



DEPARTMENT OF ENVIRONMENTAL PROTECTION

Marc Elrich  
County Executive

Adriana Hochberg  
Acting Director

March 15, 2022

Dear Noise Waiver Applicants and Rental Equipment Suppliers,

Our office, the Montgomery County Department of Environmental Protection (DEP), is tasked with enforcing the County Noise Code. One of the most frequent complaints received concerns the noise from vehicle and equipment tonal backup alarms used at construction sites.

You may be aware that new technology exists in the form of white noise back up alarms. The white noise alarms use broadband technology that creates a “ssh-ssh” sound which is gentle on the ear and dissipates quickly, unlike tonal alarms that produce a high-pitched tone that carries far from the work site. White noise alarms can only be heard in the immediate danger zone reducing the environmental impact of work sites.

OSHA requires the use of backup or reverse signal alarms under the following circumstances:

Title 29 CFR 1926.601(b)(4) states:

No employer shall use any motor vehicle equipment having an obstructed view to the rear unless:

- (i) The vehicle has a reverse signal alarm audible above the surrounding noise level or;
- (ii) The vehicle is backed up only when an observer signals that it is safe to do so.

Section 1926.602(a)(9)(ii) states:

No employer shall permit earthmoving or compacting equipment which has an obstructed view to the rear to be used in reverse gear unless the equipment has in operation a reverse signal alarm distinguishable from the surrounding noise level or an employee signals that it is safe to do so.

OSHA does not specify that a reverse signal alarm be of single-tone type. White noise alarms that are audible above the surrounding noise level provide adequate warning to workers in the path of the vehicle, and to workers walking towards the path of the vehicle in time to avoid contact and comply with OSHA standards.

White noise backup alarms are required as a condition to perform work on the Purple Line project, and this new technology is becoming more common place. Effective May 1, 2022, contractors obtaining Temporary Noise Waivers for after-hours construction will be required to use white noise backup alarms on all vehicles and construction equipment operating on the work site.

Please ensure all sub-contractors and materials delivery drivers are informed of this requirement, and all contractor owned, and rental construction equipment is equipped with white noise backup alarms.

Questions can be directed to Steve Martin at 240-777-7746 or [steve.martin@montgomerycountymd.gov](mailto:steve.martin@montgomerycountymd.gov)