

- Sec.
 47531. Penalties.
 47532. Judicial review.
 47533. Relationship to other laws.
 47534. Prohibition on operating certain aircraft weighing 75,000 pounds or less not complying with stage 3 noise levels.

AMENDMENTS

2018—Pub. L. 115-254, div. B, title VII, §743(b), Oct. 5, 2018, 132 Stat. 3413, added item 47511.

2012—Pub. L. 112-95, title V, §506(b)(3), Feb. 14, 2012, 126 Stat. 106, which directed amendment of the analysis for subchapter II of this chapter by substituting “Penalties” for “Penalties for violating sections 47528-47530” in item 47531 and by adding item 47534, was executed to the analysis for this chapter to reflect the probable intent of Congress.

1994—Pub. L. 103-429, §6(72)(B), Oct. 31, 1994, 108 Stat. 4388, added item 47510.

Pub. L. 103-305, title III, §308(b), Aug. 23, 1994, 108 Stat. 1594, added item 47509.

SUBCHAPTER I—NOISE ABATEMENT

§ 47501. Definitions

In this subchapter—

(1) “airport” means a public-use airport as defined in section 47102 of this title.

(2) “airport operator” means—

(A) for an airport serving air carriers that have certificates from the Secretary of Transportation, any person holding an airport operating certificate issued under section 44706 of this title; and

(B) for any other airport, the person operating the airport.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1284.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
47501(1)	49 App.:2101(1).	Feb. 18, 1980, Pub. L. 96-193, §101(1), 94 Stat. 50; re-stated Sept. 3, 1982, Pub. L. 97-248, §524(b)(1), 96 Stat. 696; Dec. 30, 1987, Pub. L. 100-223, §103(f), 101 Stat. 1489.
	49 App.:2101(3).	Feb. 18, 1980, Pub. L. 96-193, §101(3), 94 Stat. 50.
47501(2)	49 App.:2101(2).	Feb. 18, 1980, Pub. L. 96-193, §101(2), 94 Stat. 50; re-stated Sept. 3, 1982, Pub. L. 97-248, §524(b)(2), 96 Stat. 696.
	49 App.:1551(b)(1)(E).	Aug. 23, 1958, Pub. L. 85-726, 72 Stat. 731, §1601(b)(1)(E); added Oct. 4, 1984, Pub. L. 98-443, §3(e), 98 Stat. 1704.

In this section, the words “the term” are omitted as surplus.

In clause (1), the text of 49 App.:2101(3) is omitted as surplus because the complete name of the Secretary of Transportation is used the first time the term appears in a section.

In clause (2), the word “valid” is omitted as surplus.

ADDRESSING COMMUNITY NOISE CONCERNS

Pub. L. 115-254, div. B, title I, §175, Oct. 5, 2018, 132 Stat. 3228, provided that: “When proposing a new area navigation departure procedure, or amending an existing procedure that would direct aircraft between the surface and 6,000 feet above ground level over noise sensitive areas, the Administrator of the Federal Aviation Administration shall consider the feasibility of dispersal headings or other lateral track variations to address community noise concerns, if—

“(1) the affected airport operator, in consultation with the affected community, submits a request to the Administrator for such a consideration;

“(2) the airport operator’s request would not, in the judgment of the Administrator, conflict with the safe and efficient operation of the national airspace system; and

“(3) the effect of a modified departure procedure would not significantly increase noise over noise sensitive areas, as determined by the Administrator.”

AVIATION NOISE COMPLAINTS

Pub. L. 112-95, title V, §510, Feb. 14, 2012, 126 Stat. 107, provided that: “Not later than 90 days after the date of enactment of this Act [Feb. 14, 2012], each owner or operator of a large hub airport (as defined in section 40102(a) of title 49, United States Code) shall publish on an Internet Web site of the airport a telephone number to receive aviation noise complaints related to the airport.”

AIRPORT NOISE STUDY

Pub. L. 106-181, title VII, §745, Apr. 5, 2000, 114 Stat. 178, as amended by Pub. L. 106-528, §7(a), Nov. 22, 2000, 114 Stat. 2521, provided that:

“(a) IN GENERAL.—The Secretary [of Transportation] shall enter into an agreement with the National Academy of Sciences to conduct a study on airport noise in the United States.

“(b) CONTENTS OF STUDY.—In conducting the study, the National Academy of Sciences shall examine—

“(1) the threshold of noise at which health begins to be affected;

“(2) the effectiveness of noise abatement programs at airports located in the United States;

“(3) the impacts of aircraft noise on communities, including schools; and

“(4) the noise assessment practices of the Federal Aviation Administration and whether such practices fairly and accurately reflect the burden of noise on communities.

“(c) REPORT.—Not later than 18 months after the date of the agreement entered into under subsection (a), the National Academy of Sciences shall transmit to the Secretary a report on the results of the study. Upon receipt of the report, the Secretary shall transmit a copy of the report to the appropriate committees of Congress.

“(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated such sums as may be necessary to carry out this section.”

NONMILITARY HELICOPTER NOISE

Pub. L. 106-181, title VII, §747, Apr. 5, 2000, 114 Stat. 179, provided that:

“(a) IN GENERAL.—The Secretary [of Transportation] shall conduct a study—

“(1) on the effects of nonmilitary helicopter noise on individuals in densely populated areas in the continental United States; and

“(2) to develop recommendations for the reduction of the effects of nonmilitary helicopter noise.

“(b) FOCUS.—In conducting the study, the Secretary shall focus on air traffic control procedures to address helicopter noise problems and shall take into account the needs of law enforcement.

“(c) CONSIDERATION OF VIEWS.—In conducting the study, the Secretary shall consider the views of representatives of the helicopter industry and organizations with an interest in reducing nonmilitary helicopter noise.

“(d) REPORT.—Not later than 1 year after the date of the enactment of this Act [Apr. 5, 2000], the Secretary shall transmit to Congress a report on the results of the study conducted under this section.”

§ 47502. Noise measurement and exposure systems and identifying land use compatible with noise exposure

After consultation with the Administrator of the Environmental Protection Agency and

United States Government, State, and interstate agencies that the Secretary of Transportation considers appropriate, the Secretary shall by regulation—

(1) establish a single system of measuring noise that—

(A) has a highly reliable relationship between projected noise exposure and surveyed reactions of individuals to noise; and

(B) is applied uniformly in measuring noise at airports and the surrounding area;

(2) establish a single system for determining the exposure of individuals to noise resulting from airport operations, including noise intensity, duration, frequency, and time of occurrence; and

(3) identify land uses normally compatible with various exposures of individuals to noise.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1284.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
47502	49 App.:2102.	Feb. 18, 1980, Pub. L. 96-193, §102, 94 Stat. 50.

In this section, before clause (1), the words “Not later than the last day of the twelfth month which begins after February 18, 1980” are omitted as obsolete.

§ 47503. Noise exposure maps

(a) SUBMISSION AND PREPARATION.—An airport operator may submit to the Secretary of Transportation a noise exposure map showing the noncompatible uses in each area of the map on the date the map is submitted, a description of estimated aircraft operations during a forecast period that is at least 5 years in the future and how those operations will affect the map. The map shall—

(1) be prepared in consultation with public agencies and planning authorities in the area surrounding the airport; and

(2) comply with regulations prescribed under section 47502 of this title.

(b) REVISED MAPS.—

(1) IN GENERAL.—An airport operator that submits a noise exposure map under subsection (a) shall submit a revised map to the Secretary if, in an area surrounding an airport, a change in the operation of the airport would establish a substantial new noncompatible use, or would significantly reduce noise over existing noncompatible uses, that is not reflected in either the existing conditions map or forecast map currently on file with the Federal Aviation Administration.

(2) TIMING.—A submission under paragraph (1) shall be required only if the relevant change in the operation of the airport occurs during—

(A) the forecast period of the applicable noise exposure map submitted by an airport operator under subsection (a); or

(B) the implementation period of the airport operator’s noise compatibility program.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1284; Pub. L. 108-176, title III, §324, Dec. 12, 2003, 117 Stat. 2542; Pub. L. 115-254, div. B, title I, §174, Oct. 5, 2018, 132 Stat. 3228.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
47503(a)	49 App.:2103(a)(1).	Feb. 18, 1980, Pub. L. 96-193, §103(a), 94 Stat. 50.
47503(b)	49 App.:2103(a)(2).	

In subsection (a), before clause (1), the words “After the effective date of the regulations promulgated in accordance with section 2102 of this Appendix” are omitted as executed. The words “of an airport” and “at such airport” are omitted as surplus. The word “how” is substituted for “the ways, if any, in which” to eliminate unnecessary words. In clause (1), the words “planning authorities” are substituted for “planning agencies” for consistency.

In subsection (b), the words “to the Secretary” are added for clarity. The words “after the submission to the Secretary of a noise exposure map under paragraph (1)” are omitted as surplus.

AMENDMENTS

2018—Subsec. (b). Pub. L. 115-254 amended subsec. (b) generally. Prior to amendment, text read as follows: “If, in an area surrounding an airport, a change in the operation of the airport would establish a substantial new noncompatible use, or would significantly reduce noise over existing noncompatible uses, that is not reflected in either the existing conditions map or forecast map currently on file with the Federal Aviation Administration, the airport operator shall submit a revised noise exposure map to the Secretary showing the new noncompatible use or noise reduction.”

2003—Subsec. (a). Pub. L. 108-176, §324(1), substituted “a forecast period that is at least 5 years in the future” for “1985,” in introductory provisions.

Subsec. (b). Pub. L. 108-176, §324(2), added subsec. (b) and struck out heading and text of former subsec. (b). Text read as follows: “If a change in the operation of an airport will establish a substantial new noncompatible use in an area surrounding the airport, the airport operator shall submit a revised noise exposure map to the Secretary showing the new noncompatible use.”

EFFECTIVE DATE OF 2003 AMENDMENT

Amendment by Pub. L. 108-176 applicable only to fiscal years beginning after Sept. 30, 2003, except as otherwise specifically provided, see section 3 of Pub. L. 108-176, set out as a note under section 106 of this title.

NOISE DISCLOSURE

Pub. L. 108-176, title III, §322, Dec. 12, 2003, 117 Stat. 2540, provided that:

“(a) NOISE DISCLOSURE SYSTEM IMPLEMENTATION STUDY.—The Administrator of the Federal Aviation Administration shall conduct a study to determine the feasibility of developing a program under which prospective home buyers of property located in the vicinity of an airport could be notified of information derived from noise exposure maps that may affect the use and enjoyment of the property. The study shall assess the scope, administration, usefulness, and burdensomeness of any such program, the costs and benefits of such a program, and whether participation in such a program should be voluntary or mandatory.

“(b) PUBLIC AVAILABILITY OF NOISE EXPOSURE MAPS.—The Administrator shall make noise exposure and land use information from noise exposure maps available to the public via the Internet on its website in an appropriate format.

“(c) NOISE EXPOSURE MAP.—In this section, the term ‘noise exposure map’ means a noise exposure map prepared under section 47503 of title 49, United States Code.”

§ 47504. Noise compatibility programs

(a) SUBMISSIONS.—(1) An airport operator that submitted a noise exposure map and related in-