

Department of Legislative Services

Maryland General Assembly

2001 Session

FISCAL NOTE

House Bill 1211 (Delegate Morhaim)

Commerce and Government Matters

Transportation - State Highway Construction - Sound Barriers

This bill requires the State Highway Administration (SHA) to include sound barriers in the six-year Consolidated Transportation Program (CTP) and to construct a sound barrier at the time of construction or reconstruction of a highway within 500 feet of an industrial, commercial, or residential area or at the request of a local government unless: (1) the cost in relation to the need or probable use of a sound barrier would be too great; or (2) the local government indicates that one is not needed. The bill directs the SHA to develop guidelines with local governments to carry out the bill. It prohibits the SHA from constructing any project that would sever or destroy an existing major public transportation route unless the project provides a reasonable alternative route or such a route already exists.

Fiscal Summary

State Effect: Potentially significant increase in Transportation Trust Fund expenditures to the extent that more areas would be eligible for sound barriers and fewer federal funds would be available for those projects.

Local Effect: Minimal or none.

Small Business Effect: Minimal or none.

Analysis

Current Law: The CTP is only required to include bicycle trails and sidewalks as part of the construction and reconstruction program for secondary highways. Sound barriers are constructed according to departmental and federal policy and at the request of local communities. The policy for construction of a new highway requires that:

- the majority of the affected residences existed prior to the date of approval of the proposed highway improvements.
- the sound barrier not cost more \$50,000 per residence that benefits;
- predicted future noise levels equal or exceed 66 decibels or exceed existing noise levels by 10 decibels; and
- the sound barrier would reduce noise levels by seven to 10 decibels for the residences most severely affected.

State Expenditures: If industrial and commercial areas are eligible for sound barrier construction, the number of potential projects would grow. Transportation Trust Fund expenditures would likely increase significantly, but the level of increase cannot be estimated at this time. The average cost per project is \$2 - \$3 million, according to SHA.

SHA advises that federal aid, which contributes about 40% of the costs for sound barrier construction, is not likely to be available because Federal Highway Administration policy limits federal funding for sound barriers to noise sensitive areas that generally do not include commercial or industrial areas. It is unclear whether State expenditures would increase further to compensate for the lack of federal funds or the projects would simply not be initiated.

Local Expenditures: Local governments are required to contribute 20% of project costs for sound barriers that block noise from existing highways. The bill calls for sound barriers at the time of construction or reconstruction of highways and, therefore, local expenditures are not likely to be affected.

Small Business Effect: SHA advises that the only related noise barrier contracts for small business are for landscaping. To the extent that the bill increases the number of projects and landscaping contracts, small businesses may benefit.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Transportation (State Highway Administration),
Department of Legislative Services

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