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ORDINANCE PROHIBITING  
THE UNLAWFUL USE OF ENGINE AND COMPRESSION BRAKES  
JAKE BRAKE ORDINANCE  
Chapter 7.25

**7.25.010 PURPOSE:** The purpose of this ordinance is to prohibit the excessive, loud, unusual or explosive use of engine retarding and compressed air-braking devices within designated areas in Pottawattamie County.

**7.25.020 DEFINITIONS:** For the purposes of this ordinance the following words and phrases are defined as follows:

1. "Engine retarding brake" means a "Dynamic Brake", "Jake Brake", "Jacobs Brake", "C-Brake", "Compression Brake", "Paccar Brake", transmission brake or any other engine retarding brake system that alters the normal compression of the engine and subsequently releases that compression in such a manner as to emit more than 80 decibels of noise within/at a distance of/more than 50 feet.

**7.25.030 PROHIBITIONS:** It shall be unlawful for the driver of any vehicle to use or operate or cause to be used or operated within designated areas in the unincorporated areas of the County of Pottawattamie, State of Iowa, any engine retarding brake, compression brake or mechanical exhaust device designed to aid in the braking or deceleration of any vehicle that results in excessive, loud, unusual or explosive noise from such vehicle, unless such use is necessary to avoid imminent danger/emergency/to avoid injury or accident. Such prohibition shall be applicable only to those public highways or portions specifically identified in this Chapter.

**7.25.040 AREAS OF PROHIBITION:** The prohibition set forth herein shall apply to the following public highways in Pottawattamie County, Iowa or portions thereof:

1. US Highway 92 from 230th Street to the Council Bluffs Corporate Limits.

**7.25.050 SIGNAGE :** Signs stating "VEHICLE NOISE LAWS ENFORCED" or "ENGINE BRAKE ORDINANCE ENFORCED" may be installed at locations deemed appropriate by the Board of Supervisors to advise motorists of the prohibitions contained in this ordinance, except that no sign stating "VEHICLE NOISE LAWS ENFORCED" or "ENGINE BRAKE ORDINANCE ENFORCED" shall be installed on a state highway

without a permit from the Iowa Department of Transportation. The provisions of this ordinance shall be in full force and effect even if no signs are installed.

**7.25.060 EXCEPTIONS:** Emergency vehicles shall be exempt from the application of this ordinance.

**7.25.070 VIOLATIONS AND PENALTIES:** ordinance is deemed to be a county infraction. The penalty for violating any of the provisions of this Chapter shall be as set forth in Chapter 1.75.