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LC003977

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S T A T E O F R H O D E I S L A N D

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO CRIMINAL OFFENSES -- UNREASONABLE NOISE LEVELS

Introduced By: Senators Burke, Ciccone, Thompson, Appollonio, Pearson, Tikoian, and Raptakis

Date Introduced: January 23, 2026

Referred To: Senate Housing & Municipal Government

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 11-45.1-1, 11-45.1-2 and 11-45.1-3 of the General Laws in Chapter
2 11-45.1 entitled "Unreasonable Noise Levels" are hereby repealed.

3 **11-45.1-1. Declaration of policy.**

4 ~~It is hereby declared to be the policy of the state to prohibit unreasonable, excessive and~~
5 ~~annoying noise levels from all sources subject to its police power. At certain levels, low frequency~~
6 ~~sound (between 100-20 cps) when substantially amplified, often referred to as sub-woofer~~
7 ~~frequency, can be extremely penetrating, disturbing and poses a danger to the health and safety of~~
8 ~~the individual using equipment creating the sound, and to other individuals in the immediate area~~
9 ~~from which the sound is being generated. The noise being generated may originate from radios,~~
10 ~~CD players, DVD players, tape players, televisions and other audio producing equipment.~~

11 **11-45.1-2. Violations of acceptable noise levels.**

12 ~~It shall be unlawful for any person to operate any equipment as set forth in § 11-45.1-1~~
13 ~~from which the sound created by this equipment is capable of penetrating a closed vehicle from~~
14 ~~twenty (20) feet away from the location at which the sound is being generated, or heard from one~~
15 ~~hundred (100) feet away by a person outside from which the sound is originating. This section shall~~
16 ~~include, but not be limited to, sound electronically generated by autos, trucks, motor homes, mobile~~
17 ~~homes, houses, apartment buildings, condominiums, commercial buildings, or from any type of~~
18 ~~portable sound producing equipment that can be carried or placed outdoors which through its~~
19 ~~operation exceeds the provision of this chapter. All state and municipal vehicles shall be exempt~~

1 ~~from the provisions of this chapter, nor any person firm, corporation or other legal entity which~~
2 ~~holds a valid state or municipal entertainment license to sponsor a parade, carnival or other similar~~
3 ~~special event.~~

4 **11-45.1-3. Penalties.**

5 ~~Any person who violates the provisions of this chapter shall, upon conviction, be subject~~
6 ~~to a fine in the amount of one hundred dollars (\$100) for a first offense, two hundred dollars (\$200)~~
7 ~~for a second offense, and three hundred dollars (\$300) for the third and any subsequent offense.~~

8 SECTION 2. Section 45-2-57 of the General Laws in Chapter 45-2 entitled "General
9 Powers" is hereby amended to read as follows:

10 **45-2-57. Town of Richmond — Noise pollution Noise levels.**

11 ~~(a) For the purpose of promoting the public health, safety and general welfare, the town~~
12 ~~council of the town of Richmond Notwithstanding any provision of the general or public laws to~~
13 ~~the contrary, cities and towns~~ shall have the power in accordance with the provisions of this section
14 to establish by ordinance standards for the control of noise originating within the limits of the city
15 or town. Without limiting the generality of the aforementioned, such ordinance shall:

16 (1) Establish standards for the control of noise originating within the limits of the city or
17 town by setting maximum permissible sound levels for various activities and noise sources in order
18 to protect the public health, safety and general welfare, provided that the regulation of noise from
19 any particular source has not been preempted by state or federal law or regulation;

20 (2) Regulate noise pollution based on factors including but not limited to the volume of the
21 noise, the intensity of the noise, whether the nature of the noise is usual or unusual, whether the
22 origin of the noise is natural or unnatural, the volume and intensity of the background noise, if any,
23 the proximity of the noise to residential dwellings, the location from which the noise emanates, the
24 density of inhabitation of the area within which the noise emanates, the time of day or night the
25 noise occurs, the duration of the noise, whether the noise is recurrent, intermittent or constant, and
26 whether the noise is produced by a commercial or noncommercial activity;

27 (3) Establish use districts for regulation of noise, establish maximum permissible sound
28 levels according to receiving land use, and provide that measurement of sound or noise shall be
29 made with a sound level meter and octave band analyzer meeting the standards prescribed by the
30 American Standards Association;

31 (4) Include definitions of words, terms and phrases necessary for the enforcement of the
32 ordinance, and provide that definitions of technical terms not defined in the ordinance shall be
33 obtained from publications of acoustical terminology issued by American National Standards
34 Institute or its successor body;

6 (7) Provide the city or town council with the authority to grant sound variances after a
7 public hearing, establish criteria for the granting of such variances and providing the city or town
8 council with the authority to impose conditions on such variances; and

13 (b) Original jurisdiction for enforcement of this section shall be within the municipal court
14 of the city or town issuing the violation; provided, however, that in the event a city or town does
15 not maintain a municipal court, original jurisdiction shall be within the Rhode Island traffic
16 tribunal.

17 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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- 1 This act would repeal the provisions of chapter 45.1 of title 11, regarding unreasonable
- 2 noise levels. This act would also provide that cities and towns would have the power to establish,
- 3 by ordinance, standards for the control of noise originating within the municipality.
- 4 This act would take effect upon passage.

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