

**TITLE IV STREETS, ROADS, PUBLIC WAYS and TRANSPORTATION**  
**CHAPTER 4.5 ORDINANCE PROHIBITING THE UNLAWFUL USE OF ENGINE AND COMPRESSION BRAKES**

**Section 4.5-1 PURPOSE.** The purpose of this ordinance is to prohibit the excessive, loud, unusual or explosive use of engine and compressed air-braking devices within designated areas in Buena Vista County.

**Section 4.5-2 DEFINITIONS.** For the purposes of this ordinance the following words and phrases are defined as follows:

1. "Engine retarding brake" means a "Dynamic Brake," "Jake Brake," "Jacobs Brake," "C-Brake," "Paccar Brake," transmission brake or any other engine retarding brake system that alters the normal compression of the engine and subsequently releases that compression.

**Section 4.5-3 PROHIBITIONS.** It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within designated areas in the unincorporated areas of the County of Buena Vista, State of Iowa, any engine brake, Compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual or explosive noise from such vehicle, unless such use is necessary to avoid imminent danger. Such prohibition shall be applicable only to those public highways or portions specifically identified in this Chapter.

**Section 4.5-4 AREAS OF PROHIBITION.** The prohibition set forth herein shall apply to the following public ways in Buena Vista County, Iowa or portions thereof:

1. State Highway 7 between 60th Avenue and 80th Avenue
2. Villa Road/70th Avenue between State Highway 7 and County Road 49(C-49)/580th Street

**Section 4.5-5 SIGNAGE.** Signs stating "VEHICLE NOISE LAWS ENFORCED" or "ENGINE BRAKE ORDINANCE ENFORCED" may be installed at locations deemed appropriate by the Board of Supervisors to advise motorists of the prohibitions contained in this ordinance, except that no sign stating "VEHICLE NOISE LAWS ENFORCED" or "ENGINE BRAKE ORDINANCE ENFORCED" shall be installed on a state highway without a permit from the Iowa Department of Transportation. The provisions of this ordinance shall be in full force and effect even if no signs are installed.

**Section 4.5-6 EXCEPTIONS.** Emergency vehicles shall be exempt from the application of this ordinance.

**Section 4.5-7 ENFORCEMENT.** This ordinance is deemed to be a county infraction as permitted under Iowa Code Section 331.307.

**Section 4.5-8 PENALTY.** Violations of this ordinance shall be punishable by a civil penalty of \$250.

**Section 4.5-9 ADOPTION.** This ordinance will take effect upon final publication.