

**Chapter 64****ENGINE-BRAKING****§ 64-1. Definitions.****§ 64-2. Engine-braking prohibited.****§ 64-3. Exempt noise.****§ 64-4. Posting of signs.****§ 64-5. Violations and penalties.**

[**HISTORY:** Adopted by the Mayor and Council of the Borough of Swedesboro 4-4-2005. Amendments noted where applicable.]

**GENERAL REFERENCES**

Vehicles and traffic — See Ch. 110.  
Noise — See Ch. 131.

**§ 64-1. Definitions.**

As used in this chapter, the following terms shall have the meanings indicated:

**ENGINE-BRAKING** — The use or operation of any mechanical exhaust device designed to aid in braking, decompression or deceleration of any motor vehicle which results in excessive, loud, unusual or explosive noise from such vehicle.

**§ 64-2. Engine-braking prohibited.**

It shall be unlawful for the driver of any motor vehicle to use or operate, or cause to be used or operated, at any time and on any road within the Borough of Swedesboro, any mechanical

exhaust or decompression device which results in the practice known as "engine-braking."

**§ 64-3. Exempt noise.**

The provisions of this section shall not apply to the application of unmuffled compression brakes where necessary for the protection of persons and/or property which cannot be avoided by application of an alternative braking system. Noise caused by the application of engine compression brakes, otherwise known as "engine-braking," which is effectively muffled, or if the application is necessary for the health, safety and welfare of the community, is exempt from the provisions of this chapter. Sounds created by emergency equipment for emergency purposes are also exempt.

**§ 64-4. Posting of signs.**

The Borough is hereby authorized to post at reasonable locations within the Borough signs indicating the prohibition of engine-braking.

**§ 64-5. Violations and penalties.**

Upon an initial conviction of any violation of this chapter, such person shall be punished by a fine of not more than \$250 or by imprisonment for a period not to exceed 30 days, or by both such fine and imprisonment; and upon a second conviction, such person shall be punished by a fine of not more than \$500 or by imprisonment for a period not to exceed three months, or by both such fine and imprisonment; and upon the third or any subsequent conviction, such person shall be punished by a fine of not more than \$1,000 or by imprisonment for a period not to exceed six months, or by both such fine and imprisonment.