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OFFICE OF THE CITY CLERK
OAKLAND, CALIFORNIA

OAKLAND CITY COUNCIL

03 MAR 13 PM 4:33

RESOLUTION No. _____ C.M.S.

INTRODUCED BY COUNCILMEMBER DESLEY A. BROOKS

**A RESOLUTION IN SUPPORT OF ASSEMBLY BILL 377
THE WHISTLE TIP MUFFLER BILL**

WHEREAS, *Assembly Bill 377 is the result of concerns raised by the public and members of the Council regarding the installation of "whistle tip" mufflers on vehicles, and the resulting noise pollution in Oakland neighborhoods, introduced by Oakland City Councilmember Desley A. Brooks; and*

WHEREAS, *a "whistle tip" is a device applied to the end of a vehicle's tailpipe which makes the vehicle emit a piercing, high-pitched shriek when driven; and*

WHEREAS, *Assembly Bill 377, The Whistle Tip Bill, will allow easier and more efficient enforcement of CA Vehicle Code §27151; and*

WHEREAS, *the Oakland City Council recognizes that Assembly Bill 377 will help protect the public's quality of life by eliminating excessive and unnecessary noise emitted by these "Whistle Tip" devices; and*

WHEREAS, *the Oakland City Council recognizes that Assembly Bill 377 will benefit all citizens not only in the City of Oakland, but throughout the State of California*

NOW THEREFORE, BE IT RESOLVED: *that the Oakland City Council supports Assembly Bill 377 and urges the adoption of the bill into a law.*

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2003

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, AND
PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

**RULES & LEGISLATION
CMTE**

ATTEST:

MAR 27 2003

CEDA FLOYD
City Clerk and Clerk of the Council
Of the City of Oakland, California

FILED
OFFICE OF THE CITY CLERK
OAKLAND

CITY HALL • 1 FRANK H. OGAWA PLAZA, • OAKLAND, CALIFORNIA 94612

03 MAR 13 PM 2:32

Desley A. Brooks
Councilmember
District 6
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FAX (510) 238-6129
TDD (510) 339-6451

March 25, 2003

Honorable President De La Fuente and
Members of the City Council


Dear Councilmembers:

This brief report responds to concerns raised by the public and members of the Council on the installation of "whistle tip" mufflers on vehicles, and the resulting noise pollution in Oakland neighborhoods.

A "whistle tip" is a device applied to the end of a vehicle's tailpipe that makes the vehicle emit a piercing, high-pitched shriek when driven. It is thought that the first appliances were homemade devices made by driveway mechanics working on their own vehicles. Now, several local muffler shops carry a wide variety of styles. They are relatively cheap (\$50 – 80) and can be installed in 10 – 20 minutes. The installation and use of these devices constitute a violation of several sections of the California Vehicle Code: **CA Vehicle Code §27150, CA Vehicle Code §27150.1, CA Vehicle Code §27150.5, CA Vehicle Code §27151, and CA Vehicle Code §24005.**

The "whistle tip" devices also violate sections of Title 8, Chapter 8.18 – NUISANCES, of the Oakland Municipal Code (OMC). We are requesting that the City Council urge the assembly to pass AB 377 in order to assist us with our effort to stop the unnecessary noise pollution and disturbances that these "Whistle Tip Mufflers" cause.

Sincerely,



Desley A. Brooks
Oakland City Council Member, District 6

S-16.1
ORA/COUNCIL
APR 1 2003

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