

SB 580-FN - AS AMENDED BY THE SENATE

02/08/2024 0546s

2024 SESSION

24-3093

11/06

SENATE BILL

580-FN

AN ACT

authorizing the sale of toll credits to fund a newly established noise barrier construction fund for the design and construction of noise barrier projects.

SPONSORS:

Sen. Ricciardi, Dist 9; Sen. Watters, Dist 4; Sen. Murphy, Dist 16; Sen. Chandley, Dist 11; Rep. Gorski, Hills. 2; Rep. Rombeau, Hills. 2

COMMITTEE:

Transportation

ANALYSIS

This bill mandates the construction of a noise barrier on Teaberry Lane, Bedford, NH.

Explanation:

Matter added to current law appears in ***bold italics***.

Matter removed from current law appears ~~[in brackets and struckthrough]~~

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Four

AN ACT authorizing the sale of toll credits to fund a newly established noise barrier construction fund for the design and construction of noise barrier projects.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 New Section; Noise Barrier Construction Fund. Amend RSA 228 by inserting after section
2 228:12-a the following new section:

3 228:12-b Noise Barrier Construction Fund.

4 I. Provided there are sufficient turnpike toll credits for the state match for the federal
5 apportionment totals for 5 years based on the current federal fiscal year and the preceding 4 federal
6 fiscal years, the commissioner is authorized in his or her discretion to sell up to \$10,000,000 per year
7 in turnpike toll credits in compliance with federal rules and regulations and turnpike covenants,
8 said sale being subject to the approval of the fiscal committee of the general court and the joint
9 legislative capital project overview committee.

10 II. The revenue from the sale of the turnpike toll credits shall be deposited into a restricted
11 fund to be established and known as the noise barrier construction fund, said revenue to be
12 nonlapsing and continually appropriated to the department of transportation. Expenditures from
13 the noise barrier construction fund made by the commissioner being subject to the approval of the
14 fiscal committee of the general court and the joint legislative capital project overview committee.

15 III. The commissioner is authorized to use said revenue for the design and construction of
16 noise barrier projects that meet the Type II noise barrier criteria set forth in the department's Policy
17 and Procedural Guidelines for the Assessment and Abatement of Highway Traffic Noise for Type I &
18 Type II Projects, as updated and amended. The commissioner may consider additional authorized
19 adjustment factors for the determination of eligibility after consultation with an affected community
20 concerning impacts to the community.

21 2 New Subparagraph; Dedicated Account; Noise Barrier Construction Fund. Amend RSA 6:12,
22 I(b) by inserting after subparagraph (394) the following new subparagraph:

23 (395) Moneys in the noise barrier construction fund, established in RSA 228:12-b.

24 3 Effective Date. This act shall take effect July 1, 2024.

SB 580-FN- FISCAL NOTE
AS AMENDED BY THE SENATE (AMENDMENT #2024-0546s)

AN ACT authorizing the sale of toll credits to fund a newly established noise barrier construction fund for the design and construction of noise barrier projects.

FISCAL IMPACT: ☒ State ☐ County ☐ Local ☐ None

Estimated State Impact - Increase / (Decrease)				
	FY 2024	FY 2025	FY 2026	FY 2027
Revenue	\$0	Indeterminable		
Revenue Fund(s)	Noise Barrier Construction Fund			
Expenditures	\$0	\$0	\$0	\$0
Funding Source(s)	None			
Appropriations	\$0	Indeterminable (Continually Appropriated)		
Funding Source(s)	Noise Barrier Construction Fund			

- Does this bill provide sufficient funding to cover estimated expenditures? ☒ N/A
- Does this bill authorize new positions to implement this bill? ☒ N/A

METHODOLOGY:

This bill authorizes the Department of Transportation, with approval of the fiscal committee of the general court and the joint legislative capital project overview committee, to sell up to \$10,000,000 in turnpike toll credits, with proceeds credited to a newly established noise barrier construction fund, which is continually appropriated to the Department, with expenditures approved by the aforementioned legislative committees. The Department states there is currently no federal authority nor marketplace set up for the sale of turnpike toll credits. Any fiscal impact will depend on program and stipulations in place established in the future. The Department states the sale of turnpike toll credits will result in a reduction of available state match for its Federal highway program.

AGENCIES CONTACTED:

Department of Transportation