

Department of Legislative Services
Maryland General Assembly
2006 Session

FISCAL AND POLICY NOTE

House Bill 1023 (Delegate Simmons)
Environmental Matters

Task Force to Study the Sound Barrier Policy of the State Highway Administration

This bill establishes a task force to study the State Highway Administration's (SHA) sound barrier policy. The task force's duties include meeting at least once a month and conducting public hearings, evaluating the effectiveness of SHA's sound barrier policy, and considering any changes in residential growth or development since the policy was enacted. SHA will provide staffing to the extent possible within existing budgeted resources. The task force must submit its findings and recommendations to the Governor and the General Assembly by December 31, 2007.

The bill takes effect July 1, 2006 and terminates December 31, 2007.

Fiscal Summary

State Effect: None. Staffing and reimbursements for travel could be handled with existing resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law: SHA's policy for construction of a sound barrier differs based on whether the sound barrier is located next to an existing highway or a previously existing highway.

For any sound barrier, SHA requires that:

- noise levels equal or exceed 66 decibels;
- construction of a sound barrier would reduce noise barriers by 7 to 10 decibels at the most severely affected homes;
- the cost of the sound barrier does not exceed \$50,000 per home; and
- at least 75% of the homeowners that would benefit must be in favor of a barrier.

For a sound barrier near a new or reconstructed highway, SHA also requires that:

- the majority of homes must have existed before the date of approval of the proposed highway improvements;
- existing noise levels are projected to increase by 10 decibels; and
- the noise levels from the planned highway improvements will result in an increase of noise levels by 3 decibels or more.

For a sound barrier near an existing highway, SHA also requires that:

- a majority of the homes existed prior to the highway;
- the county has enacted local noise controls for future development adjacent to State highways and will contribute 20% of the costs; and
- any required rights-of-ways are donated to the State.

Additional Information

Prior Introductions: A similar bill, HB 355 of 2001, was withdrawn. HB 355 would have imposed a moratorium on sound barrier construction until the work of the task force was complete.

Cross File: None.

Information Source(s): Maryland Department of Transportation, Department of Legislative Services

Fiscal Note History: First Reader - March 3, 2006
ncs/ljm

Analysis by: Nora C. McArdle

Direct Inquiries to:
(410) 946-5510
(301) 970-5510

