

115TH CONGRESS
1ST SESSION

H. R. 268

To amend the National Highway System Designation Act of 1995 to permit the construction of certain noise barriers with funds from the Highway Trust Fund, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 2017

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

A BILL

To amend the National Highway System Designation Act of 1995 to permit the construction of certain noise barriers with funds from the Highway Trust Fund, 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 “Neighborhood Noise
5 Barriers Act of 2017”.

1 **SEC. 2. PERMITTING USE OF HIGHWAY TRUST FUND FOR**
2 **CONSTRUCTION OF CERTAIN NOISE BAR-**
3 **RIERS.**

4 Section 339(b)(1) of the National Highway System
5 Designation Act of 1995 (23 U.S.C. 109 note) is amended
6 to read as follows:

7 “(1) GENERAL RULE.—No funds made avail-
8 able out of the Highway Trust Fund may be used
9 to construct a Type II noise barrier (as defined by
10 section 772.5(i) of title 23, Code of Federal Regula-
11 tions) pursuant to subsections (h) and (i) of section
12 109 of title 23, United States Code, unless—

13 “(A) such a barrier is part of a project ap-
14 proved by the Secretary before November 28,
15 1995; or

16 “(B) such a barrier separates a highway or
17 other noise corridor from a group of structures
18 of which the majority of those closest to the
19 highway or noise corridor—

20 “(i) are residential in nature; and

21 “(ii) either—

22 “(I) were constructed before the
23 construction or most recent widening
24 of the highway or noise corridor; or

25 “(II) are at least 10 years old.”.

1 **SEC. 3. ELIGIBILITY FOR SURFACE TRANSPORTATION**
2 **BLOCK GRANT FUNDS.**

3 Section 133 of title 23, United States Code, is
4 amended—

5 (1) in subsection (b) by adding at the end the
6 following:

7 “(16) Planning, design, or construction of a
8 Type II noise barrier (as described in section 772.5
9 of title 23, Code of Federal Regulations).”; and

10 (2) in subsection (c)(2) by inserting “and para-
11 graph (16)” after “(11)”.

○