

**REPLY BY THE PRESIDENT OF THE COMMITTEE *FOR THE*
ENVIRONMENT & INFRASTRUCTURE
TO QUESTIONS ASKED PURSUANT TO RULE 14 OF THE
RULES OF PROCEDURE BY DEPUTY L. QUERPEL**

Question

I believe I'm right in saying that despite the best efforts of our Police officers to 'clamp down' on owners of excessively noisy vehicles, their current powers to do so are somewhat limited. Of course I stand to be corrected on that, but with that in mind, can you please clarify the situation and tell me what regulations are currently in place here in Guernsey regarding prosecuting owners of excessively noisy vehicles?

Answer

The following legislation is in place in respect of 'noisy vehicles': [The Vehicle Noise etc. Ordinance, 1986](#) and [The Road Traffic \(Construction and Use of Motor Vehicles\) Ordinance, 2002](#).

The Vehicle Noise etc. Ordinance, 1986, states that "a person shall not use a motor vehicle on any public highway in such manner as to cause excessive noise which could be avoided by the exercise of reasonable care on his part." Anyone convicted of this offence is subject to a fine not exceeding level 2 on the uniform scale.

Section 8 (1)(b)(iv) of The Road Traffic (Construction and Use of Motor Vehicles) Ordinance, 2002, states that the use of a vehicle on the roads is not permitted if "there is a likelihood of causing noise, raising dust or creating any other avoidable nuisance". This Ordinance also goes on to stipulate that every vehicle must be constructed and maintained so that it does not give rise to excessive noise, and that vehicles with an internal combustion engine must be equipped with an exhaust silencer maintained in good and efficient working order.

Any modification to a vehicle's exhaust must be reported to the owner's insurance company, as changes to performance, appearance, or value can significantly impact the insurance policy. Failure to disclose such modifications may result in denied claims or even policy cancellation.

Despite there being legislation in place which references the noise of vehicles, no statutory definition is provided as to what "excessive noise" is and therefore, the interpretation of the legislation can prove difficult, impacting any possible enforcement undertaken by our colleagues in Law Enforcement.

The Committee is currently working with the Committee *for* Home Affairs to explore this further and is one of a number of topics included within a commissioned report of which we understand will be shared with us in the coming weeks. The report will provide an evidence-based review on the feasibility of potential measures to deal with increasing challenges around the prevention, education and enforcement of road traffic and driver offences across the island. We would be happy to provide Deputy Queripel and any other members with more detail on this in the near future.

Date of Receipt of the Question: 9 September 2024

Date of Reply: 24 September 2024