§ 1204-a. Rapid transit noise code. 1. As used in this section, unless another meaning is indicated by the context:

a. "Authority" means the New York City Transit Authority.

b. "Subways" means all rail rapid transit systems operated by the authority including but not limited to rolling stock, track and track beds, passenger stations, tunnels, elevated structures, yards, depots, and shops.

c. "New cars" means all those cars the purchase and/or construction of which is contracted for subsequent to the enactment of this section.

d. "Screech" means any noise generated by wheel-track interactions on curves or by brake application and which is a prominent discreet tone above 1000 Hertz as defined by the American National Standards Institute specifications (ANSIS1.13--1971).

e. "Sound pressure level" means twenty times the logarithm to the base ten of the ratio of the root mean squared pressure of a sound to a reference pressure of twenty micropascals. The unit applied to this measure shall be the decibel (dB).

f. "A-weighted sound level or (dBA)" means the sound pressure level measured by the use of an instrument with the metering characteristics and A-weighting frequency response prescribed for sound level meters. The sound level measurement system must meet or exceed the requirements of the American National Standard Institute Specification for Sound Level Meters ANSI S1.4--1971, approved April twenty-seventh, nineteen hundred seventy-one, throughout the applicable frequency range for either:

(a) A Type 1 sound level meter; or

(b) A Type 2 sound level meter; or

(c) A Type S sound level meter which has:

(1) an A-weighting frequency response; and

(2) a fast dynamic characteristic which complies with section 5.3 of ANSI S1.4--1971; and

(3) a relative response level tolerance consistent with that of either a Type 1 or Type 2 sound level meter, as specified in section 3.2 of ANSI S1.4--1971.

g. "Equivalent sound level" means the energy-average of the integrated A-weighted sound level over a specified observation time T and is identified by the symbol Leg.

2. The authority shall undertake a rail rapid transit noise abatement study, incorporating a comprehensive review of the results of noise abatement studies and projects done for or by the Urban Mass Transportation Administration of the United States Department of Transportation and other mass transit systems. Such study shall evaluate the range of strategies available for meeting the sound levels set forth in the following sound level table, propose strategies and indicate the approximate time and necessary cost for meeting such sound levels, and indicate the expected dBA reduction of each proposed strategy. Such study shall be submitted to the governor and the legislature, and made available to the public, within one year of enactment of this section.

SOUND LEVEL TABLE

a. EQUIVALENT SOUND LEVEL		PERCENT COMPLIANCE		
		within 4 years of the effective date of this section	within 8 years of the effective date of this section	within 12 years of the effective date of this section
I. CAR INTERIOR				
A. new cars	80dBA	100%	100%	100%
B. old cars	85dBA	20%	40%	70%
II. CURVE AND BRAKE SCREECH				
A. new cars	No Screech	100%	100%	100%
B. old cars	No Screech	20%	60%	100%
III. STATION TRAINS ENTERING, LEAVING OR				

PASSING THROUGH	105dBA	85%	90%	100%
	90dBA	70%	80%	95%
	85dBA	50%	60%	80%
	80dBA	5%	15%	60%
IV. ELEVATED STRUCTURES				
	Sound level to be established	10%	30%	60%

b. In all cases noise levels shall be measured so as to reflect accurately the worst case of noise exposure at a specific location where a noise abatement strategy has been implemented, to which a subway passenger, employee, or any person who is within range of subway noise could reasonably be exposed under normal operating conditions. Noise measurements shall be made under the following conditions:

Car interior: when the car is in motion at a speed of forty miles per hour during normal operation with measurements in the center of the car and the microphone five feet above the floor.

Station: (express) when the train is in motion and passing in front of the on-platform measuring point.
(local) when the train is in motion and any part of it is within the station.

Car exterior (elevated tracks) when the train is in motion and is passing in front of the point from which noise measurements are being made.

c. All measurements shall be taken with fast dynamic characteristic of the sound level measurement system. Energy equivalent measurements shall normally be used; provided, however, alternative measures may be proposed to incorporate new instrumentation or analyses that may become available.

3. Within six months of the completion of the study conducted pursuant

to subdivision two of this section, the authority shall report to the governor and the legislature which strategies or portions of strategies proposed by such study it has chosen to implement, and the schedule for such implementation.

To the extent, if any, that the authority's plan fails to meet the standards specified in the sound table, the authority shall so state and provide the reasons for its inability to meet such standards.

4. The authority shall submit to the governor and the legislature annual reports detailing the authority's progress to date in abating subway noise. The report shall include, but not be limited to an itemized summary of all monies spent, bids requested and received, contracts let, and actual work done on noise abatement programs during the previous period. Any and all subway noise measurements made during the previous period shall be included, with, whenever possible, analyses of such measurements.

Such annual report shall also include a detailed analysis of all future noise abatement activities planned for the upcoming twelve months. These reports shall also include comprehensive statements of progress made on all planned noise abatement activities included in the previous annual report.

Nothing herein shall preclude such report from being incorporated in the authority's annual capital report submitted pursuant to the "capital financing and services system act of nineteen hundred eighty-one," so long as it is maintained as a separate, distinct and identifiable component in such report.