**

In New York City, the City’s Department of Environmental Protection enforces the City’s Noise Code through a “noise camera” program. Noise Code summonses are adjudicated at the City’s Office of Administrative Trials and Hearings and if found in violation, penalties will result.

Penalties for muffler noise that exceeds the noise limits ranges between \$800 and \$2,625. *See* [Noise Code - DEP \(nyc.gov\)](#)

Other jurisdictions with “noise camera” enforcement include Knoxville, TN and Newport, RI. There is a dearth of information regarding the programs’ effectiveness given their newness. However, New York is expected to release a report about its program this December.

In the United Kingdom, a government-commissioned study found some deterrent effect of noise cameras on driver behavior. [Noise camera technology: roadside trial - GOV.UK \(www.gov.uk\)](#)

### **3. Location of Noise Abatement Monitoring Systems**

Under the pilot program, three noise abatement cameras would be utilized in the County. MCPD would determine the location of each camera.

Before activating a noise camera, 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 Committee discussed with MCPD representatives that the three cameras under the pilot program likely will be utilized in different geographic areas of the County as a matter of equity.

### **4. Privacy protections; potential amendment**

Under Bill 14-24, the County would be permitted to deploy and use noise abatement monitoring systems *solely* for the enforcement of motor vehicle noise requirements. Other deployments or uses would be prohibited.

Although court records related to noise abatement cases would be publicly accessible (as with other civil case records), the recorded images collected under the pilot program should otherwise be exempt from disclosure under the Maryland Public Information Act (PIA). *See* Md. Code Ann., General Provisions § 4-351 (exemption for investigatory records compiled for law enforcement). Exempting the recorded images from disclosure would be consistent with state law regarding other images captured for traffic enforcement purposes. *See* § 4-321 (generally exempting from the PIA “recorded images” produced by (1) traffic control signal monitoring systems, (2) speed monitoring systems, (3) work zone speed control systems, and (4) vehicle height monitoring systems).

To ensure that the recorded images are protected under the PIA, the Joint Committee adopted the amendment below. Under the amendment, MCPD could adopt, as necessary, a regulation identifying the recorded images as “sociological data” – which is exempt from disclosure under General Provisions § 4-330. Other agencies subject to the PIA have defined license plate data as

sociological data. *See, e.g.,* [UMB Rule on Public Records Containing Sociological Information - Policies and Procedures \(umaryland.edu\)](http://umaryland.edu).

*After Line 134, insert the following.*

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

## **5. Reporting**

Under the state enabling law, the County would be required to report to the Governor and General Assembly by December 1, 2025 regarding:

- The number of warnings and violations issued;
- The costs of implementing the program;
- Revenue collected by month under the program;
- Locations of noise abatement systems;
- The performance and reliability of the noise abatement monitoring systems; and
- The effectiveness of the program.

**NEXT STEP:** Roll call vote on whether to enact Bill 14-24 with an amendment, as recommended by the Joint Committee.

| <u>This packet contains:</u>  | <u>Circle #</u> |
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Bill No. 14-24  
Concerning: Vehicle Noise Abatement  
Monitoring – Pilot Program  
Revised: 10/7/2024 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

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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-  
 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.

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



# 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          |
| <b>Total Expenditures</b> | <b>\$99,400</b>   | <b>\$99,400</b>   | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$198,800</b>   |
| Revenues                  | \$0               | \$0               | \$0        | \$0        | \$0        | \$0        | \$0                |
| <b>Total Impact</b>       | <b>(\$99,400)</b> | <b>(\$99,400)</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>\$0</b> | <b>(\$198,800)</b> |
| 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.<sup>1</sup>

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.<sup>2</sup> 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).<sup>3</sup>

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.<sup>4</sup> 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.<sup>5</sup>

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<sup>1</sup> Johnson, “What To Know About Noise Cameras.”

<sup>2</sup> HB0212, Maryland General Assembly.

<sup>3</sup> Introduction Staff Report for Bill 14-24.

<sup>4</sup> Ibid.

<sup>5</sup> “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:<sup>6</sup>

- 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.<sup>7</sup>

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.<sup>8</sup>

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.<sup>9</sup> On the other hand, studies have shown that vehicular noise pollution can lower property values for third party homeowners.<sup>10</sup> These findings suggest that reducing vehicular noise pollution could prevent this form of negative externality for certain homeowners.<sup>11</sup>

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<sup>6</sup> Introduction Staff Report for Bill 14-24.

<sup>7</sup> Ibid.

<sup>8</sup> Montgomery County Code, Sec. 2-81B.

<sup>9</sup> 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.”

<sup>10</sup> 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.”

<sup>11</sup> 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.

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### 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.<sup>1</sup> 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.<sup>2</sup>

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### 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.<sup>3</sup>

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.<sup>4</sup> 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).<sup>5</sup>

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.<sup>6</sup> 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.<sup>7</sup>

Before activating a noise camera, MCPD would be required to:<sup>8</sup>

- 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.<sup>9</sup>

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

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### CIVIL FINES, NOISE POLLUTION & RACIAL EQUITY

**Civil fines.** A civil fine is a non-criminal penalty for a violation of laws or regulations.<sup>10</sup> 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.<sup>11</sup> 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.”<sup>12</sup>

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,<sup>13</sup> 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.<sup>14</sup> 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.<sup>15</sup> 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,<sup>16</sup> and targeting in the criminal legal system.<sup>17</sup>

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.<sup>18</sup> 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.<sup>19</sup>

# 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.”<sup>20</sup> A few common sources of noise pollution include:<sup>21,22,23</sup>

- 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.<sup>24</sup> 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.<sup>25</sup>

Racial inequities in housing and land use – entrenched by historical racial inequities such as residential segregation –<sup>26</sup> situates BIPOC and low-income communities in areas that are more exposed to noise pollution.<sup>27</sup> 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.<sup>28</sup> 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.”<sup>29</sup>

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.<sup>30,31,32</sup> 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;<sup>33</sup>
- Enacting ordinances to control neighborhood noise from equipment and households;<sup>34</sup>
- 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;<sup>35</sup> 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.<sup>36</sup>

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## 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?



# RESJ Impact Statement

## Bill 14-24

- 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.<sup>37</sup> 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 <sup>38</sup> | 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.

# RESJ Impact Statement

## Bill 14-24

### 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.<sup>39</sup> 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.

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### 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.

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### CONTRIBUTIONS

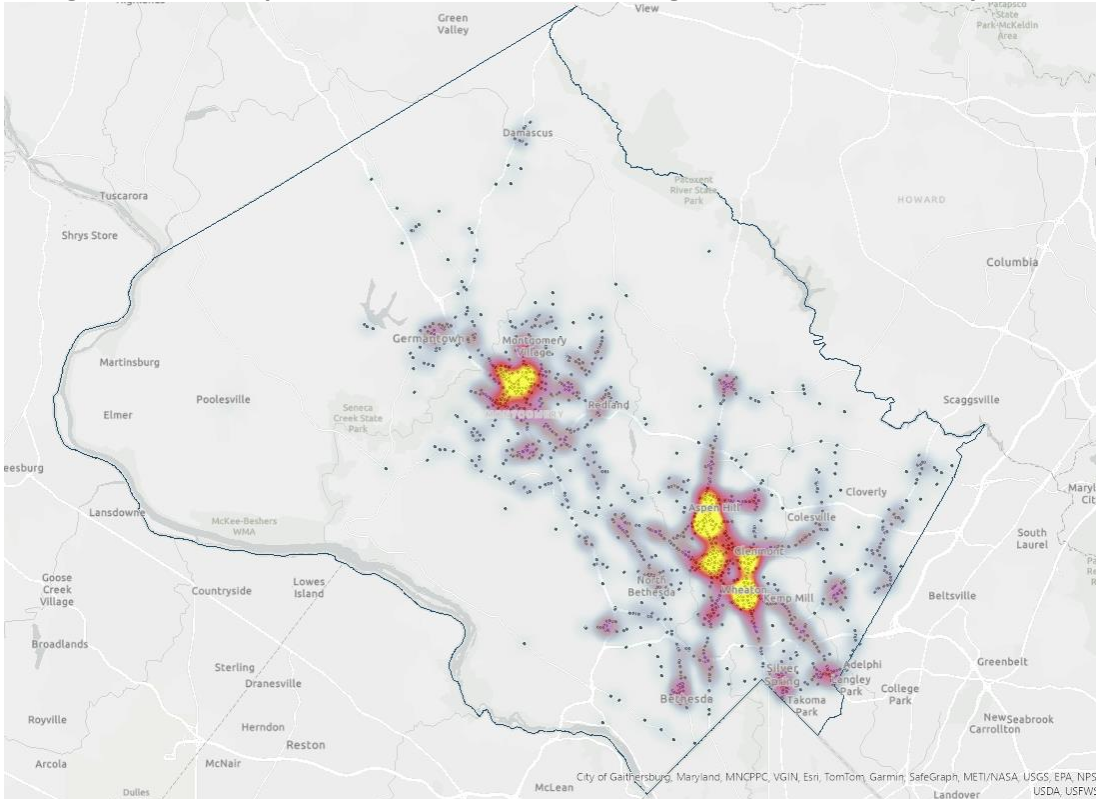
OLO staffer Janmarie Peña, Performance Management and Data Analyst, drafted this RESJ impact statement.

# RESJ Impact Statement

## Bill 14-24

### 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 <sup>40</sup> | 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.

<sup>1</sup> 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.raciaequitytools.org/glossary>

<sup>2</sup> Ibid.

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

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

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

# RESJ Impact Statement

## Bill 14-24

- <sup>6</sup> Ibid.
- <sup>7</sup> [“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.
- <sup>8</sup> Introduction Staff Report for Bill 14-24
- <sup>9</sup> Ibid.
- <sup>10</sup> Definition adapted from definition of [civil penalties \(civil fines\)](#), Legal Information Institute, Cornell Law School.
- <sup>11</sup> [Fine schedule for certain motor vehicle violations](#), District Court of Maryland, October 2023.
- <sup>12</sup> 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.
- <sup>13</sup> Ibid, pg. 19.
- <sup>14</sup> Ibid, pg. 29.
- <sup>15</sup> Ibid, pg. 29.
- <sup>16</sup> 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.
- <sup>17</sup> 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.
- <sup>18</sup> Natalia Carrizosa, OLO Memorandum Report 2022-12, [Analysis of dataMontgomery Traffic Violations Dataset](#), Office of Legislative Oversight, October 25, 2022.
- <sup>19</sup> 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.
- <sup>20</sup> [“Noise Pollution as a Public Health Hazard,”](#) American Public Health Association, October 26, 2021.
- <sup>21</sup> Ibid.
- <sup>22</sup> 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.
- <sup>23</sup> Monica S. Hammer, et. al., [“Environmental Noise Pollution in the United States: Developing an Effective Public Health Response,”](#) Environmental Health Perspectives, December 5, 2013.
- <sup>24</sup> “Noise Pollution as a Public Health Hazard”
- <sup>25</sup> Will Dobbs-Allsopp, et. al., pg. 10.
- <sup>26</sup> Bonner-Tompkins, et. al., pgs. 15-21.
- <sup>27</sup> “Noise Pollution as a Public Health Hazard”
- <sup>28</sup> 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.
- <sup>29</sup> Will Dobbs-Allsopp, et. al., pg. 11.
- <sup>30</sup> “Noise Pollution as a Public Health Hazard”
- <sup>31</sup> Will Dobbs-Allsopp, et. al., pg. 21.
- <sup>32</sup> Monica S. Hammer, et. al.
- <sup>33</sup> “Noise Pollution as a Public Health Hazard”
- <sup>34</sup> Ibid.
- <sup>35</sup> Monica S. Hammer, et. al.
- <sup>36</sup> Ibid.
- <sup>37</sup> 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.
- <sup>38</sup> Racial groups included in this table are non-Latinx.
- <sup>39</sup> Bill 27-19, Administration – Human Rights – Office of Racial Equity and Social Justice – Racial Equity and Social Justice Advisory Committee – Established, Montgomery County Council
- <sup>40</sup> 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.

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### 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.<sup>1</sup>

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.<sup>2</sup> 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).<sup>3</sup>

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.<sup>4</sup> 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.<sup>5</sup>

Before activating a noise camera, MCPD would be required to:<sup>6</sup>

- 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.<sup>7</sup>

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

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## 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.<sup>8</sup> 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).<sup>9</sup> Decreasing noise pollution can improve health outcomes, and subsequently increase community resilience.<sup>10</sup>

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.

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## RECOMMENDED AMENDMENTS

The Climate Assessment Act requires OLO to offer recommendations, such as amendments or other measures to mitigate any anticipated negative climate impacts.<sup>11</sup> 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.

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## 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.

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## 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.

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## CONTRIBUTIONS

OLO staffer Kaitlyn Simmons drafted this assessment.

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

<sup>2</sup> [HBo212](#), Maryland General Assembly, Effective July 1, 2024.

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

<sup>4</sup> Ibid.

<sup>5</sup> "[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.

<sup>6</sup> Introduction Staff Report for Bill 14-24.

<sup>7</sup> Ibid.

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

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

<sup>10</sup> 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.

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

14 Sept 2024

To: Marc Elrich, Montgomery County Executive  
Kate Stewart, County Councilmember, District 4  
Gabe Albornoz, County Councilmember, At-Large  
Evan Glass, County Councilmember, At-Large  
Will Jawando, County Councilmember, At-Large  
Laurie-Anne Sayles, County Councilmember, At-Large

Re: Installing a Noise Abatement Monitoring System at or near the intersection of Flower Avenue and Piney Branch Road

We, the undersigned, wish to call your attention to the passage of House Bill 212 in the most recent session of the Maryland State Legislature. This bill allows Montgomery and Prince George's Counties to pass legislation establishing up to three noise abatement monitoring systems for each county.

The text of the final bill can be found at this link:  
<https://mgaleg.maryland.gov/2024RS/bills/hb/hb0212e.pdf>

We urge you to pass the necessary legislation that will allow the county to take advantage of the opportunity to place these noise abatement monitoring systems.

Furthermore, we urge you to place one of these systems at or near the intersection of Flower and Piney Branch. This intersection, which lies at the heart of one of the most densely populated sections of Montgomery County, should be a town center that brings people who live around it together. As it is now, it is a very loud and busy highway intersection dominated by car traffic that does more to split our community than bring it together. A monitoring system placed at this intersection would contribute significantly towards making our local crossroads a place people come to rather than merely drive through.

Signed,

Daniel Jimenez and Darcy Lynn - 206 Domer Avenue  
Barbera Cordero and Damian Thomas - 209 Domer Avenue  
Mike Jochum and Johanna Jochum - 210 Domer Avenue  
Jay Driskell and Lauren Burke - 211 Domer Avenue  
Mike Lewis and Shannon Bettridge - 212 Domer Avenue  
John Goodall and Sue Goodall - 216 Domer Avenue  
Danielle Hermeay and Allen Fetter - 218 Domer Avenue



I first moved into Montgomery County in the 2010s. If you asked me then what a muffler delete was, I wouldn't have been able to answer you. I was able to drive or walk to wherever I needed to go without being disturbed by loud noise. However, in the last few years, that sense of peace that I thought would be commonplace in Montgomery County has been lost due to the rise in noise pollution from motor vehicles.

I, like most of the residents here, am just trying to get by with my day to day life. I drive to work in the mornings, drive back home in the evenings, and come home to enjoy some time with my family. However, the amount of noise pollution from other cars is making it increasingly more difficult for me to feel content living here. The aggravation I feel when I'm driving home from a long day at work and a car comes speeding and making ungodly loud noises is unparalleled. There is enough deterioration of civil behavior here as it is; increase in jaywalking, people weaving through traffic like it's a game, going 60 in 30mph residential areas... Can we at least have some peace and quiet while we're on these tumultuous roads? Do your citizens not deserve that much?

The [Montgomery County noise ordinance](#) states that the maximum allowable noise level in non-residential areas is 67 decibels. Even construction exemptions put a cap at 85 decibels. A muffler delete can cause a regular vehicle to make sounds exceeding 100-130 decibels; as loud as professional race cars. Why are these drivers allowed to get a free pass on following the law? Do consequences not exist for them? It really makes people like me, who follow traffic ordinances, feel like we're getting the short end of the stick.

Muffler deletion is also a form of aggressive driving, as it causes stress and panic amongst other drivers. A [2023 study from NIH](#) states: "A desire for a loud car with a modified muffler is predicted by being a man and higher scores on psychopathy and sadism... As each of the dark tetrad traits have been reported to be correlated with antisocial intent and criminal attitudes (Mededović & Kovačević, 2021), the present study predicted that each dark trait would positively correlate with the loud car scale aggregate, and because typically modifications to vehicles represent criminal activity, it was predicted that sadism and psychopathy would positively predict the aggregate of the car items."

It's not just on the roads, either. These cars pop up in places meant for casual dining and relaxation; Pike and Rose, Rio, Downtown Crown, etc. Imagine you are having lunch with a business partner, and in the middle of your conversation, you're constantly interrupted by loud noise. Or, if you have little ones like me, imagine taking them outside, only to have their play interrupted until they don't want to be outside anymore. I for one have found it nearly impossible to take my family outside without feeling on edge. It is a shame because I used to frequent Montgomery County's hot spots on the regular, before this became an issue. Drivers with muffler deletes have purposefully been roaring their engines in spaces that echo the noise as well, such as in

parking garages. Many seem to relish in their cars becoming even louder and more obnoxious, disregarding the other community members in the area.

If you think this issue is not a big enough threat right now, just wait until more and more drivers pick up on this trend. It will become too loud to hear just about anything where there's a road nearby. While I understand that some people like to garner attention or self confidence through altering their vehicles, I think there needs to be a better way to do so that doesn't put people's well-being on the line.

---

For the Rapid Expansion of the “Noise Camera” program.

I am very happy to learn that a pilot “noise camera” project has started on three areas in the county. I hope that once a few lessons are learned that it will be rapidly expanded to areas like Rt 28/Muddy Branch Rd, Downtown Crown, King Farm, and Quince Orchard Blvd, and Great Seneca Highway.

Sincerely,

Karl Van Neste

**Bill 14-24**

**Vehicle Noise Abatement Monitoring**

**Public Hearing Comment**

**Hearing Date 9/17/24**

I support Bill 14-24 and pleased to know that from time to time, our Council, specifically Councilmember Dawn Luedke, has the common sense to write legislation that directly improves the quality of life in Montgomery County. Bill 14-24 appears to be a good first step in that direction.

Illegal mufflers are an enormous problem in this County, and have destroyed what little peace and tranquility we have left. Noise pollution is at a level never witnessed in our history. Leaf blowers, trucks, back up alarms, delivery trucks – Amazon, UPS, DHL, Fed Ex - in and out of our neighborhoods 24/7, landscape contractors, leaf blowers, commercial mowers, weed wackers, home improvement contractors, power washers, traffic, municipal infrastructure projects and last but not least, incredibly loud, high decibel illegal mufflers, the worst of all.

To a 12 year old, the solution is obvious – have our police issue citations, but for some unknown reason, this is not being done. Our attempts to enjoy our backyards after a long day of work is greeted with incessant racing and the blaring, ear piercing sound of illegal mufflers.

I support our police to enforce this law, but as an alternative, I support Bill 14-24 in hopes that it may have some impact.

Robert Portanova

# **Vehicular Noise Reduction Bill Fact Sheet**

## **Council Vice President Kate Stewart and Councilmember Natali Fani-González**

### **Background**

During the 2024 Maryland Legislative Session, Delegate Julie Palakovich Carr led state efforts to pass legislation enabling local jurisdictions to establish pilot programs to reduce excessive vehicular noise by implementing a noise abatement monitoring system, also known as noise cameras.

### **Purpose of the Vehicular Noise Reduction Bill**

- Establish a pilot program to enforce existing state exhaust noise laws, using automated “noise camera” devices. For the pilot, the County will be able to place three noise cameras in locations across the county.
- Mitigate negative health and quality of life impacts experienced by residents from excessive noise from modified exhausts.

### **Health impacts on residents**

County residents have experienced excessive vehicle noise caused by defective or altered mufflers and exhaust systems. Noise from these systems interrupt sleep; create noise levels that prevent communication in business, educational, and social settings; and create continuous, high levels of noise, commonly referred to as “noise pollution,” that can lead to physical and mental health issues for children and adults, such as:

- Depression
- Heart disease
- Cognitive impairments
- Strokes

Studies have shown that noise pollution impacts everyone, and disproportionately affects communities of color, immigrants, lower-income people, leaving them unprotected from higher noise levels and greater health risks.

### **What is a noise camera and how does it work?**

- A noise camera also known as an acoustic camera is a device used to detect and measure degrees of noise, especially from vehicles.
- The noise monitoring devices or cameras are equipped with microphones to identify extreme noises that exceed a certain threshold<sup>1</sup>. As outlined in the state law, when the volume is detected at least five decibels above the standard set by

the state, the camera captures a video of the vehicle causing the noise for identification.

- Any sound beyond the two-and-a-half lanes of the roadway adjacent to the camera should not be detected, according to MCPD Automated Traffic Enforcement Unit (ATEU) staff.
- All suspected violations captured by noise cameras must be issued in accordance with procedures adopted by the District Court. If the vehicle owner contests the citation, they can request it be reviewed by a designated staff person and/or the court.<sup>2</sup>

### **Are modified exhaust systems currently illegal?**

- Yes, under the current law, no person may use a muffler or try to bypass a similar device on their vehicle. Vehicles with modified mufflers are rejected during MVA emissions inspection, which is required every two years.
- Maryland has established regulation of a sound limit of 80 decibels for operating and selling vehicles.<sup>3</sup>
  - According to the National Institute on Deafness and Other Communication Disorders sounds below 70 decibels are safe. Frequent exposure to 85 or more decibels creates a high-risk.<sup>4</sup>

### **What is the fine and what is the appeal process?**

- The penalty for going above the current noise level is a civil penalty and not a criminal penalty. The first offense results in a warning notice, and second and subsequent offenses each carry a fine not to exceed \$75.

### **What are the protections for privacy?**

- The state law mandates that before any noise camera is installed, the public will be notified of the proposed locations two ways:
  - Installation of signs that let the public know that noise abatement monitoring systems are in use in the area<sup>5</sup>
  - Publication of notice of the location on the County website similar to the [map of speed camera locations](#)
- The noise cameras can only be used to pick up sounds that occur on the roadway to issue noise citations, and not for any other purpose.
- Fines collected can only be used toward the cost of the program or for public safety purposes including pedestrian safety programs.
- The vendor contract to operate the noise cameras cannot be on a per-ticket basis to avoid an inequitable incentive.
- Montgomery County Police must report to the Governor and state legislature by December 1, 2025 data about the pilot program including:

- the time period noise cameras were in use in the county;
- the number of warnings and citations issued over the reported time period, by location and date;
- the costs of implementation; and
- the revenue collected on a monthly basis;
- appropriate locations for the deployment of noise abatement monitoring systems; the performance and reliability of the noise cameras; and
- the effectiveness of noise cameras in reducing noise produced by motor vehicles in the county.

**Does this legislation determine the locations where the three cameras will be placed for the pilot?**

- No. This legislation authorizes the program to establish the noise cameras pilot. The locations of the noise cameras in the pilot must be appropriately publicly noticed by MCPD with signage near the location, and would be determined by department staff.
- As department staff consider placement locations for the pilot, they should consider racial equity and both the benefits and potential negative impacts on the cameras on communities.

**What happens at the end of the pilot? Could more noise cameras than the initial three be placed?**

- Under current law, data collected by MCPD during the pilot would be used to inform potential future state policy on noise cameras.
- The state authorization for this pilot program expires June 30, 2026, unless the Maryland General Assembly extends that deadline.

**Why do we need to address excessive vehicular noise?**

- Almost one-third of Americans are exposed to harmful noise levels.<sup>6</sup>
- Estimates from 2013 show 104 million individuals at risk of hearing loss due to noise exposure, and a great portion of them at risk of health issues such as cardiovascular disease, sleep disturbance, high blood pressure, increase in heart rate, learning, and concentration issues.<sup>7</sup>
- Annual health costs due to hearing loss in the US are estimated to be between \$3.3 and \$12.8 billion.<sup>8</sup>
- Health professionals have reported that noise pollution is common in communities of color and racially segregated cities<sup>9</sup>.

### **Who's using them and are they producing results?**

- New York City
  - A minimum of five cameras in place in 5 different areas, more than 200 violations for modified exhaust and more than 140 for excessive honking.
  - NYC plans to expand within the next 5 years.
- Knoxville, Tennessee
  - Has helped measure the loudest times of the day in Knoxville
  - In just 5 months of the pilot program being installed in February 2022, 1300 cars had set off the noise camera.
- Outside of the U.S. - Australia, London, Paris, Singapore,
  - Cameras in Kensington and Chelsea were installed. In 6 months, 10,000 vehicles triggered the cameras.<sup>10</sup>
  - More than 500 of those incidents involved sports cars
  - 300 motorists were caught driving over 100 decibels



# Endnotes

1. Arianna Johnson, “What to Know about Noise Cameras - as NYC Lawmakers Consider Cracking down on Illegal Mufflers and Exhaust Systems,” Forbes, May 9, 2024, <https://www.forbes.com/sites/ariannajohnson/2023/12/04/what-to-know-about-noise-cameras---as-nyc-lawmakers-consider-cracking-down-on-illegal-mufflers-and-exhaust-systems/>.
2. Vehicle Laws - Noise Abatement Monitoring Systems, H.B 212, 2024, <https://mgaleg.maryland.gov/2024RS/bills/hb/hb0212E.pdf>
3. Maryland Transportation Section 22-404. “Do You Know How Loud Is Too Loud?,” National Institute of Deafness and Other Communication Disorders, 2020, <https://www.nidcd.nih.gov/news/2020/do-you-know-how-loud-too-loud#:~:text=Sound%20is%20measured%20in%20units,dBA%20can%20cause%20hearing%20loss>
5. Vehicle Laws - Noise Abatement Monitoring Systems, H.B 212, 2024, <https://mgaleg.maryland.gov/2024RS/bills/hb/hb0212E.pdf>
6. Aron Ranen, “Study: Up to One-Third of Americans Exposed to Dangerous Noise Levels,” Voice of America, August 24, 2023, <https://www.voanews.com/a/study-up-to-one-third-of-americans-exposed-to-dangerous-noise-levels/7238989.html>.
7. David C Holzman, “Fighting Noise Pollution: A Public Health Strategy,” Environmental health perspectives, February 2014, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3915252/>.
8. “Noise as a Public Health Hazard,” American Public Health Association - For science. For action. For health., accessed July 10, 2024, <https://apha.org/Policies-and-Advocacy/Public-Health-Policy-Statements/Policy-Database/2022/01/07/Noise-as-a-Public-Health-Hazard>.
9. “Noise Pollution More Common in Communities of Color and Racially Segregated Cities,” News, June 22, 2018, <https://www.hsph.harvard.edu/news/hsph-in-the-news/noise-pollution-segregated-cities/>.
10. “Supercars: 10,000 caught by central London noise cameras since June”, March, 7, 2022

**UNIFORM CIVIL CITATION**

WITNESS

RELATED CASE # / CITATION(S) →

Citation Number

District Court of Maryland for

Address

County/Municipality/State of Maryland vs.

Agency

Defendant's (Last) Name

First

Middle

Current Street Address

Apt. No.

City

County

State

Zip

DOB

Height

Weight

Sex

Race

Hair

Eyes

Telephone No. Day/Night:

E-mail:

Based on  personal knowledge of the undersigned officer  the attached affidavit, the Defendant is charged with

at \_\_\_\_\_ Time  AM  PM on \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_

at \_\_\_\_\_ Location of Offense

County, MD in violation of:  Md. Ann. Code  Municipal Infraction/County Ordinance/Public Local Law/Local Code  COMAR

Document/Article Section Sub Section Paragraph

Each day a violation continues is a separate infraction subject to an additional citation.

I sign my name as a receipt of a copy of this Citation and not as an admission of guilt. I will comply with the requirements set forth in this Citation.

Defendant's Signature

**INSTRUCTIONS**

YOU MUST APPEAR IN COURT. A notice of trial date will be mailed to you.

YOU MAY PAY A FINE of \$ \_\_\_\_\_ (entire amount required) by \_\_\_\_\_ Date to the:

District Court. Payment of the fine will not close the case if abatement action is pending.

Agency/Municipality \_\_\_\_\_

at \_\_\_\_\_ Payment Location

and AVOID TRIAL. This will be deemed an admission of guilt and a trial date will not be set.

YOU MAY ELECT TO STAND TRIAL by sending your request in writing to the:

District Court  Agency/Municipality \_\_\_\_\_

in writing by \_\_\_\_\_ Date at \_\_\_\_\_ Address

DO NOT SEND PAYMENT OF FINE. The District Court will mail you a notice of your trial date, time, and location. AT TRIAL the Court may impose a fine up to the maximum allowed by statute plus court costs.

IN ADDITION, \_\_\_\_\_ Agency/Municipality is seeking abatement of this infraction.

You may be ordered to abate this infraction or be assessed the costs for the abatement, as well as a fine of up to \$1,000, plus court costs. Payment of the preset fine will not satisfy the abatement action and an order of abatement may still be entered against you.

FAILING TO APPEAR OR PAY THE FINE MAY RESULT IN A WARRANT BEING ISSUED FOR YOUR ARREST.  
 FAILING TO PAY THE FINE OR REQUEST A TRIAL DATE:  
 will deem you liable for the fine assessed; the fine may be doubled and/or a judgment on affidavit may be entered against you including an order of abatement;  
 you may be found guilty of a Code violation and the maximum fines, court costs, and administrative expenses can be imposed.  
 FAILURE TO APPEAR FOR A REQUESTED TRIAL DATE:  
 the fine may be doubled and a judgment on affidavit entered against you;  
 you may be found guilty of a Code violation and the maximum fines and costs can be imposed.

I solemnly affirm under the penalties of perjury, and based upon personal knowledge or the attached affidavit, that the contents of this citation are true and that I am competent to testify on these matters.

The Defendant is not now in the military service, as defined in the Servicemembers Civil Relief Act.

Issuing Officer's Signature

Officer's Printed Name

Date

Agency

Sub-Agency

I.D. No.

Telephone

DC-028 (Rev. 10/2017)

Front of Citation:

- Copy #1: Municipality/Court Copy
- Copy #2: Prosecutor's Copy
- Copy #3: Defendant's Copy
- Copy #4: Municipality's Copy
- Copy #5: Officer's Copy

Reverse of Citation:

- Copy #1: Witness List
- Copy #2: (Blank)
- Copy #3: Notice
- Copy #4: (Blank)
- Copy #5: Officer's Notes

**Note to Law Enforcement: Remove this first copy of Citation before entering witness information.**

TO THE DISTRICT COURT:

PLEASE SUMMONS THE FOLLOWING WITNESSES:

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

DAY PHONE \_\_\_\_\_ ROOM # \_\_\_\_\_

NIGHT PHONE \_\_\_\_\_ APT. # \_\_\_\_\_

If Law Enforcement  Agency \_\_\_\_\_  Sub-Agency \_\_\_\_\_  I.D. \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

DAY PHONE \_\_\_\_\_ ROOM # \_\_\_\_\_

NIGHT PHONE \_\_\_\_\_ APT. # \_\_\_\_\_

If Law Enforcement  Agency \_\_\_\_\_  Sub-Agency \_\_\_\_\_  I.D. \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

DAY PHONE \_\_\_\_\_ ROOM # \_\_\_\_\_

NIGHT PHONE \_\_\_\_\_ APT. # \_\_\_\_\_

If Law Enforcement  Agency \_\_\_\_\_  Sub-Agency \_\_\_\_\_  I.D. \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

DAY PHONE \_\_\_\_\_ ROOM # \_\_\_\_\_

NIGHT PHONE \_\_\_\_\_ APT. # \_\_\_\_\_

If Law Enforcement  Agency \_\_\_\_\_  Sub-Agency \_\_\_\_\_  I.D. \_\_\_\_\_

NAME \_\_\_\_\_

ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ STATE \_\_\_\_\_ ZIP \_\_\_\_\_

DAY PHONE \_\_\_\_\_ ROOM # \_\_\_\_\_

NIGHT PHONE \_\_\_\_\_ APT. # \_\_\_\_\_

If Law Enforcement  Agency \_\_\_\_\_  Sub-Agency \_\_\_\_\_  I.D. \_\_\_\_\_

Reverse of Part #1  
Municipality/Court Copy

## NOTICE TO DEFENDANT

Certain violations require that you MUST APPEAR for trial, while other violations give you the option to appear in court or to pay a preset fine.

**IMPORTANT INFORMATION:** It is your obligation to know your trial date and appear on that date. The Court will mail a courtesy notice to the name and address shown on the front of the citation. If your name or address on this citation is not correct you must in writing notify the Court or agency/municipality listed on the front of this citation of any changes. The Post Office does not forward Court mail. To request a foreign language interpreter or a reasonable accommodation under the Americans with Disabilities Act, please contact the court immediately. Possession and use of cell phones and other electronic devices may be limited or prohibited in designated areas of the court facility.

### **IF CITATION IS MARKED "YOU MUST APPEAR IN COURT . . ."**

Appear on the date and at the court location indicated in the notice provided to you by the District Court. You may be represented by an attorney obtained at your own expense before the trial date. A trial will not be postponed to allow you to obtain an attorney. *Please read "Important Information" above.*

### **IF CITATION IS MARKED "YOU MAY ELECT TO STAND TRIAL . . ."**

- Send a written notice of your intent to the name and address of the agency/municipality or court location, by the date listed, on the front of this citation. Indicate the citation number printed on the front of the citation at the top. *Please read "Important Information" above.*
- The Court will mail you a notice of your trial date and location.
- Appear on the date, time, and at the court location indicated in the notice provided to you by the District Court.
- DO NOT SEND PAYMENT OF THE FINE.

### **IF YOU ELECT TO PAY THE FINE**

- Write a check or money order payable to the Court or agency/municipality listed on the front of the citation. Indicate the citation number printed on the front of the citation at the top.
- Send or deliver the payment to the payment location indicated on the front of this citation by the date specified.
- DO NOT SEND CASH.

### **IF YOU FAIL TO STAND TRIAL OR PAY THE FINE IN ACCORDANCE WITH THIS CITATION**

- You may be arrested.
- The fine may be doubled up to \$1,000.
- You may be found guilty of a Code violation and the maximum fines and costs can be imposed.
- A judgment on affidavit may be entered against you for the amount due and the costs of correcting conditions that caused the violation. If the fine remains unpaid for 30 days following entry of judgment, the judgment may be enforceable the same as any other civil judgment.
- It could be considered an admission of liability and may result in a default judgment including the civil penalty, court costs, and administrative expenses.

### **IF ABATEMENT IS REQUESTED**

The Court may order you to eliminate the condition causing the infraction or may direct the governmental agency to remove the condition and bill you for the costs. If the bill is not paid a judgment will be entered against you.

### **IF THIS IS A VIOLATION OF WASHINGTON SUBURBAN SANITARY COMMISSION REGULATIONS**

In some circumstances, each day a violation continues may be considered a separate infraction subject to additional citations and fines.

### **IF CITATION IS FOR A VIOLATION OF CRIMINAL LAW §5-601 INVOLVING THE USE OR POSSESSION OF LESS THAN 10 GRAMS OF MARIJUANA**

Prepayment of fine is allowed or you may request a trial date. The following exceptions apply:

You must appear for trial when summoned by the Court if:

- You were under 21 years of age on the violation date.
- You were 21 years of age or older and have at least twice previously been found guilty.

Note: Prepayment of the fine is considered a guilty plea to a Code violation.

Reverse of Part #3  
Defendant's Copy

