Minute No. 410
Report – Standing Policy Committee on Public Works – April 11, 2023

Item No. 3 Requests to Provincial Government Regarding Modified Mufflers

COUNCIL DECISION:

Council concurred in the recommendation of the Standing Policy Committee on Public Works and adopted the following:

1. That a letter be sent to the Provincial Minister of Infrastructure and Transportation seeking:

    A. Stronger fines and penalties for vehicle owners whose vehicles are not in compliance with the Highway Traffic Act or the MPI handbook with respect to modified mufflers, with an emphasis on:

        i. The definition of compliance to include standards for noise attenuation as established by the MPI driver handbook and Highway Traffic Act.

        ii. Penalties that include but are not limited to temporary suspension of motor vehicle registration until compliance is met following inspection.

        iii. Authorizing municipal law enforcement to enforce this restriction and issue citations to any person violating this restriction.

    B. Permission for the City of Winnipeg to implement a pilot program undertaking photo enforcement of motor vehicle noise infractions, a practice currently being trialed in other jurisdictions such as the City of Calgary.

2. That the Proper Officers of the City be authorized to do all things necessary to implement the intent of the forgoing.

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DECISION MAKING HISTORY:

Moved by Councillor Lukes,

That the recommendation of the Standing Policy Committee on Public Works be adopted.

Carried

EXECUTIVE POLICY COMMITTEE RECOMMENDATION:

On April 18, 2023, the Executive Policy Committee concurred in the recommendation of the Standing Policy Committee on Public Works and submitted the matter to Council.

STANDING COMMITTEE RECOMMENDATION:

On April 11, 2023, the Standing Policy Committee on Public Works concurred in the recommendation of the Riel Community Committee, with the following amendment:

- Delete the words "Standing Policy Committee on Public Works"

and submitted the matter to the Executive Policy Committee and Council.

David Grant submitted a communication with respect to the matter.

On March 7, 2023, the Standing Policy Committee on Public Works laid the matter over to its meeting on April 11, 2023.

David Grant submitted a communication with respect to the matter.

COMMUNITY COMMITTEE RECOMMENDATION:

On February 21, 2023, the Riel Community Committee passed the following motion:

WHEREAS with the intent to promote a peaceful and safe environment for the residents of the City of Winnipeg and to ensure that excessive noise from modified mufflers does not disrupt the quality of life in the community;

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

AND WHEREAS loud and excessive noise pollution from modified mufflers can have negative impact on the health, safety, and quality of life of residents in the community;

AND WHEREAS the current muffler regulations in the City of Winnipeg do not adequately address the issue of noise pollution from modified mufflers;

AND WHEREAS in 2022 there were a total of 875 vehicles stopped and inspected by the WPS for equipment and/or safety violations. Most were issued Provincial Offenses Act (POA) fines under the Vehicle Equipment Safety and Inspections (VESI) regulations, specifically, section 6.1 Fail to have required equipment. It should also be noted, this number of total inspections has been trending upwards for the last 3-4 years, despite limited resources.

AND WHEREAS out of those 875 vehicles, 248 light vehicles (approx. 30%) were cited for exhaust/muffler violations, with most also having additional defects noted as well (i.e. exhaust and tint, etc.). Approximately 70% of those violations were issued between the months of May and September (the peak activity of the cruise scene in Winnipeg).

AND WHEREAS the Manitoba Public Insurance Corporation specifically states by way of the Driver Handbook, all motor vehicles must have a muffler capable of preventing excessive noise, and that it is illegal to use a muffler cut-out, straight exhaust, gutted muffler, Hollywood muffler, bypass or any devise that reduces the effectiveness of a noise muffler.

THEREFORE BE IT RESOLVED that the Riel Community Committee request that the Standing Policy Committee on Public Works and Council send a letter to the Provincial Minister of Infrastructure and Transportation seeking:

1. Stronger fines and penalties for vehicle owners whose vehicles are not in compliance with the Highway Traffic Act or the MPI handbook with respect to modified mufflers, with an emphasis on:

    A. The definition of compliance to include standards for noise attenuation as established by the MPI driver handbook and Highway Traffic Act.

    B. Penalties that include but are not limited to temporary suspension of motor vehicle registration until compliance is met following inspection.

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DECISION MAKING HISTORY (continued):

COMMUNITY COMMITTEE RECOMMENDATION (continued):

C. Authorizing municipal law enforcement to enforce this restriction and issue citations to any person violating this restriction.

2. Permission for the City of Winnipeg to implement a pilot program undertaking photo enforcement of motor vehicle noise infractions, a practice currently being trialed in other jurisdictions such as the City of Calgary.