



**HOUSE BILL 2009**

By Lafferty

AN ACT to amend Tennessee Code Annotated, Title 4, Chapter 3 and Title 54, relative to highway traffic noise.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 54, Chapter 1, Part 1, is amended by adding the following as a new section:

(a) A county or municipality, by resolution of its legislative body, may request the department of transportation conduct a highway traffic noise study for residential properties located along the sound propagation path of a state highway, including a state highway that is part of the interstate and national defense highway system, if:

(1) A tree zone has been removed, cut, or cleared behind the residential properties for purposes unrelated to construction of a state highway or physical alteration of an existing state highway; and

(2) There is no existing shielding or noise barrier.

(b) As used in this section:

(1) "Noise barrier" means a physical obstruction that is constructed between a state highway and residential properties that lowers the highway traffic noise level, including stand-alone noise walls, noise berms, whether earth or other material, or a combination of such berm and wall systems;

(2) "Shielding" means a man-made or natural structure or barrier that provides an auditory barrier between residential properties and a state highway, including the top of a cut or an intervening hill; and

(3) "Tree zone" means a region of woods and undergrowth or several rows of trees that are sufficiently dense to completely or substantially block the view along the sound propagation path of a state highway.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB2009

Howell  
Signature of Sponsor

**AMEND Senate Bill No. 2027\***

**House Bill No. 2009**

by adding the following as a new subsection (b) in SECTION 1 and redesignating existing subsection (b) as a new subsection (c):

(b) If the department approves the request to conduct a highway traffic noise study pursuant to subsection (a), then the department shall submit to the requesting county or municipality an invoice of the actual cost to conduct the study. The study must not be conducted until the cost is paid to the department by the requesting county or municipality.