

CHAPTER 14 – MOTOR VEHICLES AND TRAFFIC

Sec. 14-53. Unnecessary vehicle noise; vehicles damaging right-of-way; engine braking; penalties; exceptions.

- (a) No person shall intentionally operate any vehicle:
 - (1) At such a speed on a curve or turn as to create loud and unnecessary noise through the squealing of tires upon the public right-of-way; or
 - (2) So to accelerate or decelerate in such a manner as to create loud and unnecessary noise through the squealing of tires upon the public right-of-way; or
 - (3) So as to cause damage to the public right-of-way.
- (b) A person commits the offense of engine braking if the person is operating a motor vehicle on any public street, roadway or highway in this City and uses an unmuffled engine brake.
 - (1) Reckless and Negligent violations of this subsection (b) shall constitute a violation and no proof of intent or knowledge of such violation is required.
 - (2) A person is not in violation of this section if the person uses an unmuffled engine brake in an emergency situation to avoid imminent danger to a person or to property.
 - (3) Violation of subsection (b) of this section shall be a class three misdemeanor. The Court shall impose a mandatory minimum fine of Five Hundred (\$500.00) Dollars, inclusive of surcharges.
- (c) It shall be unlawful for any individual to operate a motor vehicle on any public street, roadway or highway in this city having removed a noise control system or having a noise control system rendered inoperative or without a noise control system that is required by the United States Environmental Protection Agency or any other United States agency having jurisdiction.
 - (1) Violation of subsection (c) of this section shall be a class three misdemeanor. The Court shall impose a mandatory minimum fine of Five Hundred (\$500.00) Dollars, inclusive of surcharges and shall place any individual person convicted of a violation on probation for a period not to exceed six months or until such vehicle has been brought into compliance with requirements imposed by any agency of the United States having jurisdiction.

(Code 1977, §6-2-13)

(Ord. No. 00-121, 9/5/2000, Enacted (b) and (c)) SUPP 2000-3