



AGENDA

**City Council Work Session
Monday, August 5, 2024
Minnesota River Room - 6 p.m.**

1. Follow-up discussion on Vehicle Noise Ordinance
2. 2nd Quarter Financial Report (to be provided at the meeting)
3. Adjournment



AGENDA RECOMMENDATION

City Council Work Session

1.

Meeting Date: 08/05/2024

Agenda Item:

Follow-up discussion on Vehicle Noise Ordinance

Recommendation/Action(s):

Discussion/Direction

Summary:

There were 20 cities selected to study. An attempt was made to select cities that were along roadways like those in Mankato.

Austin	Albert Lea	Eagle Lake	Faribault	Fairfax
Gaylord	Hutchinson	Luverne	Mapleton	Marshall
North Mankato	Owatonna	Redwood Falls	Slayton	St. Cloud
St. Peter	Waseca	Willmar	Windom	Worthington

Of the cities explored, only two did not have an ordinance that explicitly allows for enforcement of excessive vehicle noise or engine braking noise levels. Despite a vast majority of cities having engine braking and vehicle noise ordinances, only a handful of violations have been issued. Six warnings and three tickets for violations of the ordinances were given out within the last several years.

Cities reported that enforcement is a substantial challenge for municipalities. The difficulty that cities face when wishing to reduce excessive vehicle noise stems from an inability to effectively enforce vehicle noise ordinances on highways.

Ordinances & Violations:

Three approaches to combating vehicle noise and engine braking were identified.

1. Cities adopted ordinances that specifically targeted "Engine Retarding Braking".
2. Cities maintained or created ordinances that targeted vehicle noise in general.
3. Cities have relied on the State of Minnesota's Muffler and Motor Vehicle Noise Limits ordinances to provide a route for enforcement. (*MN statute 169.69 MUFFLER and 169.693 MOTOR VEHICLE NOISE LIMITS*)

Vehicle Noise Ordinances Adopted Within Southern Minnesota

Jurisdiction	Engine Braking Code?	General Vehicle Noise Code?
Austin	Yes	Yes
Albert Lea	Yes	Yes*
Eagle Lake	No	Yes*

Faribault	No	No
Fairfax	Yes	Yes
Gaylord	Yes	Yes
Hutchinson	Yes	Yes
Luverne	Yes	Yes
Mapleton	Yes	Yes
Marshall	Yes	Yes
North Mankato	Yes	Yes
Owatonna	Yes	Yes
Redwood Falls	Yes	Yes
Slayton	Yes	Yes
St. Cloud	Yes	Yes
St. Peter	Yes	Yes
Waseca	Yes	Yes
Willmar	Yes	Yes
Windom	Yes	Yes
Worthington	No	No

**Cities with ordinances with wording too vague for consistent interpretation*

Number of Ordinance Violations Recorded by Southern, MN Municipalities

Jurisdiction	Vehicle Noise Ord. Violations	Warnings issued	“Engine Braking” Ord. Violations
Austin	0	0	0
Albert Lea	0	0	0
Eagle Lake	0	0	0
Faribault	0	0	0
Fairfax	0	2	0
Gaylord	0	0	2
Hutchinson	0	3	0
Luverne	0	0	0
Mapleton	0	0	0
Marshall	0	0	0
North Mankato	0	0	0
Owatonna	1	1	0
Redwood Falls	<i>Unreported</i>		
Slayton	0	0	0
St. Cloud	0	0	0
St. Peter	0	0	0
Waseca	0	0	0
Willmar	0	0	0
Windom	<i>Unreported</i>		
Worthington	0	0	0

This table shows the number of recorded violations as of July 8, 2024.

Terminology:

One area of inconsistency is the terminology used to describe prohibited vehicle operations. The most accurate term for identification and enforcement is “Engine Retarding Braking” or “Engine Braking”. This term refers to any system which alters the normal compression of the engine and subsequently releases that compression in a manner which may cause abnormal or excessive noise from the engine in a particular vehicle.

There are terms that should not be used to reference this operating behavior:

- “Jake Braking” and “Paccar Brake” are brand names and should be used as such.

- “Compression Brake”, “C-Brake”, “Dynamic Brake”, and “Transmission Brake” should not be used in a formal capacity as they refer to a complex variety of systems, many of which have no use in commercial trucks nor contribute to exhaust noise. Many of the cities studied use this terminology in their ordinance language.

Key Findings:

Several key pieces of information were gathered and conveyed below.

- MnDOT does not allow engine braking or vehicle noise enforcement signs to be posted along interstate corridors.
- The use of the term “Engine Braking” on signage has been frowned upon in the past. General vehicle noise enforcement signage appears to be acceptable.
- A single enforcement sign costs between \$1,500 to \$2,000 for production and installation by MnDOT.
- Cities have expressed concerns about enforcement of vehicle noise ordinances, especially for engine braking. Some of the concerns expressed:
 - Violations occur for only a few moments at a time.
 - Training is required for enforcement officers to identify the causes of vehicle noise.
 - Sound measurement devices are needed to confirm any violation of vehicle noise. (The City does not currently own this equipment)
 - Officers need to witness the activity to issue citations.
- Most documented vehicle noise ordinance warnings and violations are for non-commercial vehicles.

The primary area in the city’s current code relating to [vehicle noise](#). This section of the code is not regularly used for any active measurement or enforcement. Current enforcement is primarily based on complaints and officer availability.
