

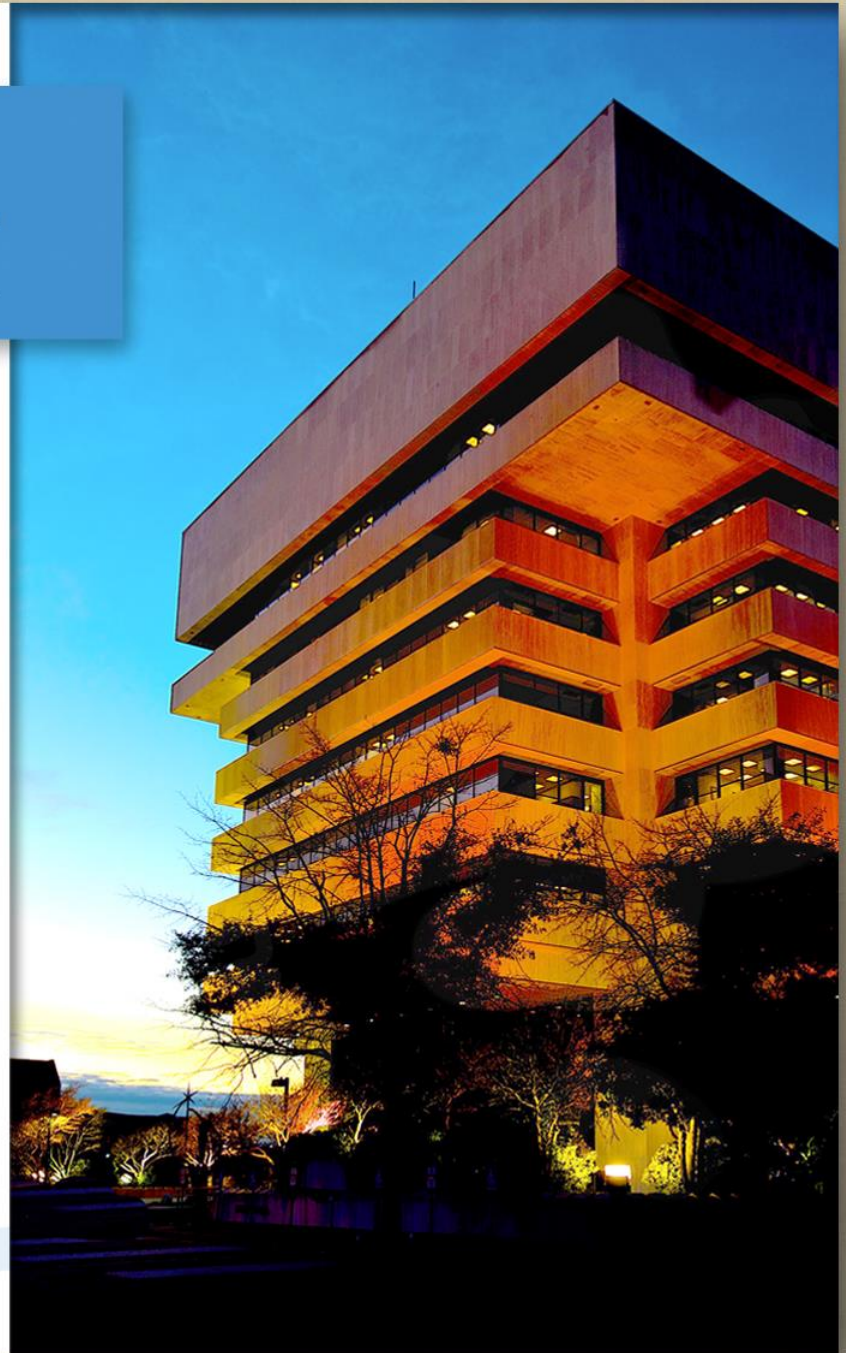
**HAMPTON VA**

# **Regulation of Noise from Vehicle Exhaust Systems**

**City Council  
Legislative Session**

**July 13, 2022**

**Brandi Law, Deputy City Attorney**



# Vehicle Exhaust Regulation

- Legislative History
  - Proposed Ordinance
  - Next Steps
- 

# Legislative History

- 2020 General Assembly made unlawful vehicle exhaust systems a secondary offense (police can not perform traffic stops for secondary offenses).
- 2022 General Assembly reversed that decision, plus broadened the authority of localities to specifically regulate noise caused by unlawful exhaust systems.

# Virginia Code § 46.2-1051

- Amendments effective July 1, 2022.
- “The governing body of any county, city, or town may, by ordinance, regulate noise from a vehicle operated on a highway that is not equipped with a muffler and exhaust system conforming to §§ 46.2-1047 and 46.2-1049.”

# Proposed Ordinance

## Proposal:

**Add following language to City Noise Ordinance:**

It shall be unlawful for any person operating a vehicle within the city which either 1) is equipped with a gutted muffler, muffler cutout, or straight exhaust in violation of Virginia Code § 46.2-1047, or (2) which is not equipped with an exhaust system in good working order and in constant operation to prevent excessive or unusual noise levels in violation of Virginia Code § 46.2-1049, to create in the operation thereof any sound that is audible and discernable at a distance of 50 feet.

# Next Steps

- Ordinance will be punishable as a traffic infraction.
- Will train Police Officers on enforcement over the next two weeks.
- Begin enforcement August 1<sup>st</sup>

# Conclusion / Questions

