

TOWN OF MONROE,
STATE OF INDIANA

ORDINANCE No.: 2024 - 11

SHORT TITLE: AN ORDINANCE PROHIBITING THE USE OF ENGINE BRAKES
AND JACOBS BREAK A/K/A JAKE BRAKES WITHIN THE TOWN
OF MONROE

WHEREAS, Indiana Code § 36-1-3, *et seq.* confers upon units of government within the State of Indiana such powers as necessary or desirable to conduct the affairs of local government;

WHEREAS, the Town of Monroe is a municipality within the State of Indiana and Indiana Code §36-5-2-2 provides that the Town Board for the Town of Monroe (hereinafter referred to as the “Town Board”) is the legislative body for the Town of Monroe;

WHEREAS, Indiana State Route 124 runs East and West through the Town of Monroe and Indiana State Route 124 is the major vehicular traffic artery within the Town of Monroe;

WHEREAS, the vehicular traffic that navigates through Town of Monroe along Indiana State Route 124 includes semi tractor trailers along with passenger vehicles and horse drawn buggies;

WHEREAS, the Town Board is responsible for the public safety and general welfare for the residents within the Town of Monroe;

WHEREAS, the use of engine brakes, compression brakes. Jacobs breaks, also known as Jake Brakes, are sometimes used by semi tractor trailers traveling through the Town of Monroe on Indiana State Route 124 to reduce their speeds to operate at the posted speed limits;

WHEREAS, the noise generated by semi tractor trailers using engine brakes, compression brakes, Jacobs breaks, also known as Jake Brakes, disturbs the residents within the Town of Monroe;

WHEREAS, the frequency of the noise from semi tractor trailers using their engine brakes, compression brakes. Jacobs breaks, has become disruptive of the peace to the Town of Monroe’s residents;

WHEREAS, the Town Board desires to mitigate and eliminate the noise generated by the use of engine brakes, compression brakes, Jacobs breaks, also known as Jake Brakes, or similar such braking mechanisms used within the Town of Monroe;

WHEREAS, the Town Board desires to prohibit the use of engine brakes, compression brakes, Jacobs Brakes, also known as Jake Brakes, or similar mechanism used by semi tractor trailers that generate noise within the Town of Monroe;

NOW THEREFORE, BE IT ORDAINED BY THE TOWN BOARD OF THE TOWN OF MONROE, INDIANA, AS FOLLOWS:

SECTION 1. Definitions. The following definitions are applicable to this Ordinance and are not of universal meaning within the context of other Ordinances, unless specific reference to said term and definition is referenced therein.

- A. “*Engine Brakes*” means a devise used primarily by semi tractor trailers for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without engaging the use of wheel brakes, and are commonly referred to as engine brakes, compression brakes, Jacobs Brakes.
- B. “*Prohibited Road*” means Indiana State Route 124 within the limits of the Town of Monroe. This road shall be posted with signs indicating the use of Engine Brakes within the Town of Monroe is prohibited.
- C. “*Prohibited Conduct*” means the use of Engine Brakes within Town of Monroe by any person operating a semi tractor trailer to brake or slow down while traveling along the Prohibited Road, with the exception for emergency stops.

Section 2. Violation. It shall be a violation of this ordinance for a person operating a semi tractor trailer to engage Engine Brakes on the Prohibited Road thereby committing Prohibited Conduct.

Section 3. Signage, Enforcement and Enforcement Procedure.


- A. Signage. The Town Superintendent shall post signs along the Prohibited Road at locations within the Town of Monroe that have been approved by the Indiana Department of Transportation notifying persons operating semi tractor trailers of the Prohibited Conduct.
- B. Enforcement. The Marshal for the Town of Monroe shall be responsible for the enforcement of this ordinance. The Marshal of the Town of Monroe and its Deputy Marshals shall be responsible for citing persons who violate this ordinance.
- C. Enforcement Procedures. The Marshal for the Town of Monroe and its Deputy Marshals shall conduct a traffic stop of any persons in violation of this ordinance and cite them for said violation by issuing a traffic citation to the person operating the semi tractor trailer that includes a fine in the amount of Two Hundred Twenty-Five and 00/100 Dollars (\$225.00) for each occurrence.

Section 4. Severability. If a court of competent jurisdiction finds that any portion of this ordinance is in violation of the laws of the United States or the State of Indiana, then the portion that is in violation shall be severed from this ordinance with the remainder of the ordinance in full force and effect.


SECTION 5. Effective Date. This Ordinance shall be effective upon the date of its adoption by the Town Board for the Town of Monroe, Adams County, State of Indiana.

Duly adopted by the Town Council of the Town of Monroe, County of Adams County, State of Indiana, at its regular monthly meeting on this 18 day of July, 2024, with the following vote of 3 Yeas and 0 Nays.

**Town Council for the Town of Monroe,
County of Adams, State of Indiana**



Mike Geels, President

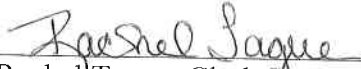


David Bard, Member



Josh Geerken, Member

ATTEST:



Rachel Tague, Clerk-Treasurer
Town of Monroe, County of Adams, State
of Indiana