



## **The "Amplified Noise Amendment Act of 2021" is Inadequate to Protect Public Health**

The "Amplified Noise Amendment Act of 2021" would set a standard for "electronically amplified sound" of 90 decibels (dB) at the source of the sound. The bill would not apply to sounds such as drums and horns that are not electronically amplified.

A limit of 90 decibels is not adequate to protect public health and would not protect against hearing loss. According to the federal Centers for Disease Control and Prevention (CDC):

- Sounds above 70 decibels over a prolonged period of time may start to damage your hearing.
- Sounds at 80 to 85 decibels can cause damage to hearing after two hours of exposure.
- Sounds at 95 decibels can damage hearing after about 50 minutes of exposure.
- Loud sounds above 120 decibels can cause immediate harm.<sup>1</sup>

The hazards associated with loud sounds are not limited to potential hearing loss. The World Health Organization (WHO) warns that prolonged exposure to elevated sound can cause tinnitus, sleep disturbance, ischemic heart disease, obesity, diabetes, adverse birth outcomes, migraine headaches, and cognitive impairment in children. The National Institute for Health (NIH) recommends "avoiding sounds that are too loud, too close, or last too long."

### **Decibel Standards are Difficult to Enforce**

The decibel standard does not address the problems that make current District law extremely difficult to enforce – which is one of the main reasons the law needs to be updated. While decibel levels may be a more scientific measure of sound, they are also difficult to enforce. Special equipment is needed to accurately measure decibel levels, imposing unnecessary expense on the city to purchase and maintain sound-measuring equipment. In addition, the personnel tasked with enforcing the decibel standard must be trained in the use of noise meters and the equipment must be readily available and calibrated.

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<sup>1</sup> See: [https://www.cdc.gov/nceh/hearing\\_loss/what\\_noises\\_cause\\_hearing\\_loss.html](https://www.cdc.gov/nceh/hearing_loss/what_noises_cause_hearing_loss.html).

## **A “Plainly Audible” Standard for All Sounds Would Protect the Health of Listeners and Musicians**

A more clear, fair, and enforceable law would use a “plainly audible” standard that applies to any sound in a public space that is plainly audible to an individual of normal hearing at a vertical, horizontal, or diagonal distance of 100 feet or more from the source of the sound.

“Plainly audible” means any sound that can be detected by a person using his or her unaided hearing faculties. For the purposes of legislation, the term “plainly audible” could be defined to mean, “any sound which clearly can be heard, by unimpaired auditory senses based on a direct line of sight of 100 or more feet, however, words or phrases need not be discernible and said sound shall include bass reverberation.” For example, if the sound source is a portable sound amplification or reproduction device, the enforcement officer would not need to determine the title of a song, specific words, or the artist performing the song. The detection of the rhythmic bass component of the music would be sufficient to constitute a plainly audible sound.

It is imperative that the District act now to protect the health and well-being of all citizens and visitors, including our valued performers, by enacting clear, fair, and enforceable sound regulation.