

LAWS OF DELAWARE
VOLUME 84
CHAPTER 23
152nd GENERAL ASSEMBLY
FORMERLY
HOUSE BILL NO. 35
AS AMENDED BY
HOUSE AMENDMENT NO. 3

AN ACT TO AMEND TITLE 7 OF THE DELAWARE CODE RELATING TO MOTOR VEHICLE NOISE.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend Chapter 71, Title 7 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 7120. Powers and duties of Department of Safety and Homeland Security.

(a) The Department of Safety and Homeland Security, after consideration with the Secretary of the Department of Transportation and upon approval of the Secretary of the Department of Natural Resources and Environmental Control, shall have the power and its duty shall be to:

(1) Adopt regulations, after public hearing, establishing the standards, test procedures and instrumentation to be utilized in the control of noise from motor vehicles;

(2) Adopt regulations, after public hearing, necessary for the inspection of motor vehicles, including noise control and abatement equipment to assure compliance with the noise standards promulgated by the Department.

(b) (1) The Department of Safety and Homeland Security, after consultation with the Secretary of the Department of Transportation and the Secretary of the Department of Natural Resources and Environmental Control, shall prepare a report to the General Assembly no later than October 1, 2023, proposing a plan for a robust state-wide motor vehicle noise control and abatement program. The Department shall conduct at least 2 public listening sessions to gather input and shall provide for virtual participation and comment. The Department must also accept comment by e-mail for 30 days following each listening session.

(2) The report may include proposed changes to statutes and regulations, and recommendations for new procedures and equipment to address motor vehicle noise both during the vehicle inspection process and on public roadways. The report may include proposed updates to statewide vehicle noise standards that consider advances in vehicle technology and noise emission regulations adopted by neighboring states and the federal government.

(3) The Department of Safety and Homeland Security shall post the report on its website and deliver a copy to the Chief Clerk of the House, the Secretary of the Senate, the Director of the Division of Research, and the chairs of the following committees:

- a. House Transportation/Land Use and Infrastructure.
- b. House Public Safety & Homeland Security
- c. Senate Corrections & Public Safety.
- d. Senate Transportation.

(b) (c) For any public hearings required by this subchapter, the procedure shall conform to the procedure established in § 6006 of this title.

Approved April 26, 2023