

103^D CONGRESS
1ST SESSION

H. R. 1219

To amend the Airport Noise and Capacity Act of 1990 to exempt noise and access restrictions on aircraft operations to and from metropolitan airports from Federal review and approval requirements under that Act, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MARCH 4, 1993

Mr. ENGEL (for himself, Mr. HYDE, and Mr. SHAYS) introduced the following bill; which was referred to the Committee on Public Works and Transportation

A BILL

To amend the Airport Noise and Capacity Act of 1990 to exempt noise and access restrictions on aircraft operations to and from metropolitan airports from Federal review and approval requirements under that Act, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Metropolitan Airport
5 Noise Reduction Act”.

1 **SEC. 2. REVIEW OF AIRPORT NOISE AND ACCESS RESTRIC-**
2 **TIONS.**

3 (a) LIMITATION ON APPLICABILITY OF FEDERAL RE-
4 VIEW REQUIREMENTS.—Section 9304 of the Airport
5 Noise and Capacity Act of 1990 (49 U.S.C. App. 2153)
6 is amended—

7 (1) in subsection (a)(1) by inserting “to and
8 from nonmetropolitan airports” after “Stage 3 air-
9 craft”;

10 (2) in subsection (b) by inserting “to or from
11 a nonmetropolitan airport” after “operation of a
12 Stage 3 aircraft”;

13 (3) in subsection (c) by inserting “to or from
14 a nonmetropolitan airport” after “Stage 2 aircraft”;

15 (4) in subsection (d)(1) by inserting “to or
16 from a nonmetropolitan airport” after “Stage 3 air-
17 craft”;

18 (5) in subsection (d)(2) by inserting “to or
19 from a nonmetropolitan airport” after “Stage 3 air-
20 craft operations”; and

21 (6) in subsection (e) by striking “facilities” and
22 inserting “nonmetropolitan airports”.

23 (b) NONMETROPOLITAN AIRPORT DEFINED.—Sec-
24 tion 9304 of such Act is further amended by adding at
25 the end the following new subsection:

1 “(i) NONMETROPOLITAN AIRPORT DEFINED.—For
2 the purposes of this section, the term ‘nonmetropolitan
3 airport’ means an airport serving an area with a popu-
4 lation of less than 1,000,000 individuals.”.

5 **SEC. 3. ADDITIONAL REQUIREMENT FOR APPLICATIONS TO**
6 **WAIVE STAGE 3 NOISE LEVELS FOR CERTAIN**
7 **AIRCRAFT.**

8 The second sentence of section 9308(b)(1) of the Air-
9 port Noise and Capacity Act of 1990 (49 U.S.C. App.
10 2157(b)(1)) is amended by inserting after “1999,” the fol-
11 lowing: “must contain assurances that operations of air-
12 craft which do not comply with Stage 3 noise levels will
13 not be concentrated at one or more airports if the waiver
14 is granted,”.

15 **SEC. 4. PROHIBITION ON ROLLBACK OF AIRCRAFT RE-**
16 **STRICTIONS.**

17 The Airport Noise and Capacity Act of 1990 (49
18 U.S.C. App. 2151–2158) is amended by adding at the end
19 the following new section:

20 **“SEC. 9310. PROHIBITION ON ROLLBACK OF AIRCRAFT RE-**
21 **STRICTIONS.**

22 “(a) GENERAL RULE.—No airport noise or access re-
23 striction on the operation of Stage 2 or Stage 3 aircraft
24 to or from a metropolitan or nonmetropolitan airport in
25 effect on November 5, 1990, may be modified, superseded,

1 or repealed so as to make such restriction less stringent.
2 This subsection shall apply to any action taken on, before,
3 or after the date of the enactment of this section.

4 “(b) NOTIFICATION.—The Secretary shall promptly
5 notify the sponsor of any facility operating under airport
6 noise or access restrictions in violation of subsection (a)
7 of such violation and recommend actions necessary for
8 compliance with subsection (a).

9 “(c) INELIGIBILITY FOR PFC’S AND AIP FUNDS.—
10 After the 90th day following the date on which the sponsor
11 of a facility receives pursuant to subsection (b) notice of
12 a violation of subsection (a), such sponsor shall not be eli-
13 gible to impose a passenger facility charge under section
14 1113(e) of the Federal Aviation Act of 1958 and shall not
15 be eligible for grants authorized by section 505 of the Air-
16 port and Airway Improvement Act of 1982 until such date
17 as the Secretary determines that the facility is operating
18 under airport noise and access restrictions in compliance
19 with subsection (a).”.

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