

DID YOU KNOW???

ENGINE (JAKE) BRAKES; CAN WE BAN THEM?

US Route 11 through the center of Malone village is quite hilly, and with several thousand large trucks passing through the village daily, significant noise is generated by these vehicles, both when they're working hard to go uphill, and also when they use their engine brakes, also called "Jake Brakes" (originating from one of the earliest manufacturers of engine brakes – Jacob Vehicle Systems who patented it in 1961), when descending these hills. Truck engine brakes are also frequently used to slow trucks as they enter our villages. With much emphasis in recent years on improving the quality of life in Malone, mostly by "calming" traffic on Main Street (US Route 11), the idea of possibly reducing the noise from large trucks by banning the use of engine brakes has been proposed, not just in Malone, but in other municipalities as well.

Several years ago I inquired of NYS DOT whether this was a possibility or not. The response from Marty Percy, now retired but then Regional Traffic Engineer, was a definite "no" for any state highway. He sent me much information on the subject. The bottom line is that should any municipality enact a local ordinance prohibiting the use of engine brakes, they may not include State highways maintained by the state unless prior approval is granted under section 1684 of Vehicle and Traffic Law (VTL). And, the DOT will not likely approve such an ordinance because engine brakes are safety devices. They enable a large truck to stop in a shorter distance and when combined with the truck's service brakes. Enacting a traffic ordinance to deal with engine brake use may seem like a kind and responsive action to improve quality of life, but the issue that needs to be addressed is the issue of public safety possibly being compromised.

Section 386 of VTL provides information regarding allowable noise levels, measured in decibels at a distance of 50 feet from the center of the driving lane. Allowable noise levels vary with the size of the vehicle and its speed (under or over 35 mph). However, the maximum allowable noise level for any vehicle is 90 decibels. Although the law allows enforcement agencies to measure decibel levels of vehicles, including motorcycles, not many police agencies, if any, carry decibel meters in police vehicles nor would they likely take the required time to properly measure a vehicle's noise level.

The Federal government has required all vehicles manufactured since 1978 to meet noise requirements when delivered to the customer. Today, trucks are required to emit less than 80 decibels of noise as they drive by when measured at 50 feet. In many noisy trucks, the real problem is modified or defective exhaust systems. There is a good chance that noisy trucks are running with straight stacks or gutted mufflers. The real problem in this noise issue is illegal exhaust systems, and most states, including New York, have laws prohibiting operation of a motor vehicle without a serviceable muffler. Police agencies have the authority to stop noisy trucks and check them for muffler integrity. Although banning engine brakes is not an appropriate option to noise reduction, citing trucks not in compliance is a fairly easy step that should improve the quality of life for a community.