

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 government 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).

Statutory Notes and Related Subsidiaries

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

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 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

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 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

Table with 3 columns: Revised Section, Source (U.S. Code), Source (Statutes at Large). Row 1: 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

| <i>Revised Section</i> | <i>Source (U.S. Code)</i> | <i>Source (Statutes at Large)</i> |
|------------------------|--|--|
| 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.

Statutory Notes and Related Subsidiaries

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.”

STANDARDS FOR AIRCRAFT AND AIRCRAFT ENGINES TO REDUCE NOISE LEVELS

Pub. L. 106–181, title VII, §726, Apr. 5, 2000, 114 Stat. 167, as amended by Pub. L. 113–188, title XV, §1501(f), Nov. 26, 2014, 128 Stat. 2025, provided that:

“(a) DEVELOPMENT OF NEW STANDARDS.—The Secretary [of Transportation] shall continue to work to develop through the International Civil Aviation Organization new performance standards for aircraft and aircraft engines that will lead to a further reduction in aircraft noise levels.

“(b) GOALS TO BE CONSIDERED IN DEVELOPING NEW STANDARDS.—In negotiating standards under subsection (a), the Secretary shall give high priority to developing standards that—

“(1) are performance based and can be achieved by use of a full range of certifiable noise reduction technologies;

“(2) protect the useful economic value of existing Stage 3 aircraft in the United States fleet;

“(3) ensure that United States air carriers and aircraft engine and hushkit manufacturers are not competitively disadvantaged;

“(4) use dynamic economic modeling capable of determining impacts on all aircraft in service in the United States fleet; and

“(5) continue the use of a balanced approach to address aircraft environmental issues, taking into account aircraft technology, land use planning, economic feasibility, and airspace operational improvements.”

AIRCRAFT NOISE RESEARCH PROGRAM

Pub. L. 102–581, title III, §304, Oct. 31, 1992, 106 Stat. 4896, as amended by Pub. L. 109–155, title VII, §706(b), Dec. 30, 2005, 119 Stat. 2937, provided that:

“(a) ESTABLISHMENT.—The Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration shall jointly conduct a research program to develop new technologies for quieter subsonic jet aircraft engines and airframes.

“(b) GOAL.—The goal of the research program established by subsection (a) is to develop by the year 2010 technologies for subsonic jet aircraft engines and airframes which would permit a subsonic jet aircraft to operate at reduced noise levels.

“(c) PARTICIPATION.—In carrying out the program established by subsection (a), the Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration shall encourage the participation of representatives of the aviation industry and academia.

“(d) REPORT TO CONGRESS.—The Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration shall jointly submit to Congress, on an annual basis during the term of the program established by subsection (a), a report on the progress being made under the program toward meeting the goal described in subsection (b).”

§ 47509. Research program on quiet aircraft technology for propeller and rotor driven aircraft

(a) ESTABLISHMENT.—The Administrator of the Federal Aviation Administration and the Administrator of the National Aeronautics and Space Administration shall conduct a study to identify technologies for noise reduction of propeller driven aircraft and rotorcraft.

(b) GOAL.—The goal of the study conducted under subsection (a) is to determine the status