

SUBJECT: Establishing a maximum noise level for a car horn

COMMITTEE: Transportation — committee substitute recommended

VOTE: 8 ayes — Phillips, Martinez, Burkett, Fletcher, Guerra, Harper-Brown, Lavender, Riddle

1 nay — Pickett

2 absent — Y. Davis, McClendon

WITNESSES: For — Steve Collins

Against — None

BACKGROUND: Transportation Code, sec. 547.501, requires a motor vehicle to have a horn in good working condition that emits a sound audible from at least 200 feet away. A warning device, including a horn, cannot emit an unreasonably loud or harsh sound or a whistle.

DIGEST: CSHB 2691 would require the Department of Public Safety (DPS) to establish by rule the maximum decibel level for a sound emitted by a warning device on a vehicle, including a horn.

The bill would amend Transportation Code, sec. 547.501 to prohibit a warning device, including a horn, from emitting a sound exceeding the decibel level set by DPS.

The department would be required to adopt rules by January 1, 2014, and the bill would apply only to an offense committed on or after that date.

The bill would take effect September 1, 2013.

SUPPORTERS SAY: CSHB 2691 would replace unspecific language in current law, which refers to an “unreasonably loud” sound, with a clear standard, which DPS would establish in rule as a specific decibel level. The subjective standard applied by current law makes it too difficult for people to know what vehicle inspectors would consider too loud to pass inspection.

The bill simply would ensure that existing statute governing vehicle standards was clear and objective, in line with other objective standards for vehicles, such as brake force and tire tread.

**OPPONENTS
SAY:**

The bill unnecessarily would introduce more government regulation by dictating the nature of a car horn. Current statute is intentionally vague to allow people to use different types of horns, as needed.