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**SENATE BILL 5675**

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**State of Washington**

**56th Legislature**

**1999 Regular Session**

**By** Senators Thibaudeau, Patterson, Fraser, Franklin, Eide, Fairley, Kohl-Welles, Kline, Bauer, Snyder and Jacobsen

Read first time 02/02/1999. Referred to Committee on Transportation.

1 AN ACT Relating to noise mitigation projects on state highways;  
2 adding new sections to chapter 47.40 RCW; creating a new section; and  
3 declaring an emergency.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The department of transportation shall  
6 develop criteria to be used for evaluating and prioritizing noise  
7 mitigation projects. The adopted criteria should be consistent with  
8 federal standards for noise abatement, and must at a minimum consider  
9 the current level of noise in the affected area, the number of persons  
10 who would benefit from a reduction in noise, the reduction in decibels  
11 resulting from the mitigation project, and the project cost.

12 For the purposes of this section, "noise mitigation" means a  
13 structure, combination of structures, materials, processes, or  
14 techniques that have the intended result of permanently reducing, in a  
15 primarily residential area, noise associated with the use of a state  
16 transportation facility. This definition includes, but is not limited  
17 to, "noise wall retrofits" as that term is used in the department's  
18 1987 directive D22-22.

1        NEW SECTION.    **Sec. 2.** Each biennium the department shall apply the  
2 criteria developed under section 1 of this act to develop a ranked  
3 priority list of noise mitigation projects. The department shall  
4 identify the highest ranked project located in eastern Washington; the  
5 highest ranked project located in the greater Puget Sound region; and  
6 the highest ranked project in western Washington outside the greater  
7 Puget Sound region. The remainder of the list must be displayed in  
8 ranked order, without regard to geographic location. The department  
9 shall submit the list in support of the biennial budget request under  
10 RCW 44.40.070 and 44.40.080.

11        NEW SECTION.    **Sec. 3.** The highway noise mitigation account is  
12 created in the transportation fund of the state treasury. Moneys in  
13 the account may be spent only after appropriation. Expenditures from  
14 the account may be used only for the purposes specified in sections 1  
15 and 2 of this act.

16        NEW SECTION.    **Sec. 4.** The legislature intends that the department  
17 of transportation carry out the purposes of this act in a swift manner.  
18 Until the department has adopted the project priority criteria  
19 specified in section 1 of this act and submitted the list of ranked  
20 projects to the legislature, the department shall commence three pilot  
21 projects:

22        (1) A feasibility study and project design of a means for reducing  
23 noise reflected from an overhead structure, such as a bridge deck.  
24 This pilot project should be located in the Puget Sound region;

25        (2) Noise mitigation retrofitting on a highway where lane widening  
26 is currently planned, and where the noise mitigation structure can be  
27 constructed at substantial cost savings by proceeding concurrently with  
28 highway improvements. This pilot project should be located in eastern  
29 Washington;

30        (3) Noise mitigation retrofitting in an area adjacent to a six-  
31 lane, fully controlled, limited access highway, where the mitigation  
32 site is located within one-quarter of a mile from an interchange. This  
33 pilot project should be located in western Washington, outside the  
34 greater Puget Sound region.

35        NEW SECTION.    **Sec. 5.** Sections 1 through 3 of this act are each  
36 added to chapter 47.40 RCW.

1        NEW SECTION.    **Sec. 6.**    This act is necessary for the immediate  
2    preservation of the public peace, health, or safety, or support of the  
3    state government and its existing public institutions, and takes effect  
4    immediately.

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