AMENDMENT TO
RULES COMMITTEE PRINT 118–10
OFFERED BY MS. WILLIAMS OF GEORGIA

At the end of title XVIII of the bill, add the following:

SEC. ___. PERMITTING USE OF HIGHWAY TRUST FUND FOR
CONSTRUCTION OF CERTAIN NOISE BARRIERS.

(a) IN GENERAL.—Section 339(b) of the National
note) is amended to read as follows:

“(1) GENERAL RULE.—No funds made available out of the Highway Trust Fund may be used
to construct a Type II noise barrier (as defined by
section 772.5 of title 23, Code of Federal Regulations) pursuant to subsections (h) and (i) of section

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

“(A) was not part of a project approved by
the Secretary before November 28, 1995;
“(B) is proposed along lands that were developed or were under substantial construction before approval of the acquisition of the rights-of-ways for, or construction of, the existing highway; or

“(C) as determined and applied by the Secretary, separates a highway or other noise corridor from a group of structures of which the majority of such structures closest to the highway or noise corridor—

“(i) are residential in nature; and

“(ii) are at least 10 years old as of the date of the proposal of the barrier project.”.

(b) ELIGIBILITY FOR SURFACE TRANSPORTATION BLOCK GRANT FUNDS.—Section 133 of title 23, United States Code, is amended—

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

“(25) Planning, design, preservation, or construction of a Type II noise barrier (as described in section 772.5 of title 23, Code of Federal Regulations) and consistent with the requirements of section 339(b) of the National Highway System Designation Act of 1995 (23 U.S.C. 109 note).”;}
(2) in subsection (c)(2) by striking “and para-
graph (23)” and inserting “, paragraph (23), and
paragraph (25)”.

(c) MULTIPURPOSE NOISE BARRIERS.—

(1) IN GENERAL.—The Secretary of Transpor-
tation shall ensure that a noise barrier constructed
or preserved under section 339(b) of the National
Highway System Designation Act of 1995 (23
U.S.C. 109 note) or with funds made available
under title 23, United States Code, may be a multi-
purpose noise barrier.

(2) STATE APPROVAL.—A State, on behalf of
the Secretary, may approve accommodation of a sec-
ondary beneficial use on a noise barrier within a
right-of-way on a Federal-aid highway.

(3) DEFINITIONS.—In this subsection:

(A) MULTIPURPOSE NOISE BARRIER.—The
term “multipurpose noise barrier” means any
noise barrier that provides a secondary bene-
\n\nficial use, including a barrier that hosts or ac-
\n\ncommodates renewable energy generation facili-
\n\nties, electrical transmission and distribution in-
\n\nfracture, or broadband infrastructure and
\n\nconduit.
(B) SECONDARY BENEFICIAL USE.—The term “secondary beneficial use” means an environmental, economic, or social benefit in addition to highway noise mitigation.

(d) AESTHETICS.—A project sponsor constructing or preserving a noise barrier under section 339(b) of the National Highway System Designation Act of 1995 (23 U.S.C. 109 note) or with funds made available under title 23, United States Code, shall consider the aesthetics of the proposed noise barrier, consistent with latest version of the Noise Barrier Design Handbook published by the Federal Highway Administration of the Department of Transportation.