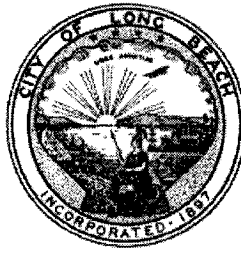




City of Long Beach
Working Together to Serve**Memorandum**

Date: December 19, 2006

To: Mayor and City Council

From: Suja Lowenthal, Second District 
Gary DeLong, Third District 

Subject: Enforcement of Illegally Modified Exhaust Systems

REQUESTED ACTION:

Respectfully request the Chief of Police, City Prosecutor and City Manager to implement an action plan to reduce excessively loud noise from illegally modified exhaust systems based on, but not limited to, the following measures:

- a. Continued active enforcement of the California Vehicle Code (Section 27150 & 27151) relating to illegally modified exhaust systems.
- b. A public education campaign informing the press, residents and businesses of the Police Department's proactive efforts to enforce excessive noise violations. In particular, businesses associated with motorcycle sales, repair and modification *or* those frequented by motorcycle enthusiasts.
- c. Communication with neighboring cities and enforcement agencies of our proactive stance.
- d. Communication with residents in the city who have motorcycles registered with the Department of Motor Vehicles (DMV), informing them of the Police Department's intent, rationale for the proactive stance and notification that *unmodified* motorcycles will not be in violation.
- e. Checkpoints or task force strategies focused on particular locations or corridors known to be frequented by vehicles with modified exhaust systems.
- f. Expand the current use of programmable message boards to remind the public about the city's proactive stance on excessively loud exhaust systems.
- g. Provide recommendations for modifying current California Vehicle Code through state legislation to enhance the Police Department and City Prosecutor's enforcement efforts.
- h. Provide the City Council with an evaluation of the action plan after one year, based on community feedback, number of citations, citations involving repeat offenses and the outcome of cases involving illegally modified exhaust systems sent to the City Prosecutor.

BACKGROUND:

Among the many sources of noise pollution in our city, illegally modified mufflers on motorcycles and cars is a particular source of frustration to residents and businesses along corridors such as Ocean Boulevard and Second Street that provide an attractive backdrop for motorcycle clubs and individuals traveling along the coast. Cruising from the South Bay to Laguna has become a weekly tradition among enthusiasts, choosing a route through Long Beach that takes them over the Vincent Thomas and Gerald Desmond Bridges, down Ocean Boulevard to Second Street before reaching Pacific Coast Highway. Unfortunately, the residential buildings along Ocean form an artificial canyon trapping sound and amplifying it upwards. Residents looking forward to a quiet morning or evening are routinely roused from sleep. Along Second Street and downtown, pedestrians are continually inundated with the harsh sound of illegal mufflers, which negatively impacts business and tourism for retail and restaurants along this coastal corridor.

Several cities in Southern California report experiencing the same problem with excessive motorcycle noise and have responded by citing vehicles with illegally modified exhaust systems using California Vehicle Code Section 27150 and 27151. Long Beach Police Department divisions in the South and East have been effective in reducing the number of motorcycles with illegally modified exhaust systems, but a public outreach campaign would greatly complement their efforts.

Our intention is not intended to target all motorcycle owners in our city or neighboring cities for that matter. We welcome the business of owners with unmodified motorcycle exhaust systems and commend them for choosing a mode of transportation or hobby that does not negatively impact the quality of life of their neighbors or fellow citizens. If owners wish to illegally modify their mufflers and take a chance that law enforcement will not stop them on their coastal tour, that's their prerogative. However, we believe that on the whole our city is better off without these individuals or clubs and proactive measures must be taken to reduce the burden of enforcement on the Police Department by directing them along more appropriate transportation routes such as the I-710 and I-405 freeways.