

and amended Pub. L. 115-254, div. B, title I, §§166(b)(1), 171, Oct. 5, 2018, 132 Stat. 3226, 3227; Pub. L. 118-63, title VII, §742(a), May 16, 2024, 138 Stat. 1278.)

Editorial Notes

PRIOR PROVISIONS

A prior section 47140, added Pub. L. 108-176, title I, §159(a)(1), Dec. 12, 2003, 117 Stat. 2509, related to airport ground support equipment emissions retrofit pilot program, prior to repeal by Pub. L. 115-254, div. B, title I, §166(a), Oct. 5, 2018, 132 Stat. 3226.

AMENDMENTS

2024—Pub. L. 118-63 amended section generally. Prior to amendment, section related to increasing the energy efficiency of airport power sources.

2018—Pub. L. 115-254, §166(b)(1), renumbered section 47140a of this title as this section.

Subsec. (a). Pub. L. 115-254, §171(a), inserted “, and to reimburse the airport sponsor for the costs incurred in conducting the assessment” before period at end.

Subsec. (b)(2). Pub. L. 115-254, §171(b), inserted “, including a certification that no safety projects are being deferred by requesting a grant under this section,” after “an application”.

[§ 47140a. Renumbered § 47140]

§ 47141. Compatible land use planning and projects by State and local governments

(a) IN GENERAL.—The Secretary of Transportation may make grants, from amounts set aside under section 47117(e)(1)(A), to States and units of local government for development and implementation of land use compatibility plans and implementation of land use compatibility projects resulting from those plans for the purposes of making the use of land areas around large hub airports and medium hub airports compatible with aircraft operations. The Secretary may make a grant under this section for a land use compatibility plan or a project resulting from such plan only if—

(1) the airport operator has not submitted a noise compatibility program to the Secretary under section 47504 or has not updated such program within the preceding 10 years; and

(2) the land use plan or project meets the requirements of this section.

(b) ELIGIBILITY.—In order to receive a grant under this section, a State or unit of local government must—

(1) have the authority to plan and adopt land use control measures, including zoning, in the planning area in and around a large or medium hub airport;

(2) enter into an agreement with the airport owner or operator that the development of the land use compatibility plan will be done cooperatively; and

(3) provide written assurance to the Secretary that it will achieve, to the maximum extent possible, compatible land uses consistent with Federal land use compatibility criteria under section 47502(3) and that those compatible land uses will be maintained.

(c) ASSURANCES.—The Secretary shall require a State or unit of local government to which a grant may be made under this section for a land use plan or a project resulting from such plan to provide—

(1) assurances satisfactory to the Secretary that the plan—

(A) is reasonably consistent with the goal of reducing existing noncompatible land uses and preventing the introduction of additional noncompatible land uses;

(B) addresses ways to achieve and maintain compatible land uses, including zoning, building codes, and any other land use compatibility measures under section 47504(a)(2) that are within the authority of the State or unit of local government to implement;

(C) uses noise contours provided by the airport operator that are consistent with the airport operation and planning, including any noise abatement measures adopted by the airport operator as part of its own noise mitigation efforts;

(D) does not duplicate, and is not inconsistent with, the airport operator’s noise compatibility measures for the same area; and

(E) has been approved jointly by the airport owner or operator and the State or unit of local government; and

(2) such other assurances as the Secretary determines to be necessary to carry out this section.

(d) GUIDELINES.—The Secretary shall establish guidelines to administer this section in accordance with the purposes and conditions described in this section. The Secretary may require a State or unit of local government to which a grant may be made under this section to provide progress reports and other information as the Secretary determines to be necessary to carry out this section.

(e) ELIGIBLE PROJECTS.—The Secretary may approve a grant under this section to a State or unit of local government for a project resulting from a land use compatibility plan only if the Secretary is satisfied that the project is consistent with the guidelines established by the Secretary under this section, the State or unit of local government has provided the assurances required by this section, the State or unit of local government has implemented (or has made provision to implement) those elements of the plan that are not eligible for Federal financial assistance, and that the project is not inconsistent with applicable Federal Aviation Administration standards.

(f) SUNSET.—This section shall not be in effect after May 10, 2024.

(Added Pub. L. 108-176, title I, §160(a), Dec. 12, 2003, 117 Stat. 2511; amended Pub. L. 110-253, §3(c)(2), June 30, 2008, 122 Stat. 2417; Pub. L. 110-330, §5(g), Sept. 30, 2008, 122 Stat. 3718; Pub. L. 111-12, §5(f), Mar. 30, 2009, 123 Stat. 1458; Pub. L. 111-69, §5(g), Oct. 1, 2009, 123 Stat. 2055; Pub. L. 111-116, §5(f), Dec. 16, 2009, 123 Stat. 3032; Pub. L. 111-153, §5(f), Mar. 31, 2010, 124 Stat. 1085; Pub. L. 111-161, §5(f), Apr. 30, 2010, 124 Stat. 1127; Pub. L. 111-197, §5(f), July 2, 2010, 124 Stat. 1354; Pub. L. 111-216, title I, §104(f), Aug. 1, 2010, 124 Stat. 2349; Pub. L. 111-249, §5(g), Sept. 30, 2010, 124 Stat. 2628; Pub. L. 111-329, §5(f), Dec. 22, 2010, 124 Stat. 3567; Pub. L. 112-7, §5(f), Mar. 31, 2011, 125 Stat. 32; Pub. L. 112-16, §5(f), May 31, 2011, 125 Stat. 219; Pub. L. 112-21, §5(f), June 29, 2011, 125