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HOUSE OF REPRESENTATIVES
152nd GENERAL ASSEMBLY

HOUSE BILL NO. 35

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:

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

3 § 7120. Powers and duties of Department of Safety and Homeland Security.

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

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

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

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

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

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

24 a. House Transportation/Land Use and Infrastructure.

25 b. House Public Safety & Homeland Security

26 c. Senate Corrections & Public Safety.

27 d. Senate Transportation.

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

SYNOPSIS

This Act charges the Department of Safety & Homeland Security, in cooperation with the Department of Natural Resources and Environmental Control and the Department of Transportation, to present a report and plan to the General Assembly no later than October 1, 2023 for a comprehensive motor vehicle noise and abatement program. The agencies are charged with considering developments in technology, other state and federal standards, and proposing changes as necessary to Delaware law and recommendations for changes in equipment and procedures.