



City of Philadelphia

City Council
Chief Clerk's Office
402 City Hall
Philadelphia, PA 19107

BILL NO. 080722

Introduced September 25, 2008

Councilmember DiCicco

**Referred to the
Committee on Streets and Services**

AN ORDINANCE

Amending Title 12 of The Philadelphia Code, entitled "Traffic Code," by prohibiting the operation of a motorcycle or motor-driven cycle with certain types of aftermarket mufflers, and by prohibiting businesses and other persons from installing such prohibited types of aftermarket mufflers, and providing for fines and penalties; and amending Chapter 19-2600 of The Philadelphia Code, entitled "Business Privilege Taxes," by providing for the revocation of the business privilege license of a business that violates the prohibition against the installation of certain prohibited mufflers; all under certain terms and conditions.

THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:

SECTION 1. Title 12 of The Philadelphia Code is hereby amended to read as follows:

TITLE 12. TRAFFIC CODE.

* * *

CHAPTER 12-1100. MISCELLANEOUS REGULATIONS AND PENALTIES.

* * *

§12-1129. *Prohibited Exhaust Systems.*

(1) *Definitions.*

(a) *Aftermarket Muffler.* An exhaust system that replaces the factory installed muffler.

City of Philadelphia

BILL NO. 080722 continued

(b) *Baffles.* A removable hollow-core muffler system component that is designed to reduce exhaust noise.

(c) *Hollow-Core Muffler.* A muffler where the exhaust inlet is visible from the exhaust outlet.

(d) *Straight-Pipe Exhaust Systems.* An aftermarket motorcycle exhaust system that has the outward appearance of a uniform, consistent diameter the entire length of the system.

(2) *No individual shall operate a motorcycle or motor-driven cycle with a hollow-core muffler that is missing a baffle or straight-pipe exhaust system.*

(3) *No individual shall install a straight-pipe exhaust system or a hollow-core muffler without a baffle or remove a baffle from any aftermarket muffler.*

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[§12-1129] §12-1132. Penalty.

* * *

(2) Any person violating any of the provisions of Sections 12-1113(3), 12-1120, 12-1123, 12-1124, 12-1126, 12-1127(1), 12-1127(2), 12-1127(3) [and] 12-1128 and 12-1129 shall be liable for payment of fines, costs and additional fees prescribed and assessed in accordance with the provisions of Chapter 12-2800 of this Title.

[§12-1130] §12-1131. Vehicle Seizures.

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CHAPTER 12-2800. ADMINISTRATIVE ADJUDICATION OF PARKING VIOLATIONS.

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§ 12-2809. Civil Penalties and Costs.

* * *

(2) Any person violating the following provisions of Title 12 shall, upon a final finding of liability pursuant to this Chapter 12-2800, be liable for payment of the

City of Philadelphia

BILL NO. 080722 continued

civil penalty indicated, in addition to the costs and fees set forth in subsection 12-2809(1):

Code Provision	Violation Description	Penalty
	* * *	
§12-1129.	<i>Operate with illegal muffler; install illegal muffler</i>	\$1,500.00
	* * *	

SECTION 2. Chapter 19-2600 of The Philadelphia Code is hereby amended to read as follows:

CHAPTER 19-2600. BUSINESS PRIVILEGE TAXES.

	* * *	
§ 19-2602. Licenses.		
	* * *	

(4) Every person required to procure a license under this Section shall as a condition to the receipt or retention of the license:

* * *

(h) refrain from violating the provisions of Section 12-1129, relating to the installation of certain types of illegal mufflers.

[(h)] (i) The Department of Licenses and Inspections is authorized to deny or revoke a business privilege license for failure to comply with the requirements of this subsection. Any person who has been denied a license or whose license has been revoked shall have the right to appeal to the Board of License and Inspection Review within ten (10) days after receipt of the notice of denial or revocation.

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Explanation:

[Brackets] indicate matter deleted.
Italics indicate new matter added.

City of Philadelphia

BILL NO. 080722 continued