

UNMUFFLED COMPRESSION BRAKES

WHEREAS, the Board of Mason County Commissioners, hereinafter referred to as the Board, finds that there are several areas of the county where unmuffled engine compression brakes are used regularly and that the use of said brakes is not in the best interest of the public health and general welfare of the citizens present in those areas; and,

WHEREAS, the Board further finds that said compression brakes are an alternative braking system which are not standard equipment from the manufacturers and are not necessary to stop the vehicle, except in emergency situations; and,

WHEREAS, the Board further finds that neither the terrain nor road design geometrics warrant the use of engine compression brakes, and that use of said brakes is simply an alternate means of braking; and,

WHEREAS, the Board further finds that a high volume of vehicles equipped with unmuffled engine compression brakes are traveling through certain areas in Mason County and that such volume, coupled with the regular use of said brakes, has created an intolerable environment for persons present in those areas.

NOW, THEREFORE, BE IT ORDAINED, Unmuffled compression brakes are prohibited; *provided*, such prohibition shall be applicable only to those public highways or portions thereof identified and prohibited by resolution of the Board of County Commissioners; *provided further that*, no person shall use motor vehicle brakes which are in any way activated or operated by the compression of the engine of said motor vehicle or any unit or part thereof, unless said braking system is equipped with a functional muffler; and

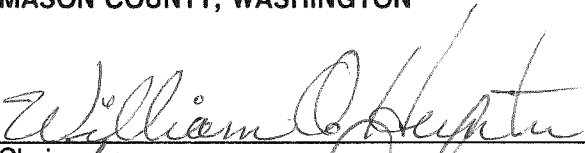
FURTHER, the County Engineer shall post and maintain signs designating the areas in which the use of unmuffled compression braking systems have been prohibited by resolution of the Board of County Commissioners, and the County Engineer shall keep and maintain a file of areas so designated, and said file shall be open to the public.

FURTHER, these prohibitions shall be in full force and effective immediately upon the posting of the roads involved.

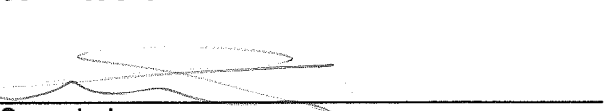
BE IT FURTHER ORDAINED, that any person or persons violating the provisions of this ordinance shall have committed a traffic infraction and a penalty of One Hundred Dollars (\$100.00) shall be imposed. Violations shall be enforced by such authorities and in such manner as set forth in RCW 46.63 and RCW 46.64. Said fine shall not apply if an emergency situation exists and the use of unmuffled engine compression brakes is necessary for the protection of persons or property.

ADOPTED this 15th day of October, 1991.

**BOARD OF COUNTY COMMISSIONERS
MASON COUNTY, WASHINGTON**


Chairperson


Commissioner


Commissioner

c: File
Elected Officials/Dept Heads