



BARBARA JACOB-TUCKER
COUNCIL SECRETARY

ST. CHARLES PARISH

OFFICE OF THE COUNCIL SECRETARY

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November 3, 2010

Mr. Steve Strength
Traffic Operations Engineer
Dept. of Transportation & Development
P.O. Box 9180
Bridge City, LA 70096-9180

Dear Mr. Strength:

Referencing the attached Department of Transportation and Development's Intradepartmental Correspondence, Memorandum to the files, from Mr. Ronald Carter dated January 29, 2007, that we received, Item #3 states that an ordinance be requested of the local government body to allow for signs to be posted/permitted on non-interstate highways.

Please review the attached proposed ordinance from Councilman Paul J. Hogan, PE, District IV, requesting Jake Breaking and advise if this will meet the State's criteria.

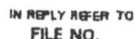
Sincerely,

BARBARA JACOB-TUCKER, LCMC, CAA, CMA, CPO
COUNCIL SECRETARY

BJT279/ag

attachments

cc: Mr. Michael Stack, District Administrator w/attachments



(225) 389-2158

January 29, 2007

Memorandum to the files:

At the Traffic Engineers Meeting held on January 23 – 24, 2007 a discussion was held as to DOTD policy on signs prohibiting engine braking by truckers (also known as Jake Braking). The merits of such signing were discussed and the following issues were discussed relative to posting this type of signing: (1) What is DOTD's responsibility (if any) in regulating noise?; (2) What would DOTD's legal liability be in connection with limiting truckers' ability to stop (especially on interstate highways)? (Steve Jiles indicated that engine braking can account for as much as 30% of a truck's overall braking ability); (3) Should No Engine Braking ordinances be required of the local governing body prior to posting signs? (District 03 requires this, and allows local government to post signs by permit on non-interstate highways); (4) Jake Braking is proprietary and the signing, if used, should be worded NO ENGINE BRAKING; and (5) engine braking on trucks that meet EPA requirements is not offensive, so noise-offensive trucks are already illegal without signage, and to post signage restricting trucks that do comply with EPA noise requirements is unfair.

After the discussion, it was the consensus of all the District Traffic Operations Engineers that this signage should NOT be posted on the interstate system. (Accordingly, the policy of the District 61 Traffic Office is that we will NOT post this type of sign on any of our state highways unless we get a directive otherwise from the Traffic Engineering Division Administrator.)

Ronald X. Carter

RONALD D. CARTER
DISTRICT TRAFFIC OPERATIONS ENGINEER

RDC

pc: District 61 Traffic Engineering Staff

Mr. Gordon Nelson

Mr. Roy Schmidt

Mr. Peter Allain

Mr. Steve Strength

Mr. Ron Bertinot

Mr. Keith Tindell

Mr. Kirk Gallien

Mr. Calvin Carney

Mr. Steve Jiles

Mr. Chris Roussel

Mr. Ken Mason

Mr. Alan Dale

RECOMMENDED FOR APPROVAL _____ DATE _____

RECOMMENDED FOR APPROVAL _____ DATE _____

RECOMMENDED FOR APPROVAL _____ DATE _____

INTRODUCED BY: PAUL J. HOGAN, PE, COUNCILMAN, DISTRICT IV
ORDINANCE NO. _____

An ordinance to amend the Code of Ordinance Chapter 15, Motor Vehicles and Traffic, to add the definition of "Jake Brake" to Sec. 15-1. Definitions and add Section 15-5.1 Engine Brake ("Jake Brake").

WHEREAS, in order to protect public safety, preserve the quality of life and prevent nuisances to residents of the Parish of St. Charles; and,
WHEREAS, the practice of engine braking by diesel trucks (sometimes referred to as "Jake Brake"), creates disturbing, excessive and offensive noise when they are used,

THE ST. CHARLES PARISH COUNCIL HEREBY ORDAINS:

SECTION I. To amend the code by adding the definition of "Jake Brake", and Section 15-5.1 Engine Brake ("Jake Brake").

Section 15-1 Definitions

"Jake Brake" An engine braking mechanism installed on some diesel engines, when activated, it opens exhaust valves in the cylinders, releasing the compressed air trapped in the cylinders and slowing the vehicle.

SECTION II.

Section 15-5.1 Engine Brake ("Jake Brake")

- (a) It shall be unlawful for any driver of a truck or truck-tractor to activate or use the unit's engine brake ("Jake Brake"), westbound on Highway 90 in preparation for entering and slowing down for the 45 miles per hour speed zone in the town of Paradis in St. Charles Parish except in an emergency situation.
- (b) The term "emergency situation", for the purposes of this ordinance, shall mean one in which there is imminent danger of collision with property, person or animals.
- (c) Any person, or persons, violating or failing to comply with any provision of this ordinance shall be fined, upon conviction, not less than one dollar (\$1.00), nor more than five hundred (\$500.00), for each offense, and each day any violation or noncompliance continues shall constitute a separate offense.
- (d) All provisions of this Ordinance shall be carried out by the St. Charles Parish Sheriff's Office.

The foregoing ordinance having been submitted to a vote, the vote thereon was as follows:

And the ordinance was declared adopted this ____ day of _____, 2010 to become effective five (5) days after publication in the Official Journal.

CHAIRMAN: _____

SECRETARY: _____

DLVD/PARISH PRESIDENT: _____

APPROVED: _____ DISAPPROVED: _____

PARISH PRESIDENT: