

118TH CONGRESS
2D SESSION

H. R. 7429

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

FEBRUARY 20, 2024

Ms. WILLIAMS of Georgia (for herself and Mr. HIMES) 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 “Negating Neighbor-
5 hood Noise Act of 2024”.

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

4 Section 339(b) of the National Highway System Des-
5 ignation 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 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.

13 “(2) EXCEPTIONS.—Paragraph (1) shall not
14 apply to construction or preservation of a Type II
15 noise barrier if such a barrier—

16 “(A) was not part of a project approved by
17 the Secretary before November 28, 1995;

18 “(B) is proposed along lands that were de-
19 veloped or were under substantial construction
20 before approval of the acquisition of the rights-
21 of-ways for, or construction of, the existing
22 highway; or

23 “(C) as determined and applied by the
24 Secretary, separates a highway or other noise
25 corridor from a group of structures of which

1 the majority of such structures closest to the
2 highway or noise corridor—

3 “(i) are residential in nature; and
4 “(ii) are at least 10 years old as of
5 the date of the proposal of the barrier
6 project.”.

7 **SEC. 3. ELIGIBILITY FOR SURFACE TRANSPORTATION**
8 **BLOCK GRANT FUNDS.**

9 Section 133 of title 23, United States Code, is
10 amended—

11 (1) in subsection (b) by adding at the end the
12 following:

13 “(25) Planning, design, preservation, or con-
14 struction of a Type II noise barrier (as described in
15 section 772.5 of title 23, Code of Federal Regula-
16 tions) and consistent with the requirements of sec-
17 tion 339(b) of the National Highway System Des-
18 ignation Act of 1995 (23 U.S.C. 109 note).”; and

19 (2) in subsection (c)(2) by striking “and para-
20 graph (23)” and inserting “, paragraph (23), and
21 paragraph (25)”.

22 **SEC. 4. MULTIPURPOSE NOISE BARRIERS.**

23 (a) IN GENERAL.—The Secretary of Transportation
24 shall ensure that a noise barrier constructed or preserved
25 under section 339(b) of the National Highway System

1 Designation Act of 1995 (23 U.S.C. 109 note) or with
2 funds made available under title 23, United States Code,
3 may be a multipurpose noise barrier.

4 (b) STATE APPROVAL.—A State, on behalf of the
5 Secretary, may approve accommodation of a secondary
6 beneficial use on a noise barrier within a right-of-way on
7 a Federal-aid highway.

8 (c) DEFINITIONS.—

9 (1) MULTIPURPOSE NOISE BARRIER.—The term
10 “multipurpose noise barrier” means any noise bar-
11 rier that provides a secondary beneficial use, includ-
12 ing a barrier that hosts or accommodates renewable
13 energy generation facilities, electrical transmission
14 and distribution infrastructure, or broadband infra-
15 structure and conduit.

16 (2) SECONDARY BENEFICIAL USE.—The term
17 “secondary beneficial use” means an environmental,
18 economic, or social benefit in addition to highway
19 noise mitigation.

20 **SEC. 5. AESTHETICS.**

21 A project sponsor constructing or preserving a noise
22 barrier under section 339(b) of the National Highway Sys-
23 tem Designation Act of 1995 (23 U.S.C. 109 note) or with
24 funds made available under title 23, United States Code,
25 shall consider the aesthetics of the proposed noise barrier,

- 1 consistent with the latest version of the Noise Barrier De-
- 2 sign Handbook published by the Federal Highway Admin-
- 3 istration of the Department of Transportation.

