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NAMPA POLICE DEPARTMENT

PRESS RELEASE

The Nampa Police Department has been receiving complaints of excessive noise and the use of air compression brakes (also known as jake breaks) on 12th Avenue Road between Greenhurst and E Locust Lane. Nampa City Code 7-1-10 prohibits the use of air compression brakes within the city, except in an emergency situation to avoid a crash. Idaho Code 49-937(4) prohibits excessive noise from a motor vehicle, which is defined in Idaho Code as being in excess of 92 decibels at 20 feet to the side of the vehicle.

Due to the complaints of excessive noise and the use of air compression brakes in the area, the Nampa Police Traffic Team will be enforcing both the air compression brakes city code and the excessive noise state code. Nampa City Code 7-1-10 is an infraction with a fixed fine of \$85.00. Idaho Code 49-937 is an infraction with a fixed fine of \$62.00. Questions can be directed at Sgt. Matt Pavelek at (208) 468-5608.

7-1-10: AIR COMPRESSION BRAKES:

- A. Prohibited: The use of air compression brakes (also known as "jake brakes") by motor vehicles within the city limits of the city of Nampa is hereby prohibited and shall be unlawful except under emergency circumstances where the use of air compression brakes is necessary to prevent an accident or injury to persons or property.

- B. Exemption: Motor vehicles owned and operated by a fire department are specifically exempted from the prohibitions of this section.

- C. Penalty: Any person who violates any provision of this section shall be deemed guilty of an infraction and upon judgment thereof shall be subject to the fixed penalty for

moving traffic infractions set by the Idaho infractions rules 9(b)(5). (Ord. 3836, 12-1-2008)

TITLE 49
MOTOR VEHICLES
CHAPTER 9
VEHICLE EQUIPMENT

49-937.MUFFLERS, PREVENTION OF NOISE. (1) Every motor vehicle shall at all times be equipped with a muffler in good working order and in constant operation to prevent excessive or unusual noise and annoying smoke, and no person shall use a muffler cut-out, bypass, or similar device upon a motor vehicle on a highway. When any motor vehicle was originally equipped with a noise suppressing system or when any motor vehicle is required by law or regulation of this state or the federal government to have a noise suppressing system, that system shall be maintained in good working order. No person shall disconnect any part of that system except temporarily in order to make repairs, replacements or adjustments, and no person shall modify or alter that system or its operation in any manner, except to conform to the manufacturer's specifications. No person shall knowingly operate and no owner shall knowingly cause or permit to be operated any motor vehicle originally equipped or required by any law or regulation of the state or the federal government to be equipped with a noise suppressing system while any part of that system is disconnected or while that system or its operation is modified or altered in any manner, except to conform to the manufacturer's specifications.

4) A showing that the sound made by a passenger motor vehicle or motorcycle exceeds the maximum allowable decibel level shall be prima facie evidence of a violation of subsection (1) of this section.

Sgt Matthew Pavelek
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