

BILL ANALYSIS

H.B. 3550
By: Burkett
Transportation
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that a recent study assessing the implementation and effectiveness of certain sound mitigation barriers on certain highways discovered that several barriers were failing to meet projected mitigation levels and required changes to address these deficiencies. H.B. 3550 directs the Texas Department of Transportation to develop guidelines based on the study to address the design and implementation of certain sound barriers.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3550 amends the Transportation Code to require the Texas Department of Transportation (TxDOT) to develop guidelines for noise barriers based on the required study and report by the Texas A&M Transportation Institute on the implementation and effectiveness of sound mitigation measures on certain highways. The bill requires the guidelines to require that a noise barrier traffic noise analysis must include all individual, residential receptors that are impacted or could potentially be benefited by the installation of a noise barrier; require TxDOT to make every reasonable effort to break the line of sight between the roadway noise source and all first row impacted receptors during the design of a noise barrier; require TxDOT to consider conducting a separate noise barrier traffic noise analysis if the topography or other conditions throughout a project change significantly to constitute a separate common noise environment; and require that, before construction of a noise barrier, TxDOT verify that the site geometry and proposed noise barrier locations, dimensions, and elevations presented in the noise barrier traffic noise analysis are consistent with the roadway design to ensure that the top of each noise barrier is constructed at an appropriate elevation so that the noise barrier will function as the design intended. The bill subjects a toll project entity to these guidelines.

H.B. 3550 requires a regional tollway authority to adjust an erected applicable noise barrier height to reduce the traffic noise by at least an exterior noise decibel level of five dBA for not less than 50 percent of first row impacted receptors and an exterior noise decibel level of seven dBA for at least one first row impacted receptor and limits the applicability of this requirement to a noise barrier existing on March 1, 2017, that is located in Dallas County on the west right-of-way of the President George Bush Turnpike Eastern Extension beginning north of 4509 Meadowcove Drive southward to the end of the noise barrier and the east right-of-way of the President George Bush Turnpike Eastern Extension beginning north of 2205 Mermaid Circle

southward to the southern end of the noise barrier.

EFFECTIVE DATE

September 1, 2017.