

Admin Report - Vehicle Noise - May 2020 Update.docx

ISSUE

The Administration received a response from Saskatchewan Government Insurance (SGI) regarding the unsafe vehicle compliance letters. This report presents channels that could be further explored to mitigate vehicle noise.

BACKGROUND

City Council, at its meeting held on June 25 and 26, 2018, considered a report regarding traffic concerns on Spadina Crescent from 33rd Street to University Bridge and resolved, in part:

- “2. That a letter be written to SGI and Board of Police Commissioners to work together to revisit the application of amendments to include a decibel limit for all vehicles in general.”

The Administration sent letters to SGI and the Board of Police Commissioners.

Highlights from SGI’s response were:

- SGI spoke with the Saskatoon Police Service and the Crown Traffic Prosecutor regarding traffic noise enforcement. Convictions have been realized and concluded enforcement is occurring.
- The number of tickets issued each year varies, which does not indicate a drop in enforcement, but perhaps more warnings would have occurred.
- Most jurisdictions have similar regulations to Saskatchewan, and all rely on subjective enforcement.
- SGI notes that after-market mufflers are not marked, rated, or have any markings, resulting in subjective enforcement still being required.

Highlights from the Board of Police Commissioner’s response were:

- The number of cars with modified muffler systems has increased in recent years.
- Some city events, such as Cruise Night, provide opportunity for increased traffic noise.
- Legislation to address vehicle noise is provided in *The Traffic Safety Act*, *The Vehicle Equipment Act*, and the Saskatoon Noise Bylaw. *The Traffic Safety Act* outlines a very subjective charge. *The Vehicle Equipment Act* and Saskatoon Noise Bylaw are more objective and require officers to have a minimal amount of mechanical knowledge, specialized equipment, and training.
- Enforcement has occurred over the past five years.
- 41% of all traffic noise violations are issued on 8th Street.
- The Saskatoon Police Service Traffic Unit completed a multi-faceted educational campaign in June 2019 which included:
 - Social media messaging (hash tag #KeepItDown);

- Voluntary testing clinics were set up for motorcyclists at various locations;
- Noise checkpoints were completed with very few surpassing the upper noise threshold limits; and
- Traffic Unit representatives spoke with local media outlets to inform the public of the issue.
- Concurrently with the educational campaign, Traffic Unit members received training and information about traffic noise.
- Consultation with SGI occurred regarding repeat offenders who would not remove the offending equipment despite receiving subsequent tickets. SGI agreed to provide compliance letters to the offenders and provide 30 days to fix the issue, or face registration cancellation.

The Standing Policy Committee on Transportation, at its meeting held on November 4, 2019, considered the Vehicle Noise Update report, and resolved:

- “1. That the Administration work with partnering agencies on options to mitigate vehicle noise within the city including on 8th Street, Spadina Crescent, and 22nd Street, and report back; and
2. That the Administration provide details in relation to SGI compliance letters and the number of cancellations of registrations.”

CURRENT STATUS

The City of Saskatoon currently uses enforcement to mitigate vehicle noise. The Saskatoon Police Service (SPS) enforce vehicle noise violations via *The Traffic Safety Act* and City of Saskatoon Bylaw No. 8244, The Noise Bylaw.

The Administration consulted with the following agencies:

Saskatchewan Government Insurance

SGI and SPS are working together to leverage SGI's Unsafe Vehicle Program to address subsequent tickets for non-compliant mufflers. Through SGI's Unsafe Vehicle Program, SGI sends the current registered owner a letter advising that they have 30 days to comply with the instructions on the inspection ticket. This could be due to excessive noise, non-compliant automotive glass, prohibited lighting, or any other type of equipment that enforcement has identified as illegal in accordance with *The Vehicle Equipment Regulations, 1987*.

In 2018, SGI issued 2,001 non-compliance letters and in 2019 they issued 3,341 non-compliance letters. SGI does not document the number of compliance letters that were sent for excessive noise, nor does SGI document how many registrations were cancelled as a result of excessive noise.

Saskatchewan Ministry of the Environment

Noise pollution is not currently tracked by the Ministry of Environment since noise pollution is not included in *The Environmental Management and Protection Act, 2010*.

Saskatchewan Health Authority

The Saskatchewan Health Authority recognizes that there are negative health effects due to excessive noise, such as hearing impairment, sleep disturbances, mental health effects, and cardiovascular effects. Highlights from Saskatchewan Health Authority's response (Appendix 1) are as follows:

- Noise mitigation strategies are most effective when implemented at the source.
- Interventions to address noise are more effective when implemented across divisions, work groups, or different organizations with a common mandate to reduce noise.
- Recognizes the importance of routine measurements of traffic noise levels.
- Cites several examples for noise mitigation strategies employed by other jurisdictions, including Toronto, European Commission, and the World Health Organization.

The Saskatchewan Health Authority does not intend to develop provincial noise mitigation strategies.

DISCUSSION/ANALYSIS

If City Council would like to pursue noise mitigation further, several mitigation strategies could be investigated:

- Noise Bylaw Review: to review the Bylaw in cooperation with the SPS and Solicitors to try and find more effective enforcement language.
- Education Campaign: to educate citizens about the fact that their actions in creating loud noises impact quality of life.
- Lobbying Provincial Government: to establish higher fines for non-compliant vehicles.
- Noise Action Plan: to identify measures that can mitigate vehicle noise over time with various stakeholders, similar to other communities and the World Health Organization.

These mitigation strategies would require further research to develop an understanding of effectiveness, scope of work and cost. Some noise mitigation strategies used in other jurisdictions are included in Appendix 2.

OTHER IMPLICATIONS

There are no policy, financial, privacy, legal, social, or environmental implications identified at this time. Researching, planning, and implementing any of the mitigation strategies would have financial implications and possibly policy, privacy, legal, social and environmental implications that would be further explored during development of the strategies.

NEXT STEPS

None are currently planned. Based on direction given by City Council through this report, the Administration could be directed to provide an option to retain a consultant to research, review, engage stakeholders, cost estimate, and ultimately recommend

detailed mitigation measures for the City of Saskatoon through the next budgeting cycle. The preliminary cost estimate for this work is \$50,000. It is anticipated that this work could respond to the feasibility of mitigating vehicle noise on specific streets. This report will be shared with the Saskatchewan Health Authority, Saskatoon Police Service and Saskatchewan Government Insurance.

APPENDICES

1. Email from Saskatchewan Health Authority, dated March 1, 2020
2. Recent Noise Mitigation Approaches in Other Jurisdictions

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