

Clarification and FAQ's concerning Standard Practice for Signing Unmuffled Engine Compression Brakes

Modified 3/10/15 per JKL

1. Have we had problems with unmuffled brakes?

The Department has received requests from various Divisions, Legislators and individuals for the installation of this type of sign; therefore, this policy was developed to provide guidance and consistency.

2. How is this going to be enforced?

There are two ways this can be enforced. One way is through the noise ordinances. The other is by law enforcement determining the vehicle's muffler or exhaust system was modified from the original manufactured and is not in good working order to prevent excessive or unusual noise.

3. How many signs are we going to allow in a section?

Local Division discretion

4. Are they going to be allowed on Interstates?

Yes

5. If so, are they going to adhere to our spacing policy and will we stand behind our policy when spacing requirements can't be met?

These signs are fully discretionary and if other signs are needed to be installed the unmuffled brake signs will be removed. All other signs would take precedents over the unmuffled brake sign.

6. If a section of highway does not have a sign, is Jake Braking allowed (GS states no but nothing is being done now to stop it)?

As indicated a sign is not required to enforce the General Statute. By the municipality choosing to install the sign, they are indicating an obligation to enforce. The Department can remove the sign citing sign clutter, if the municipality is no longer enforcing the law. The same holds true of signs installed outside of municipality. The sign requestors should notify their local law officials when enforcement has ceased.

7. How do we handle signs with a different design in the field that were installed prior to this guidance and sign design? Signs that differ from the sign design provided with the "Unmuffled Engine Compression Brakes" should be removed and replaced with the appropriate sign design.

8. Information on item 1) found on first page of Standard Practice was established to emphasize the County's current duties and powers allowed by General Statute 153A-133.

9. Information on item 3) found on second page of Standard Practice was established to allow a County or third party to enter into an agreement to be responsible for cost of the sign. NCDOT is still the approving party. The County has the option on whether to approve or reject spending their funds on these signs.