



DEPARTMENT OF
POLICE

CITY OF SACRAMENTO
CALIFORNIA

HALL OF JUSTICE
813 SIXTH STREET
SACRAMENTO, CA
95814-2495

916-449-5121

JOHN P. KEARNS
CHIEF OF POLICE

15 March 1989

Law and Legislation Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: VEHICLE STEREO SYSTEMS

SUMMARY:

Currently there is no law that prevents car owners from mounting stereo systems capable of transmitting sound great distances. Car owners can be cited when they play the systems too loud, but the possession of a powerful system is not illegal. This is a request for your support to gain State legislation to halt the installation and possession of these powerful sound systems that are creating neighborhood disturbances.

BACKGROUND:

For many years it has been the practice of too many car owners to play their vehicle stereo systems loudly enough to create disturbances. As technology has improved, the systems installed in vehicles have become capable of sending sound great distances. The sound coming from these systems has become the source of numerous complaints.

During the years cruising has been popular, the accompanying noise caused by loud music has been a source of as many complaints as the presence of the cruisers themselves. On Franklin Blvd., the side streets leading into residential areas have had to be blocked off by officers to keep the vehicles out because of the noise they create. Loud music usually is the greatest complaint.

While officers do cite and/or arrest the violators who create these disturbances, it is a matter of apprehending them in the act. It has been the experience of the Police Department that we do not always have an officer present at the scene of a disturbance and a more practical approach would be to outlaw the source.

In order to create sound at high decibel levels, it is necessary to install high powered multiple amplifiers and multiple high powered speakers. It also requires an additional battery or high input alternator to charge the battery.

There are various configurations that can be installed, but the intent is to create sound at a high decibel level. The complexity of this type of installation requires expert knowledge or the assistance of a sound shop. Some installations are so complex that it requires structural modification to the vehicle.

At the present time, the laws applicable to the use of speakers are:

1. 27007 CVC: This section forbids operation of any radio system intended to make sound audible outside the vehicle while the vehicle is operated on the highway.
2. Sacramento City Code 25.19-1: Operating a radio or similar device audible more than 25 feet from the vehicle.

While these laws are adequate when a violator is apprehended, they do not solve the problem. A law forbidding the installation of these devices is needed. I have requested statewide legislation that would require the following:

- a. No person shall install a sound system that will exceed 82 decibels (see below) in either a motor vehicle or combination of vehicles of a type subject to registration.

	COMPARISONS
10 decibels	a light whisper
20	quiet conversation
30	normal conversation
40	light traffic
50	typewriter, loud conversation
60	noisy office
70	normal traffic, quiet train
80	rock music, subway
90	heavy traffic, thunder
100	jet plane at takeoff
140	painful to ears

- b. All motor vehicle sound systems will be limited to the confines of the passenger or drivers area. For purposes of this section, "passenger or drivers area" means that part of a motor vehicle which is designed to carry the driver and the passenger.
- c. A violator will require proof of corrections in addition to any possible fine.
- d. The noise limits established by this section shall be based on a distance of 25 feet from the center of the lane of travel.
- e. The California Highway Patrol shall adopt regulations establishing the test procedures and instrumentation to be utilized. These procedures shall allow to the extent feasible, noise measurement and enforcement action to be accomplished in reasonable confined areas such as residential areas of urban cities.
- f. This section will apply to the total noise from a vehicle or combination of vehicles.
- g. No person shall have a cause of action relating to the provisions of this section against a manufacturer of the vehicle or a component part thereof on the theory based upon breach of express or implied warranty unless it is alleged and proved that such manufacturer did not comply with noise limit standards of the California Vehicle Code applicable to manufacturers and in effect at the time such vehicle or component part was first sold for purposes other than resale.

On 1/26/89 I wrote to Assemblyman Phil Isenberg proposing the introduction of the above mentioned legislation. I proposed State legislation since the City Attorney advised us that State law on this subject would preempt local ordinances.

Law and Legislation
Page four

FINANCIAL DATA:

The cost of enforcing this law would be no more than we spend citing those who play the systems too loud. There would be a slight income from fines collected from violators.

POLICY MATTERS:

Enactment of this law would cause no changes in any present policies

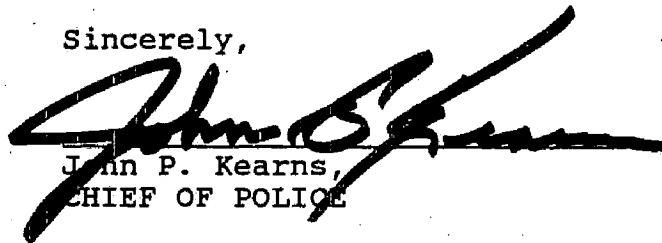
MBE/WBE:

No input.

RECOMMENDATION:

The enactment of this law is essential so that it can be used in our efforts to minimize radio noise in those neighborhoods where violators congregate. I recommend that you lend your support and urge our representatives to promote this legislation.

Sincerely,



John P. Kearns,
CHIEF OF POLICE

Contact person to
answer questions:

Thomas Stark, Deputy Chief
Office of Operations
449-5387

JPK:al

REF: 3-36