



Senate

General Assembly

File No. 36

February Session, 2008

Substitute Senate Bill No. 287

Senate, March 18, 2008

The Committee on Transportation reported through SEN. DEFRONZO of the 6th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING NOISE BARRIERS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (*Effective from passage*) (a) The Department of
2 Transportation shall establish a highway noise abatement program
3 project priority ranking list based on the projects currently listed on
4 the department's project priority ranking list.

5 (b) In establishing the project priority ranking list, the department
6 may consider (1) the proposed project's proximity to residential areas,
7 and (2) the results of any decibel level tests performed at such project's
8 location.

9 Sec. 2. Subsection (a) of section 13b-79p of the 2008 supplement to
10 the general statutes is amended by adding subdivision (22) as follows
11 (*Effective from passage*):

12 (NEW) (22) Funding highway noise abatement projects on the
13 Department of Transportation's project priority ranking list, not to

14 exceed ten million dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	13b-79p(a)

TRA *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either chamber thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 09 \$	FY 10 \$
Treasurer, Debt Serv.	TF - Cost	Potential	Potential
Department of Transportation	TF - None	See Below	See Below

Note: TF=Transportation Fund

Municipal Impact: None

Explanation

The bill adds noise barrier projects to the lists of strategic transportation projects and initiatives funded by Special Tax Obligation (STO) bonds. To the degree that this causes STO bonds to be allocated through the State Bond Commission and expended sooner than they otherwise would have been, there will be an increase in debt service costs to the Special Transportation Fund (STF) in future years.

The Department of Transportation can prepare a highway noise abatement program project ranking list within its normal budgetary resources.

The Out Years

State Impact:

The ongoing fiscal impact for debt service to the STF is consistent with the fiscal impact stated above.

Municipal Impact: None

OLR Bill Analysis**sSB 287*****AN ACT CONCERNING NOISE BARRIERS.*****SUMMARY:**

This bill requires the Department of Transportation (DOT) to establish a highway noise abatement program project priority list based on its current priority ranking list. The department may consider a proposed project's proximity to residential areas and the results of any noise level tests performed at a project location in making its list.

The bill also makes projects on the priority list eligible for use of funding previously authorized for implementation of priority transportation strategy projects and initiatives (i.e., "Tier 1" strategy projects). DOT can spend up to \$10 million of this funding on the noise barrier program.

EFFECTIVE DATE: Upon passage

BACKGROUND***Highway Noise Barriers***

Noise barriers are designed to reduce the perceived noise level at the location immediately adjacent to the barrier by 10 decibels. There are two types of highway noise barriers. Type I noise barriers may be included in a federal-aid highway project dealing with new construction of a highway on a new location or the physical alteration of an existing highway that significantly changes either the horizontal or vertical alignment or increases the number of through-traffic lanes. Under federal law, noise mitigation actions are required when a noise analysis for a proposed project indicates that noise levels in the area immediately adjacent to the project will exceed federal standards.

Noise barriers are the most common type of abatement action used for noise mitigation. Federal funds can be used for Type I noise barriers as part of overall project costs.

Type II noise barriers are generally referred to as “retrofit” noise barriers. These are noise barriers built along state highways as free standing projects not associated with any changes to the highway. Type II noise barriers are not required under federal law, nor can federal funds be used to construct them.

DOT has maintained a Type II noise barrier priority list for a number of years. The methodology for establishing the priority ranking follows federal regulatory standards. The number and location of residences, as well as other types of noise sensitive receptors such as schools, is built into the formula used to determine a project location’s priority ranking number. There are currently 131 locations on the DOT’s retrofit noise barrier program list.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 33 Nay 0 (03/06/2008)