

106TH CONGRESS  
1ST SESSION

# H. R. 129

To amend title 49, United States Code, to exempt noise and access restrictions on aircraft operations to and from metropolitan airports from certain Federal review and approval requirements, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 6, 1999

Mr. ENGEL introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend title 49, United States Code, to exempt noise and access restrictions on aircraft operations to and from metropolitan airports from certain Federal review and approval requirements, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Metropolitan Airport  
5       Noise Reduction Act”.

1 **SEC. 2. NONMETROPOLITAN AIRPORT DEFINED.**

2 Section 47522 of title 49, United States Code, is  
3 amended by redesignating paragraph (2) as paragraph (3)  
4 and by inserting after paragraph (1) the following:

5 “(2) ‘nonmetropolitan airport’ means an airport  
6 serving an area with a population of less than  
7 1,000,000 individuals.”.

8 **SEC. 3. REVIEW OF AIRPORT NOISE AND ACCESS RESTRIC-**  
9 **TIONS.**

10 Section 47524 of title 49, United States Code, is  
11 amended—

12 (1) in subsection (a) by inserting “to and from  
13 nonmetropolitan airports” after “stage 3 aircraft”;

14 (2) in subsection (b) by inserting “to or from  
15 a nonmetropolitan airport” after “stage 2 aircraft”;

16 (3) in subsection (c)(1) by inserting “to or from  
17 a nonmetropolitan airport” after “operation of stage  
18 3 aircraft”;

19 (4) in subsection (c)(2) by inserting “to or from  
20 a nonmetropolitan airport” after “stage 3 aircraft”;  
21 and

22 (5) in subsection (e) by striking “facility” and  
23 inserting “nonmetropolitan airport”.

1 **SEC. 4. ADDITIONAL REQUIREMENT FOR APPLICATIONS TO**  
 2 **WAIVE STAGE 3 NOISE LEVELS FOR CERTAIN**  
 3 **AIRCRAFT.**

4 The second sentence of section 47528(b) of title 49,  
 5 United States Code, is amended by inserting after  
 6 “1999,” the following: “must contain assurances that op-  
 7 erations of aircraft which do not comply with stage 3 noise  
 8 levels will not be concentrated at one or more airports if  
 9 the waiver is granted,”.

10 **SEC. 5. PROHIBITION ON ROLLBACK OF AIRCRAFT RE-**  
 11 **STRICTIONS.**

12 (a) GENERAL.—Subchapter II of chapter 475 of title  
 13 49, United States Code, is amended by adding at the end  
 14 the following:

15 **“§ 47534. Prohibition on rollback of aircraft restric-**  
 16 **tions**

17 “(a) GENERAL RULE.—No airport noise or access re-  
 18 striction on the operation of stage 2 or stage 3 aircraft  
 19 to or from a metropolitan or nonmetropolitan airport in  
 20 effect on November 5, 1990, may be modified, superseded,  
 21 or repealed so as to make such restriction less stringent.  
 22 This subsection shall apply to any action taken on, before,  
 23 or after the date of the enactment of this section.

24 “(b) NOTIFICATION.—The Secretary shall promptly  
 25 notify the sponsor of any facility operating under airport  
 26 noise or access restrictions in violation of subsection (a)

1 of such violation and recommend actions necessary for  
2 compliance with subsection (a).

3 “(c) INELIGIBILITY FOR PFC’S AND AIP FUNDS.—  
4 After the 90th day following the date on which the sponsor  
5 of a facility receives pursuant to subsection (b) notice of  
6 a violation of subsection (a), such sponsor shall not be eli-  
7 gible to receive a grant under section 47104 of this title  
8 or to impose a passenger facility fee under section 40117  
9 of this title until such date as the Secretary determines  
10 that the facility is operating under airport noise and  
11 access restrictions in compliance with subsection (a).”.

12 (b) CONFORMING AMENDMENT.—The analysis to  
13 chapter 475 is amended by inserting after the item relat-  
14 ing to section 47533 the following:

“47534. Prohibition on rollback of aircraft restrictions.”.

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