

UNOFFICIAL COPY OF HOUSE BILL 109

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(6lr0311)

ENROLLED BILL

-- *Environmental Matters/Education, Health, and Environmental Affairs* --

Introduced by **Delegates Leopold and V. Clagett**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Maryland Department of the Environment - Sound Level Meters - Use by**
3 **Counties**

4 FOR the purpose of requiring the Department of the Environment to maintain at
5 least a certain number of sound level meters and to maintain calibration, at the
6 Department's own cost, of those sound level meters; requiring the Department to
7 make available to certain counties, at the request of a county, a sound level
8 meter the Department maintains; authorizing the Department to adopt certain
9 regulations; defining a certain term; providing for the termination of this Act;
10 and generally relating to the use of sound level meters maintained by the
11 Department of the Environment by certain counties.

12 BY repealing and reenacting, with amendments,
13 Article - Environment
14 Section 3-403
15 Annotated Code of Maryland
16 (1996 Replacement Volume and 2005 Supplement)

1 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
2 MARYLAND, That the Laws of Maryland read as follows:

3 **Article - Environment**

4 3-403.

5 (a) The Department shall enforce the sound level limits and noise control
6 rules and regulations adopted under this title.

7 (b) To the maximum extent possible, the Department shall use the facilities
8 and services of appropriate agencies of political subdivisions in its enforcement under
9 this section.

10 (c) The Department may assist the noise control efforts of any appropriate
11 agency of any political subdivision by giving that agency technical assistance in the
12 form of personnel or equipment.

13 (d) Each sound level limit shall be applied at the boundary of:

14 (1) A property; or

15 (2) A land use category, as determined by the Department.

16 (E) (1) IN THIS SUBSECTION, "QUALIFIED COUNTY" MEANS ANY COUNTY
17 THAT HAS ADOPTED ENVIRONMENTAL NOISE STANDARDS, SOUND LEVEL LIMITS, OR
18 NOISE CONTROL LAWS THAT MEET THE REQUIREMENTS OF § 3-105 OF THIS TITLE.

19 (2) THE DEPARTMENT SHALL MAINTAIN:

20 (I) AT LEAST TWO SOUND LEVEL METERS; AND

21 (II) CALIBRATION, AT ITS OWN COST, OF EACH OF THE SOUND
22 LEVEL METERS IT MAINTAINS.

23 (3) FOR THE PURPOSE OF ENFORCEMENT BY A QUALIFIED COUNTY OF
24 ITS ENVIRONMENTAL NOISE STANDARDS, SOUND LEVEL LIMITS, OR NOISE CONTROL
25 LAWS, THE DEPARTMENT SHALL MAKE AVAILABLE TO A QUALIFIED COUNTY, ON THE
26 REQUEST OF THE COUNTY, A SOUND LEVEL METER THAT THE DEPARTMENT
27 MAINTAINS.

28 (4) THE DEPARTMENT MAY ADOPT REGULATIONS PROVIDING FOR
29 AGREEMENTS BETWEEN THE DEPARTMENT AND QUALIFIED COUNTIES FOR THE USE
30 OF SOUND LEVEL METERS MAINTAINED UNDER THIS SUBSECTION.

31 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take
32 effect October 1, 2006. It shall remain effective for a period of 3 years and, at the end
33 of September 30, 2009, with no further action required by the General Assembly, this
34 Act shall be abrogated and of no further force and effect.

