STATE OF NEW YORK

7946--A

2025-2026 Regular Sessions

IN ASSEMBLY

April 16, 2025

Introduced by M. of A. KIM -- read once and referred to the Committee on Health -- recommitted to the Committee on Health in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to airport noise studies

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Article 13 of the public health law is amended by adding a new title 14 to read as follows:

TITLE XIV

AIRPORT NOISE STUDIES

Section 1389-hh. Definitions.

1389-ii. Airport noise studies.

§ 1389-hh. Definitions. For the purposes of this title, the following definitions shall apply:

1. "Community noise equivalent level" (CNEL) means, in decibels, the average daytime noise level during a twenty-four hour period, adjusted to account for the lower tolerance of noise during evening and nighttime periods in relation to daytime periods.

2. "Hourly noise level daytime" (HNLD) means, in decibels, the hourly noise levels for the hours of 0700-1900.

3. "Hourly noise level evening" (HNLE) means, in decibels, the hourly noise levels for the hours of 1900-2200.

4. "Hourly noise level nighttime" (HNLN) means, in decibels, the hourly noise levels for the hours of 2200-0700.

5. "Number Above" (NA) means a metric that presents the number of noise events that exceed a noise level of 60 decibels (dB). As reported by the federal aviation administration, an interference begins to occur at a noise level of 60 dB.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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6. "Airport" shall have the same meaning as such term is defined in subdivision five of section two hundred forty of the general business law.

§ 1389-ii. Airport noise studies. 1. The commissioner shall undertake a study on the HNLD, HNLE, and HNLN of airports within the state. The study shall assess the hourly noise levels for daytime, evening, and nighttime noise levels at airports within the state and compare such levels to the NA threshold of 60 dB referenced by the federal aviation administration. For the purposes of such study, all contour maps shall be completed using the community noise equivalent level. This shall include, but shall not be limited to, federal aviation regulation part one hundred fifty studies, airport noise exposure maps (NEMs), and airport noise compatibility programs (NCPs).

2. The community noise equivalent level (CNEL) shall be calculated by the following: CNEL = 10 log (1/24) ({sigma} antilog (HNLD/10) + 3 {sigma} antilog (HNLE/10) + 10 {sigma} antilog (HNLN/10)).

§ 2. This act shall take effect on the one hundred eightieth day after it shall have become a law.