

MAINE STATE LEGISLATURE

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M.C.S.

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Date: 3/20/06
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L.D. 2040
(Filing No. H-857)

3 **Transportation**

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5 **STATE OF MAINE**
6 **HOUSE OF REPRESENTATIVES**
7 **122ND LEGISLATURE**
8 **SECOND REGULAR SESSION**

9 COMMITTEE AMENDMENT 'A' to H.P. 1438, L.D. 2040, "Resolve, Directing the
10 Department of Transportation To Amend Its Rules Regarding Noise Abatement and
11 Abatement Costs"

12 Amend the resolve by striking out the title and substituting the following:

13 **'Resolve, Directing the Department of Transportation To Review Its**
14 **Highway Traffic Noise Policy'**

15 Further amend the resolve by striking out everything after the title and before the
16 summary and inserting in its place the following:

17 **'Sec. 1. Review of Department of Transportation's highway traffic noise**
18 **policy. Resolved:** That the Department of Transportation shall undertake a
19 comprehensive review of the department's current highway traffic noise policy. The
20 review must include input from the Maine Turnpike Authority, the Department of Public
21 Safety and the Federal Highway Administration. The Department of Transportation shall
22 also conduct an analysis of noise abatement policies nationwide. Upon the approval of
23 the Commissioner of Transportation, the department shall present a draft highway traffic
24 noise policy at one or more public meetings. Community stakeholders must be invited to
25 such a public meeting and provided with a draft policy before the public meeting. The
26 department shall report with findings and an updated highway traffic noise policy to the
27 joint standing committee of the Legislature having jurisdiction over transportation matters
28 by January 15, 2007; and be it further

29 **Sec. 2. Improvement of Interstate 295 in South Portland and Portland.**
30 **Resolved:** That, if the Department of Transportation adopts a revised highway traffic
31 noise policy as a result of actions undertaken pursuant to section 1, the scheduled
32 improvement of Interstate 295 in South Portland and Portland is subject to the revised
33 policy.'

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SUMMARY

Under the existing statewide highway traffic noise policy adopted by the Department of Transportation, a property must abut a highway project in order to be eligible for a noise abatement program. This amendment directs the Department of Transportation to undertake a comprehensive review of the department's current highway traffic noise policy.

The amendment also provides that, if the department adopts a revised highway traffic noise policy, the scheduled improvement of Interstate 295 in South Portland and Portland is subject to the revised policy.

FISCAL NOTE REQUIRED
(See attached)



122nd MAINE LEGISLATURE

LD 2040

LR 3132(02)

Resolve, Directing the Department of Transportation To Amend Its Rules Regarding Noise Abatement and Abatement Costs

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Transportation

Fiscal Note Required: Yes

Fiscal Note

Undetermined current biennium cost increase - Highway Fund
Minor cost increase - Maine Turnpike Authority

Fiscal Detail and Notes

Establishing that the scheduled improvement of Interstate 295 in South Portland is subject to any revision of the Highway Traffic Noise Policy adopted by the Department of Transportation may result in increased costs for that highway improvement project. The amounts will depend on whatever changes to the policy are made and can not be determined at this time. In addition, the costs for the Department of Transportation, the Department of Public Safety and the Maine Turnpike Authority to participate in the development of any proposed changes to the Highway Traffic Noise Policy can be accomplished within existing budgeted resources.