STATE OF NEW YORK

782

2025-2026 Regular Sessions

IN ASSEMBLY

(Prefiled)

January 8, 2025

Introduced by M. of A. BERGER -- read once and referred to the Committee on Transportation

AN ACT to amend the vehicle and traffic law, in relation to restricting amplified sound coming from motor vehicles

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. The vehicle and traffic law is amended by adding a new section 397-d to read as follows:

§ 397-d. Restrictions on the operation of sound making devices or instruments in motor vehicles. 1. It shall be prohibited for any person operating or occupying a motor vehicle on a street or highway to operate or amplify the sound produced by a radio, tape player, or other mechanical sound making device or instrument from within the motor vehicle so that such sound is:

(a) plainly audible at a distance of twenty-five feet or more from the motor vehicle; or

(b) louder than necessary for the convenient hearing by persons inside the vehicle in areas in proximity to churches, schools, hospitals and public parks.

2. The provisions of this section shall not apply to any law enforcement motor vehicle equipped with any communication device necessary in the performance of law enforcement duties or to any emergency vehicle equipped with any communication device necessary in the performance of any emergency procedures.

3. The provisions of this section shall not apply to motor vehicles used for business or political purposes, which in the normal course of conducting such business use sound making devices. The provisions of this subdivision shall not be deemed to prevent local authorities, with respect to streets and highways under their jurisdiction and within the

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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reasonable exercise of police power, from regulating the time and manner in which such business may be operated.

4. The provisions of this section shall not apply to the noise made by a horn or other warning device equipped in a motor vehicle. The department shall promulgate rules defining "plainly audible" and "convenient hearing" and establish standards regarding how sound should be measured by law enforcement personnel who enforce the provisions of this section.

5. A violation of this section shall be an unclassified misdemeanor punishable by a fine of forty dollars for the first offense, a fine of one hundred dollars for the second and third offense, and a fine of two hundred dollars and possible confiscation of the vehicle for each additional subsequent offense.

§ 2. This act shall take effect immediately.