

APPENDIX A

Option 1 (Not Recommended) – Amend Noise Bylaw to include an Escalating Fines System for Repeat Offenders.

This option explores the practicality of adding an escalating fine structure that is applicable to *Part III, Specific Prohibitions, Section 4.(A), Motor Vehicle Noises* of the *Noise Bylaw*. This alternative is different from the recommended option of a single fine discussed within the report in that the fine for emitting an excessive motor noise will increase after the first, second or third offence.

Engagement with the Regina Police Service (RPS) and Saskatchewan Government Insurance (SGI) has indicated that many drivers who are issued warnings or inspection tickets under the *Traffic Safety Act (TSA)* can be classified as car enthusiasts who possess a vast range of car knowledge. Due to their knowledge, enthusiasts can remove unapproved parts such as noise enhancing devices to pass the SGI vehicle inspection process. Following the inspection, the part can be re-installed and a repeat offence is likely to occur again. By implementing an escalating fines system, the consequences of this violation will become more explicit to repeat offenders.

Administration has determined that further research and investigation into the structure of an escalating fines system needs to be completed before it can be implemented into the *Noise Abatement Bylaw*. There are several unknowns that need to be addressed in large scale discussions between administration, RPS and SGI for this alternative.

These include:

- further discussion into the escalating fines ticketing process to determine if repeat offences applicable to the owner of the vehicle or the driver
- ability of RPS to identify if a repeat offence was carried out through the *TSA* or through the *Noise Abatement Bylaw*
- establishing a base fine amount and the threshold as to how many repeat offences there can be
- determining a final penalty once the repeat threshold of offences is met

These unknowns can further complicate the enforcement process, which can lead to issues during the prosecution process. For this reason, Administration does not recommend an escalating fines structure be applied to the *Noise Abatement Bylaw*. Further, Administration's proposed addition of a single fine amount to the *Noise Bylaw* will provide an opportunity to first determine if the new fine is a sufficient deterrent for repeat violations without implementing the more complex system at this time.

Option 2 (Not Recommended) - Determine the Feasibility of Establishing Vehicle Noise Decibel Thresholds and Noise Measuring Equipment Standards through a Third-party Consultant.

Through the engagement process with SGI, RPS and the City of Saskatoon, Administration has identified that extensive research and procurement work is required prior to establishing a noise decibel threshold within the *Noise Abatement Bylaw*.

A jurisdictional scan into several municipalities across Canada has indicated that cities such as Ottawa, Winnipeg and Victoria do not have a noise decibel threshold established for vehicles. For those that do, it is often for motorcycles and is not applicable to all vehicles. This jurisdictional scan is included in Appendix B.

The discussion of implementing a noise decibel reading was carried out with our engagement partners and several areas of concern regarding the accuracy of decibel readings were identified. For a decibel reading to be accurate, the environment and methodology in which a noise level is measured will need to be consistent and reproducible for each measurement. External factors such as the physical surroundings, and the location of reading can greatly affect the accuracy. A measurement taken within a garage will greatly vary from one taken on an empty road. There can be a different decibel reading based on the materials of a building and vary its readings from building to building. Furthermore, there is an added level of complication in differentiating between what is considered vehicle noise, whether it is related to the horn, muffler, tire screeches.

Due to the level of unknowns, Administration and engagement partners have determined that a third-party consultant review is required to establish the following:

- decibel threshold for motor vehicles
- definition of vehicle noise
- measuring equipment
- methodology into how a noise measurement can accurately be taken
- feasibility and expected rate of return on investment

Administration does not recommend this option as SGI and RPS have advised that the complexity of decibel level within our *Noise Abatement Bylaw* would complicate the prosecution process if equipment or measuring standards are not accurate or feasible. In addition, retaining a qualified and experienced consultant could be costly with conclusions that may address the environmental surroundings rather than the vehicle itself.

Option 3 (Not Recommended) - Establish Awareness and Education Campaigns regarding Stunting, Racing, Vehicle Noise and Provincial Regulations.

Through the stakeholder engagement it became apparent that driver behaviour is the main cause to racing and vehicle noise. This standalone option that emphasizes the education and awareness opportunities on a larger scale in our province and is not the responsibility of only the City of Regina (City) but would need to coordinate through several other organizations, which start with SGI as the governing body of vehicle legislation in the province. Any changes to the *TSA* or *SGI Driver Handbook* must be initiated by SGI. The coordination of education and awareness campaign of these changes can be carried out with cooperation between the City and the RPS.

Administration does not believe it is within the City's capacity to establish a widespread educational campaign on its own as it is not the governing body of vehicle standards and regulations. The provincial government ultimately has the authority to initiate the process, through SGI, to establish large scale education opportunities for drivers across all municipalities across Saskatchewan.

At this time, Administration does not recommend that City Council proceed in this direction and any education or awareness campaigns should be through the control of SGI.