

ASSEMBLY, No. 1310

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblymen CHARLES and DeCROCE

1 AN ACT directing the Department of Transportation to establish a
2 demonstration project.

3

4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6

7 1. The Legislature finds and declares that:

8 a. The erection of noise barriers along the highways of this State
9 has helped to alleviate the problems of noise pollution in densely
10 populated areas bordering these highways;

11 b. The Department of Transportation has recently been required to
12 use State funds to offset the lack of funding from federal noise barrier
13 programs, thereby causing project delays while an increasing number
14 of municipalities are waiting for noise barriers to be built in their
15 communities;

16 c. The State has spent \$115.5 million on its noise barrier program,
17 with concrete or wooden barriers having a cost of \$2 million per mile,
18 while other surrounding states have spent considerably less on their
19 noise barrier programs;

20 d. The State needs to examine the problems of the cost and
21 maintenance of noise barriers, including the cost of graffiti removal,
22 and to study viable alternatives to the current materials used in these
23 barriers, such as the use of recycled plastic, as is being done in the
24 State of California, with the intent of creating a potential market for
25 recycled materials;

26 e. It is in the public interest for the Department of Transportation
27 to develop a demonstration project at three sites in the northern,
28 central and southern regions of the State to examine the benefits and
29 risks of using recycled materials to the maximum extent possible in the
30 construction of highway noise barriers.

31

32 2. The Commissioner of Transportation, after consultation with the
33 Commissioner of the Department of Environmental Protection, shall
34 develop a demonstration project to examine the benefits and risks of
35 using recycled materials to the greatest extent possible in the

1 construction of highway noise barriers. As part of this demonstration
2 project, the Commissioner of Transportation shall choose three sites,
3 one in each of the northern, central and southern regions of the State
4 where the project is to take place. The Commissioner of
5 Transportation, after consultation with the Commissioner of the
6 Department of Environmental Protection, and after reviewing federal
7 engineering standards, shall develop criteria for the nature and
8 composition of recycled materials to be used in the noise barriers.
9 Such criteria shall include, but not be limited to, structural engineering
10 needs, acoustical effects, cost effectiveness, performance and safety
11 standards, aesthetics, use of recycled plastics, creation of markets for
12 recyclable materials, and standards for repelling graffiti. In order to
13 carry out the purposes of this act, the Commissioner of Transportation
14 is authorized to contract for and to accept any gifts or grants or loans
15 of funds or property or financial or other aid in any form from the
16 United States of America or any agency or instrumentality thereof, or
17 from the State or any agency, instrumentality or political subdivision
18 thereof, or from any other source including assistance from
19 appropriate sources at Rutgers, the State University, the New Jersey
20 Institute of Technology, and Stevens Institute of Technology, and to
21 comply, subject to the provisions of the act, with the terms and
22 conditions thereof. The Commissioner of Transportation shall prepare
23 a report to the Legislature within two years from the effective date of
24 this act, identifying the department's progress in using these materials
25 and any technical findings regarding the costs and benefits of such
26 usage.

27 For the purposes of this section, "northern region" means the
28 counties of Bergen, Essex, Hudson, Morris, Passaic, Sussex, Union
29 and Warren; "central region" means the counties of Hunterdon,
30 Mercer, Middlesex, Monmouth, Ocean, and Somerset; and "southern
31 region" means the remaining seven counties of the State.

32

33 3. This act shall take effect immediately.

34

35

36

STATEMENT

37

38 While the construction of noise barriers has helped to alleviate the
39 problems of noise pollution in densely populated areas, DOT has
40 recently been required to use State funds to offset the lack of federal
41 funding for noise barrier programs. The State has spent \$115.5 million
42 on its noise barrier program, erecting concrete or wooden barriers at
43 a cost of \$2 million per mile, while other surrounding states have spent
44 considerably less on their noise barrier programs. The State needs to
45 examine the problems of the cost and maintenance of noise barriers,
46 including the cost of graffiti removal, and to study viable alternatives

1 to the current materials used in these barriers, such as the use of
2 recycled plastic, as is being done in the State of California, with the
3 intent of creating a potential market for recycled materials.

4 The bill achieves this goal by directing the Commissioner of
5 Transportation, after consultation with the Commissioner of the
6 Department of Environmental Protection, to establish a demonstration
7 project, with sites in the northern, central and southern regions of the
8 State, to examine the benefits and risks of using recycled materials to
9 the maximum extent possible in the construction of highway noise
10 barriers. The commissioner is to report to the Legislature within two
11 years identifying the department's progress in using this material and
12 any technical findings regarding the costs and benefits of such usage.

13

14

15

16

17 Directs DOT Commissioner to establish demonstration project to
18 maximize use of recycled materials in highway noise barriers.