

HOUSE BILL 617

R6

6lr2162

By: **Delegates Fair, Kerr, and Simpson**

Introduced and read first time: January 30, 2026

Assigned to: Environment and Transportation

A BILL ENTITLED

1 AN ACT concerning

2 **City of Frederick – Noise Abatement Monitoring Systems – Authorization**

3 FOR the purpose of authorizing the use of noise abatement monitoring systems in the City
4 of Frederick to enforce certain motor vehicle noise requirements; and generally
5 relating to the use of noise abatement monitoring systems.

6 BY repealing and reenacting, with amendments,
7 Article – Transportation
8 Section 22–612
9 Annotated Code of Maryland
10 (2020 Replacement Volume and 2025 Supplement)

11 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
12 That the Laws of Maryland read as follows:

13 **Article – Transportation**

14 22–612.

15 (a) This section applies only in Montgomery County, [and] Prince George’s
16 County, **AND THE CITY OF FREDERICK.**

17 (b) (1) In this section the following words have the meanings indicated.

18 (2) “Agency” means a [county] law enforcement agency **OF A LOCAL**
19 **JURISDICTION** that is authorized to issue a citation for a violation of the Maryland Vehicle
20 Law or of local traffic laws or regulations.

21 (3) **“LOCAL JURISDICTION” MEANS MONTGOMERY COUNTY, PRINCE**
22 **GEORGE’S COUNTY, OR THE CITY OF FREDERICK.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(4)** “Noise abatement monitoring system” means a mobile or fixed vehicle
2 sensor that works in conjunction with a noise measuring device, such as a decibel reader,
3 that automatically produces two or more photographs, two or more microphotographs, a
4 videotape, or other recorded images of a motor vehicle at the time the motor vehicle is
5 operated during the commission of a violation.

6 **[(4)] (5)** “Noise abatement monitoring system operator” means a
7 representative of an agency or a contractor that operates a noise abatement monitoring
8 system.

9 **[(5)] (6)** “Noise measuring device” means an electronic device that:

10 (i) Uses automated equipment that activates when the sound level
11 exceeds the maximum sound level limits established under § 22–601 of this subtitle by at
12 least 5 decibels;

13 (ii) Records audio when activated;

14 (iii) Records decibel levels when activated; and

15 (iv) Allows a noise abatement monitoring system operator to
16 manually review recorded audio to ensure a violation has occurred.

17 **[(6)] (7)** (i) “Owner” means the registered owner of a motor vehicle or
18 a lessee of a motor vehicle under a lease of 6 months or more.

19 (ii) “Owner” does not include:

20 1. A motor vehicle rental or leasing company; or

21 2. A holder of a special registration plate issued under Title
22 13, Subtitle 9, Part III of this article.

23 **[(7)] (8)** “Recorded image” means an image recorded by a noise abatement
24 monitoring system:

25 (i) On:

26 1. A photograph;

27 2. A microphotograph;

28 3. An electronic image;

29 4. Videotape; or

1 warning notice or citation requests review before the deadline for contesting liability under
2 this section.

3 B. If the local designee determines that the warning notice or
4 citation is an erroneous violation, the local designee shall void the warning notice or
5 citation.

6 C. If the local designee determines that a person did not
7 receive notice of a warning notice or citation issued under this section due to an
8 administrative error, the local designee may resend the warning notice or citation in
9 accordance with subsection (e) of this section or void the warning notice or citation.

10 D. A local designee that takes any action described under
11 subsubsubparagraph C of this subsubparagraph shall notify the Administration of the
12 action for the purpose of rescinding any administrative penalties imposed under subsection
13 (h) of this section.

14 E. A local designee may not determine that a warning notice
15 or citation is an erroneous violation based solely on the dismissal of the warning notice or
16 citation by a court.

17 F. A local designee may waive a warning notice or citation if
18 the person alleged to be liable under this section provides sufficient evidence that the
19 person has made any alterations to the motor vehicle necessary to avoid future violations.

20 3. A local designee may not be employed by a noise
21 abatement monitoring system contractor or have been involved in any review of a noise
22 abatement monitoring system warning notice or citation, other than review of a warning
23 notice or citation under this subparagraph.

24 4. On receipt of a written question or concern from a person,
25 the local designee shall provide a written answer or response to the person within a
26 reasonable time.

27 5. A local jurisdiction shall make any written questions or
28 concerns received under this subparagraph and any subsequent written answers or
29 responses available for public inspection.

30 (v) If a [county] **LOCAL JURISDICTION** moves or places a noise
31 abatement monitoring system to or at a location where a noise abatement monitoring
32 system had not previously been moved or placed, the [county] **LOCAL JURISDICTION** may
33 not issue a citation for a violation recorded by that noise abatement monitoring system:

34 1. Until signage is installed in accordance with
35 subparagraph (iii)2 of this paragraph; and

1 (d) (1) Unless the driver of the motor vehicle received a citation from a police
2 officer at the time of the violation, the owner of a motor vehicle is subject to a civil penalty
3 if the motor vehicle is recorded by a noise abatement monitoring system while being
4 operated during the commission of a violation.

5 (2) (i) A person liable for a violation enforced by a noise abatement
6 monitoring system is subject to:

7 1. For a first offense, a warning notice; and

8 2. For a second or subsequent offense, a civil penalty not
9 exceeding \$75.

10 (ii) A [county] **LOCAL JURISDICTION** may not issue a citation
11 applicable to a motor vehicle during the first 30 days after a warning for a first offense
12 applicable to the motor vehicle is mailed under subparagraph (i)1 of this paragraph.

13 (3) For purposes of this section, the District Court shall prescribe:

14 (i) A uniform citation form consistent with subsection (e)(1) of this
15 section and § 7–302 of the Courts Article; and

16 (ii) A civil penalty, which shall be indicated on the citation, to be paid
17 by persons who choose to prepay the civil penalty without appearing in District Court.

18 (4) A person may not be issued more than one citation by a [county] **LOCAL**
19 **JURISDICTION** per day for a violation enforced by a noise abatement monitoring system.

20 (e) (1) Subject to paragraphs (2) through (4) of this subsection, an agency shall
21 mail to an owner liable under subsection (d) of this section a warning notice or citation that
22 shall include:

23 (i) The name and address of the registered owner of the motor
24 vehicle;

25 (ii) The registration number of the motor vehicle involved in the
26 violation;

27 (iii) The violation charged;

28 (iv) The location where the violation occurred;

29 (v) The location of the noise abatement monitoring system;

30 (vi) The date and time of the violation;

31 (vii) The recorded decibel level;

1 (viii) A copy of the recorded image;

2 (ix) The amount of the civil penalty imposed and the date by which
3 the civil penalty should be paid, if applicable;

4 (x) A signed statement by a duly authorized law enforcement officer
5 employed by or under contract with an agency that, based on inspection of recorded images,
6 the motor vehicle was being operated during the commission of a violation;

7 (xi) A statement that recorded images are evidence of a violation;

8 (xii) Information advising the person alleged to be liable under this
9 section to make any necessary alterations to the motor vehicle to avoid future violations;

10 (xiii) Information advising the person alleged to be liable under this
11 section of the manner and time in which liability as alleged in the citation may be contested
12 in the District Court; and

13 (xiv) Information advising the person alleged to be liable under this
14 section that failure to pay the civil penalty or to contest liability in a timely manner, if
15 applicable:

16 1. Is an admission of liability;

17 2. May result in the refusal by the Administration to register
18 the motor vehicle; and

19 3. May result in the suspension of the motor vehicle
20 registration.

21 (2) An agency may mail a warning notice instead of a citation to the owner
22 liable under subsection (d) of this section.

23 (3) An agency may not mail a citation to a person who is not an owner.

24 (4) Except as provided in subsection (c)(1)(iv)2C of this section, a citation
25 issued under this section shall be mailed not later than 2 weeks after the alleged violation
26 if the vehicle is registered in this State, and 30 days after the alleged violation if the vehicle
27 is registered in another state.

28 (5) A person who receives a citation under paragraph (1) of this subsection
29 may:

30 (i) Pay the civil penalty, in accordance with instructions on the
31 citation, directly to the [county] LOCAL JURISDICTION; or

1 (ii) Elect to stand trial in the District Court for the alleged violation.

2 (f) (1) A certificate alleging that the violation occurred and the requirements
3 under subsection (c) of this section have been satisfied, sworn to, or affirmed by a duly
4 authorized law enforcement officer employed by or under contract with an agency, based
5 on inspection of recorded images produced by a noise abatement monitoring system, shall
6 be evidence of the facts contained in the certificate and shall be admissible in a proceeding
7 alleging a violation without the presence or testimony of the noise abatement monitoring
8 system operator who performed the requirements under subsection (c) of this section.

9 (2) If a person who received a citation under subsection (e) of this section
10 desires the noise abatement monitoring system operator to be present and testify at trial,
11 the person shall notify the court and the agency in writing not later than 20 days before
12 trial.

13 (3) Adjudication of liability shall be based on a preponderance of evidence.

14 (g) (1) The District Court may consider in defense of a violation:

15 (i) Subject to paragraph (2) of this subsection, that the motor vehicle
16 or the registration plates of the motor vehicle were stolen before the violation occurred and
17 were not under the control or possession of the owner at the time of the violation;

18 (ii) That the noise abatement monitoring system was
19 malfunctioning at the time of the violation; or

20 (iii) Any other issues and evidence that the District Court deems
21 pertinent.

22 (2) To demonstrate that the motor vehicle or the registration plates were
23 stolen before the violation occurred and were not under the control or possession of the
24 owner at the time of the violation, the owner shall submit proof that a police report
25 regarding the stolen motor vehicle or registration plates was filed in a timely manner.

26 (h) If a person liable under this section does not pay the civil penalty or contest
27 the violation, the Administration may refuse to register or reregister the motor vehicle cited
28 for the violation.

29 (i) A violation for which a civil penalty is imposed under this section:

30 (1) Is not a moving violation for the purpose of assessing points under §
31 16-402 of this article;

32 (2) May not be recorded by the Administration on the driving record of the
33 owner of the vehicle;

1 (3) May be treated as a parking violation for the purposes of § 26–305 of
2 this article; and

3 (4) May not be considered in the provision of motor vehicle insurance
4 coverage.

5 (j) (1) In consultation with the appropriate [county] **LOCAL JURISDICTION**
6 agencies, the Chief Judge of the District Court shall adopt procedures for the issuance of
7 citations, the trial of civil violations, and the collection of civil penalties under this section.

8 (2) The standards and requirements for the use, processing, and disposal
9 of recorded images and associated data established under § 12–113.1 of this article apply
10 to citations issued under this section.

11 (k) (1) An agency or an agent or contractor designated by the agency shall
12 administer and process civil citations issued under this section in coordination with the
13 District Court.

14 (2) If a contractor in any manner operates a noise abatement monitoring
15 system or administers or processes warning notices or citations generated by a noise
16 abatement monitoring system on behalf of a [county] **LOCAL JURISDICTION**, the
17 contractor’s fee may not be contingent on a per–ticket basis on the number of warning
18 notices or citations issued or paid.

19 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,
20 2027, the City of Frederick shall report to the Governor and, in accordance with § 2–1257
21 of the State Government Article, the General Assembly on:

22 (1) through October 1, 2027:

23 (i) the time period during which noise abatement monitoring
24 systems authorized under this Act were in use in the City; and

25 (ii) the number of warnings and citations issued as a result of
26 violations recorded by noise abatement monitoring systems in the City over the reported
27 time period, by location and date;

28 (2) (i) the costs associated with implementing and operating noise
29 abatement monitoring systems; and

30 (ii) the revenue collected on a monthly basis as a result of violations
31 recorded by noise abatement monitoring systems;

32 (3) appropriate locations for the deployment of noise abatement monitoring
33 systems;

1 (4) the performance and reliability of noise abatement monitoring systems
2 used by the City; and

3 (5) the effectiveness of noise abatement monitoring systems in reducing
4 noise produced by motor vehicles in the City and in areas where the systems were
5 implemented and used.

6 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July
7 1, 2026. It shall remain effective until the taking effect of the termination provision
8 specified in Section 3 of Chapters 624 and 625 of the Acts of the General Assembly of 2024.
9 If that termination provision takes effect, this Act, with no further action required by the
10 General Assembly, shall be abrogated and of no further force and effect. If that termination
11 provision is amended, this Act shall terminate on the amended termination date. This Act
12 may not be interpreted to have any effect on that termination provision.