

THE STATES OF DELIBERATION
of the
ISLAND OF GUERNSEY

29th April 2025

Proposition No. P.2025/52

**COMMITTEE *FOR THE* ENVIRONMENT & INFRASTRUCTURE AND
COMMITTEE *FOR* HOME AFFAIRS**

AMENDMENT TO THE ROAD TRAFFIC (CONSTRUCTION AND USE OF MOTOR VEHICLES)
ORDINANCE, 2002

AMENDMENT

Proposed by: Deputy A Gabriel

Seconded by: Deputy M Helyar

For Propositions 1 and 2, substitute the following proposition:

- “1. To agree to amend the Road Traffic (Construction and Use of Motor Vehicles) Ordinance, 2002 in order to –
- (a) provide for an additional offence under the Ordinance of driving a motor vehicle on a public highway, the exhaust system of which does not comply with the decibel limit specified as established by means of a stationary test, and
 - (b) confer on the Committee *for the* Environment & Infrastructure power by regulation to specify all those matters that are necessary for the purpose of enforcing and giving effect to the offence including –
 - (i) the applicable decibel limit,
 - (ii) the class or category of vehicle to which any decibel limit is to apply (including the power to specify different decibel limits in relation to different classes or categories of vehicle), and

- (iii) the testing method to be used for the purpose of establishing the decibel level, including the persons authorised to conduct tests, and
 - (iv) police powers to enable or facilitate such testing, and
- (c) provide that any such regulations shall be laid before the States and be subject to the usual power to annul them.”.

Rule 4(1) Information

- a) The proposition contributes to the States’ objectives and policy plans of the Government Work Plan to “keep the island safe and secure” by enhancing measures to address excessive noise pollution.
- b) In preparing the proposition, consultation has been undertaken with the Presidents of the Committee *for the* Environment & Infrastructure and the Committee *for* Home Affairs.
- c) The proposition has been submitted to His Majesty’s Procureur for advice on any legal or constitutional implications.
- d) The financial consequences are limited to the costs of re-calibration and maintenance of equipment for testing noise already available to Bailiwick Law Enforcement and any cost of officer time spent in enforcement.
- e) Drafting advice has been sought from the States’ Greffier and no further advice has been sought from officers of the proposing committees.

Explanatory Note

This amendment seeks to introduce an offence that is workable, practical, and pragmatic to administer. It aims to ensure that anyone circulating a vehicle in Guernsey, can do so while knowing where an acceptable noise limit is, as it provides clear standards.

Just as speed limits inform drivers of the maximum speed allowed, and parking disc zones specify parking time restrictions, a decibel limit would inform vehicle owners of the acceptable noise levels. This clarity helps prevent excessive noise pollution and ensures compliance with expected community standards.

By setting and enforcing decibel limits it contributes to protecting public health.

We know that excessive vehicle noise can contribute to noise pollution, which has been linked to various health issues, including stress, hearing loss, and sleep disturbances. Setting a legal limit helps mitigate these risks and promotes a healthier living environment.

For those who wish to modify their vehicles for improved performance, knowing the legal noise limit ensures that any modifications could be done responsibly. This balance allows enthusiasts to enjoy their hobby without negatively impacting the community with excessive noise.

Many motorsport disciplines already have vehicle decibel limits, demonstrating that such standards are both feasible and effective. Many local motoring enthusiasts already comply with UK and EU track day noise limits when visiting them with their vehicles, extending these practices to everyday vehicle use ensures consistency and fairness.

A defined decibel limit provides law enforcement with a clear criterion for assessing and addressing noise complaints. This makes enforcement more straightforward and consistent, reducing ambiguity in legal proceedings.

As the current ordinance specifies that offences described in it are a level 3 fine, to simplify this offence a fine could be introduced that is for example, the highest on the fixed penalty scale by the Committee for Home Affairs, saving Police, Prosecutors and Court time.