

Sound Crackdown in Milwaukee?

The article titled "Sound Crackdown in Milwaukee" (Page 20) in the September issue of the AMA magazine American Motorcyclist is causing concern to bikers all over, especially with the 105th Harley Davidson anniversary party coming to Milwaukee at the end of August. I have received quite a few calls & emails asking how this happened, should we be worried & if I could clear up any confusion about this ordinance. With help from Milwaukee Attorney Mike Hupy, I believe I can.

A Noise Ordinance is not new in Milwaukee, but there was a revision that was passed by the Common Council in May this year. It stemmed from the growing number of complaints from citizens regarding very loud bass booming stereos in cars. Motorcycles are not targeted but of course anything that makes noise is covered, including motor vehicles. The AMA article makes it sound very simple to get someone a ticket. Make a phone call to police & a ticket is mailed out. In actuality, it is not real easy to file the complaint or to follow it through to prosecution. According to the ordinance, (CH80 - Nuisances, subchapter 2 - Noise Control can be found at <http://www.ci.mil.wi.us/CityCharterandCodeof1143.htm>) if there is not a direct observation of a police officer or department inspector being able to verify the complaint, a citizen is able to make a complaint in person that shall include relevant information relating to the date, time & place of the alleged noise nuisance, the nature of the noise nuisance, and shall identify the person or persons responsible or shall include information leading to the identification of the person. Information included in the complaint shall also identify one or more persons who witnessed or were affected by the noise, at least one of who is an adult available to testify in court. There is a note in the ordinance that makes this revision null & void after January 1, 2009. My best guess as to why it expires is that this is a trial period. Again, that is a guess because I could not find out why it expires.

What does this mean for Harley Davidson 105th anniversary attendees? Or anyone riding through Milwaukee? I personally do not think it will be a problem. After much discussion at our August Milwaukee regional meeting, most if not all in attendance agree. I personally have not heard of anyone getting a ticket in Milwaukee for loud exhaust on his or her motorcycle.

Attorney Mike Hupy, of Hupy & Abraham, SC has been fielding emails about this issue also. In response to our discussions at the Regional meeting & the emails we

have received, he has called the Milwaukee Police Department to ask for a statement from the Chief's office & received an "unofficial" position; they would not make an "official statement". "105th attendees will not be specifically targeted for loud mufflers; the MPD does not have the resources to do so. If someone does something inappropriate, though, they could have a problem."

Mike Hupy is so confident that there will be no problems in Milwaukee that weekend with noise ordinance tickets; he stated that "If any ABATE of Wisconsin or A.B.A.T.E. of Illinois members get a noise ordinance ticket during the 105th anniversary celebration, Hupy & Abraham, SC would defend them at no charge."

It all comes down to throttle management, there is that term ABATE has been talking about for a long time now. It makes a lot of sense to this biker; as well it should to every biker, in my opinion. If you are looking to get noticed with your loud bike, you just might get the kind of attention you are not looking for.

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