



District 7
2151 Bassett Drive
Mankato, MN 56001

September 16, 2024

Susan MH Arntz
City Manager
City of Mankato
10 Civic Center Plaza
Mankato, MN 56001

Hello, Susan,

In response to your recent inquiry, MnDOT District 7 and Minnesota State Patrol District 2200 staff have had conversations surrounding vehicle noise enforcement. From those conversations, I've learned the following:

Minnesota Statutes 169.693 addresses Motor Vehicle Noise Limits. Minnesota State Patrol District staff feel the statute applies to muffler noise, rather than noise generated from engines or other motor vehicle sources (e.g.: stereos). With the statute being viewed as insufficient for the type of noise enforcement typically desired by a city (i.e.: compression (AKA: engine, or Jake) braking) the establishment of a noise ordinance by a city would be required.

The existence of a community's noise ordinance is likely unknown by many motorists, as not all communities have a noise ordinance. Motorists know it's a violation to run a red light in every community, but they do not know whether it's a violation to use a compression brake in a community. It has been the experience of Minnesota State Patrol District staff that signs such as the State's R16-X13 (VEHICLE NOISE LAWS ENFORCED) provide a proactive notice to motorists of unique ordinances that pertain to motor vehicles. It's these types of proactive efforts that the Courts look for to uphold challenged citations. Accordingly, Minnesota State Patrol District staff would require the signs be in place for any type of enforcement effort by their staff and believe that the signs will make prosecution of these offenses more successful for any law enforcement agency enforcing the ordinance.

Due to a decision made by Minnesota State Patrol Command Staff in Saint Paul, local ordinances are not included in the eCitation software utilized by the Minnesota State Patrol. As a result, Minnesota State Patrol District staff are unable to write citations, nor provide written warnings, for any local ordinance violations. However, as has been done previously in other communities in our area, Minnesota State Patrol District 2200

leadership would be willing to deploy troopers to educate users (i.e.: verbal warnings) if there were public complaints. These deployments would be based on availability of resources and would compete with the many priorities given to Minnesota State Patrol staff.

Despite this limitation on the enforcement efforts of the Minnesota State Patrol for a city's noise ordinance, citations and written warnings could be issued by local law enforcement. These activities by local law enforcement would provide an additional means of educating motorists and upholding a city's noise ordinance.

Hopefully the above has provided the requested assistance in understanding the issues surrounding engine braking enforcement. If additional information is needed, please let me know.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg B. Ous". The signature is fluid and cursive, with the first letters of each name being capitalized and prominent.

Greg Ous, P.E.
District 7 Engineer

CC: Captain Jean Cemensky, Minnesota State Patrol District 2200
Scott M. Thompson, District 7 Traffic Engineer