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January 18, 2021

Maryland House of Delegates
Environment and Transportation Committee
Room 251
House Office Building
Annapolis, Maryland 21401

Re: HB 178, SEMA support, if amended

Dear Members of the Environment and Transportation Committee:

On behalf of the Specialty Equipment Market Association (SEMA), I am writing to express support House Bill 178 (Stewart) if it is amended in a manner that creates an objective measure for determining a motor vehicle's exhaust noise. SEMA supports Del. Stewart's effort to crackdown on illegal street racing and excessive exhaust noise; however, SEMA believes that the state's underlying exhaust noise laws are also in need of modification to create a fair, objective standard of measure for all motorists. SEMA thanks Del. Stewart for his willingness to work with us on this matter and hopes that our suggested amendment will be adopted.

Under current Maryland law, an individual may not modify a vehicle's exhaust system in such a manner that it causes the vehicle to emit more noise than when it was originally manufactured. This law is problematic for two reasons: 1. It creates hundreds of exhaust noise standards on which police must enforce as there are hundreds of makes and models on the road today, each emitting a different range of sound. 2. The law does not prescribe an objective method for measuring vehicle exhaust noise. In other words, it is at the soled discretion of law enforcement to determine if a vehicle is too loud. This is a subjective standard and is unfair to all parties involved.

SEMA recommends that the law be further amended to mirror California's method for measuring and enforcing excessive exhaust noise violations, which sets one noise limit (95 dba) for vehicles and an objective Society of Automotive Engineers testing method to determine compliance. In California, if a motorist is stopped for a suspected exhaust noise violation, they are sent to an inspection station where the SAE test is conducted. If the vehicle is compliant, a certificate is issued that may be used in court to have the ticket dismissed. If found to be too loud, the owner has 30-days to correct the problem or face a penalty. Additionally, the state charges the motorist a fee to cover the costs associated with conducting the test. SEMA believes this is a reasonable carrot and stick approach that creates a working enforcement system for all parties involved.

Proposed amendment:

2-609.13

(a) A person may not modify the exhaust system or any other noise abatement device of a motor vehicle driven or to be driven on any highway in this State in such a way that the noise emitted by the vehicle exceeds [that

emitted by the vehicle as originally manufactured.] **95 DBA WHEN TESTED IN ACCORDANCE WITH SOCIETY OF AUTOMOTIVE ENGINEERS STANDARD J1492 OCTOBER 2008.**

(b) A person may not drive on any highway in this State a motor vehicle with an exhaust system or noise abatement device modified in a way prohibited by subsection (a) of this section.

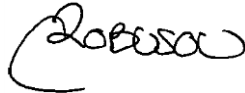
(C) A PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT TO A FINE OF \$200.

Representing the \$46 billion specialty automotive industry, SEMA is a trade association made up of approximately 7,500 mostly small businesses nationwide, including over 73 in Maryland, that manufacture, market and sell specialty automotive aftermarket products, including appearance, performance, comfort, convenience and technology products for motor vehicles.

If you have any questions, or require additional information please feel free to contact me by phone at (202) 794-8279 or by e-mail at christianr@sema.org.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Robinson", written in a cursive style.

Christian Robinson
Director, State Government Affairs
Specialty Equipment Market Association