

In subsection (a)(2)(B), the words “the implementation of” are omitted as surplus.

In subsection (b)(1), before clause (A), the words “to him” and “the measures to be undertaken in carrying out” are omitted as surplus. In clause (B), the word “achieving” is substituted for “obtaining” for clarity. The word “existing” is omitted as surplus.

Subsection (b)(2) is substituted for 49 App.:2104(b) (3d sentence) to eliminate unnecessary words.

In subsection (c)(1)(B) and (2), the words “for which grant applications are made in accordance with such noise compatibility programs” are omitted as surplus.

In subsection (c)(1), before clause (A), the words “incur obligations to” and “further . . . under this section” are omitted as surplus. In clause (C), the words “to carry out any part of a program” are substituted for “any project to carry out a noise compatibility program”, and the words “or before implementing regulations were prescribed” are substituted for “or the promulgation of its implementing regulations”, for clarity and consistency. The words “the purposes of” before “reducing” are omitted as surplus. The word “non-compatible” is added after “existing” for clarity and consistency. In clause (D), the words “for any project” and “determined to be” are omitted as surplus.

In subsection (c)(2), the words “in turn” are omitted as surplus.

In subsection (c)(4), before clause (A), the words “All of” and “made under section 505 of that Act” are omitted as surplus. The word “except” is substituted for “unless” for clarity. In clause (1), the words “relating to United States share of project costs” are omitted as surplus. In clause (2), the words “the purposes of” are omitted as surplus.

In subsection (d), the words “by the Secretary or the Administrator of the Federal Aviation Administration” are omitted as surplus.

PUB. L. 103-429

This redesignates 49:47504(c)(1)(C) and (D) as 49:47504(c)(2)(C) and (D) because the subject matter is similar to that of 49:47504(c)(2)(A) and (B) that was added by section 119(2) of the Federal Aviation Administration Authorization Act of 1994 (Public Law 103-305, 108 Stat. 1580).

REFERENCES IN TEXT

Section 301(d)(4)(B) of the Airport and Airway Safety and Capacity Expansion Act of 1987, referred to in subsec. (c)(2)(A)(i), is section 301(d)(4)(B) of Pub. L. 100-223, which was set out as a note under section 2104 of former Title 49, Transportation, prior to repeal by Pub. L. 103-272, §7(b), July 5, 1994, 108 Stat. 1379.

AMENDMENTS

2018—Subsec. (c)(2)(F). Pub. L. 115-232 added subpar. (F).

2012—Subsec. (e). Pub. L. 112-95, § 504, added subsec. (e).

Subsec. (f). Pub. L. 112-95, § 505, added subsec. (f).

2003—Subsec. (b)(4). Pub. L. 108-176, § 189, added par. (4).

Subsec. (c)(2)(C)–(E). Pub. L. 108-176, § 306, realigned margins of subpars. (C) and (D) and added subpar. (E).

2000—Subsec. (c)(6). Pub. L. 106-181 added par. (6).

1994—Subsec. (c)(1)(A). Pub. L. 103-429, § 6(71)(A), inserted “and” after semicolon at end.

Subsec. (c)(1)(B). Pub. L. 103-429, § 6(71)(B), substituted a period for semicolon at end.

Subsec. (c)(1)(C), (D). Pub. L. 103-429, § 6(71)(C), redesignated par. (1)(C) as (2)(C) and (1)(D) as (2)(D).

Subsec. (c)(2). Pub. L. 103-305, § 119(2), added par. (2). Former par. (2) redesignated (3).

Subsec. (c)(2)(A)(iii). Pub. L. 103-429, § 6(71)(D), struck out “and” after semicolon at end.

Subsec. (c)(2)(B)(iii). Pub. L. 103-429, § 6(71)(E), substituted a semicolon for period at end.

Subsec. (c)(2)(C), (D). Pub. L. 103-429, § 6(71)(F), substituted “to an airport operator and unit of local gov-

ernment referred to in paragraph (1)(A) or (1)(B) of this subsection” for “an airport operator or unit of local government referred to in clause (A) or (B) of this paragraph”.

Pub. L. 103-429, § 6(71)(C), redesignated par. (1)(C) as (2)(C) and (1)(D) as (2)(D).

Subsec. (c)(3). Pub. L. 103-305, § 119(1), redesignated par. (2) as (3). Former par. (3) redesignated (4).

Subsec. (c)(4). Pub. L. 103-305, § 119(3), struck out “paragraph (1) of” before “this subsection” in introductory provisions.

Pub. L. 103-305, § 119(1), redesignated par. (3) as (4). Former par. (4) redesignated (5).

Subsec. (c)(5). Pub. L. 103-305, § 119(1), redesignated par. (4) as (5).

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.

EFFECTIVE DATE OF 2000 AMENDMENT

Amendment by Pub. L. 106-181 applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as a note under section 106 of this title.

§ 47505. Airport noise compatibility planning grants

(a) GENERAL AUTHORITY.—The Secretary of Transportation may make a grant to a sponsor of an airport to develop, for planning purposes, information necessary to prepare and submit—

(1) a noise exposure map and related information under section 47503 of this title, including the cost of obtaining the information; or

(2) a noise compatibility program under section 47504 of this title.

(b) AVAILABILITY OF AMOUNTS AND GOVERNMENT'S SHARE OF COSTS.—A grant under subsection (a) of this section may be made from amounts available under section 48103 of this title. The United States Government's share of the grant is the percent for which a project for airport development at an airport would be eligible under section 47109(a) and (b) of this title.

(Pub. L. 103-272, §1(e), July 5, 1994, 108 Stat. 1286.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
47505	49 App.:2103(b).	Feb. 18, 1980, Pub. L. 96-193, §103(b), 94 Stat. 51; re-stated Sept. 3, 1982, Pub. L. 97-248, §524(b)(3), 96 Stat. 696.

In subsection (a), before clause (1), the words “incur obligations to” are omitted as surplus.

§ 47506. Limitations on recovering damages for noise

(a) GENERAL LIMITATIONS.—A person acquiring an interest in property after February 18, 1980, in an area surrounding an airport for which a noise exposure map has been submitted under section 47503 of this title and having actual or constructive knowledge of the existence of the map may recover damages for noise attributable to the airport only if, in addition to any other elements for recovery of damages, the person shows that—

- (1) after acquiring the interest, there was a significant—
 - (A) change in the type or frequency of aircraft operations at the airport;
 - (B) change in the airport layout;
 - (C) change in flight patterns; or
 - (D) increase in nighttime operations; and
- (2) the damages resulted from the change or increase.

(b) **CONSTRUCTIVE KNOWLEDGE.**—Constructive knowledge of the existence of a map under subsection (a) of this section shall be imputed, at a minimum, to a person if—

- (1) before the person acquired the interest, notice of the existence of the map was published at least 3 times in a newspaper of general circulation in the county in which the property is located; or
- (2) the person is given a copy of the map when acquiring the interest.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1286.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
47506	49 App.:2107.	Feb. 18, 1980, Pub. L. 96–193, §107, 94 Stat. 53.

In subsection (a)(2), the words “for which recovery is sought have” are omitted as surplus.

§ 47507. Nonadmissibility of noise exposure map and related information as evidence

No part of a noise exposure map or related information described in section 47503 of this title that is submitted to, or prepared by, the Secretary of Transportation and no part of a list of land uses the Secretary identifies as normally compatible with various exposures of individuals to noise may be admitted into evidence or used for any other purpose in a civil action asking for relief for noise resulting from the operation of an airport.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1287.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
47507	49 App.:2106.	Feb. 18, 1980, Pub. L. 96–193, §106, 94 Stat. 53.

The words “land uses which are” are omitted as surplus. The words “civil action” are substituted for “suit or action” for consistency in the revised title and with other titles of the United States Code. The words “damages or other” are omitted as surplus.

§ 47508. Noise standards for air carriers and foreign air carriers providing foreign air transportation

(a) **GENERAL REQUIREMENTS.**—The Secretary of Transportation shall require each air carrier and foreign air carrier providing foreign air transportation to comply with noise standards—

- (1) the Secretary prescribed for new subsonic aircraft in regulations of the Secretary in effect on January 1, 1977; or
- (2) of the International Civil Aviation Organization that are substantially compatible

with standards of the Secretary for new subsonic aircraft in regulations of the Secretary at parts 36 and 91 of title 14, Code of Federal Regulations, prescribed between January 2, 1977, and January 1, 1982.

(b) **COMPLIANCE AT PHASED RATE.**—The Secretary shall require each air carrier and foreign air carrier providing foreign air transportation to comply with the noise standards at a phased rate similar to the rate for aircraft registered in the United States.

(c) **NONDISCRIMINATION.**—The requirement for air carriers providing foreign air transportation may not be more stringent than the requirement for foreign air carriers.

(Pub. L. 103–272, §1(e), July 5, 1994, 108 Stat. 1287.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
47508(a)	49 App.:2122(a) (1st sentence words before last comma, last sentence).	Feb. 18, 1980, Pub. L. 96–193, §302(a), 94 Stat. 56.
47508(b)	49 App.:2122(a) (1st sentence words after last comma).	
47508(c)	49 App.:2122(a) (2d sentence).	

In this section, the word “providing” is substituted for “engaging in” for consistency in the revised title.

In subsection (a), the words “acting through the Administrator” and “acting through the Administrator of the Federal Aviation Administration (14 CFR part 36)” are omitted for consistency. Section 6(c)(1) of the Department of Transportation Act (Public Law 89–670, 80 Stat. 938) transferred all duties and powers of the Federal Aviation Agency and the Administrator to the Secretary of Transportation. However, the Secretary was to carry out certain provisions through the Administrator. In addition, various laws enacted since then have vested duties and powers in the Administrator. All provisions of law the Secretary is required to carry out through the Administrator are included in 49:106(g). Before clause (1), the words “If, by January 1, 1980, the International Civil Aviation Organization (hereafter referred to as ‘ICAO’) does not reach an agreement” and “commence a rulemaking to” and 49 App.:2122(a) (last sentence) are omitted as executed. In clause (1), the words “as such regulations were” are omitted as surplus. In clause (2), the words “on noise standards and an international schedule” and “(annex 16)” are omitted as surplus. The words “of the Secretary for new subsonic aircraft in regulations of the Secretary at parts 36 and 91 of title 14, Code of Federal Regulations, prescribed between January 2, 1977, and January 1, 1982” are substituted for “set forth in such regulations issued by the Secretary (14 CFR parts 36 and 91) during the 5-year period thereafter” for clarity and consistency.

In subsection (b), the words “in effect” are omitted as surplus.

IMPLEMENTATION OF CHAPTER 4 NOISE STANDARDS

Pub. L. 108–176, title III, §325, Dec. 12, 2003, 117 Stat. 2542, provided that: “Not later than April 1, 2005, the Secretary of Transportation shall issue final regulations to implement Chapter 4 noise standards, consistent with the recommendations adopted by the International Civil Aviation Organization.”