

FOURTEENTH CONGRESS OF THE
REPUBLIC OF THE PHILIPPINES
First Regular Session

7 JUN 30 P 4:28

SENATE

RECEIVED BY: 

Senate Bill No. 242

INTRODUCED BY HON. MANNY VILLAR

EXPLANATORY NOTE

There is no law which prescribes a uniform system for noise impact at airports taking into account the characteristics of an area, including its proximity to an airport and its non-aircraft background noise. This is important to protect the public against significant disturbances in human activities such as sleep and rest.

The bill prescribes aviation noise limits, provides for its management and reduction especially in the surrounding residential areas, and provide for a staged plan which involves zoning, land use planning and relocation.


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**AN ACT PROVIDING FOR AVIATION NOISE MANAGEMENT AND REDUCTION IN
RESIDENTIAL AREAS**

*Be it enacted by the Senate and House of Representatives of the Philippines in
Congress assembled:*

1 SECTION 1. Short Title – This Act shall be known as the “Aviation Noise Limit
2 Act.”

3 SECTION 2. Declaration of State Policy – The State shall protect public health
4 by determining noise impact of residential areas near airports and by establishing
5 programs for the management of noise levels. The State shall also ensure the
6 constitutionally protected right of quiet enjoyment of private property.

7 SECTION 3. Definitions – For the purpose of this Act, the following definitions
8 shall apply:

9 (1) Airspace traffic change – a change in aircraft flight paths, operating
10 procedures, nature of aircraft traffic, and quantity of aircraft traffic which is applicable in
11 normal circumstances.

12 (2) Average sound level – the level, in decibels of the mean-square, A-weighted
13 sound pressure during a specified period, with reference to the square of the standard
14 reference sound pressure of 20 micropascals.

15 (3) Background sound level-hourly average sound level in decibels, measured at
16 a representative of a relatively quiet residential location within an area (with aircraft
17 contributions excluded).

1 (4) Day-night average sound level – 24 hour average sound level, in decibels, for
2 the period from midnight to midnight, obtained after the addition of 10 decibels to sound
3 levels during nighttime hours.

4 (5) Nighttime hours – periods between midnight and 7:00 a.m. and between
5 10:00 p.m. and midnight local time.

6 (6) *Normal circumstances* – all circumstances other than unusually adverse
7 weather and emergency circumstances.

8 (7) Single event maximum sound level – the level, in decibels, of the maximum
9 A-weighted sound pressure during an aircraft overflight obtained using a standard
10 sound level meter under a slow response setting.

11 (8) Vicinity of an airport – the geographic area surrounding an airport established
12 before the effectivity of this Act described nominally as follows:

13 (a) The area extending in all directions a distance of 1.5 miles from each
14 runway established before such date of effectivity.

15 (b) The rectangular area defined by drawing a straight center line a
16 distance of 1 miles from the end of each runway established before
17 such date of the effectivity in the direction of heaviest traffic and
18 extending 1.5 miles perpendicular from the center line on each side of
19 such runway.

20 SECTION 4. Aviation Noise Limits – The Air Transportation Office of the
21 Department of Transportation and Communication shall develop a medium-term plan to
22 reduce by at least 75 percent the number of individuals residing in residential areas in
23 the vicinity of an airport who are exposed to a yearly day-night average sound level of
24 60 decibels or above. In developing such plan, the Air Transportation Office shall
25 consider various methods for aviation noise reduction, including sound proofing,
26 relocation incentives, use of quieter aircraft, operations restrictions and revision of air
27 routes.

28 As part of the plan to be developed pursuant to the preceding paragraph, the Air
29 Transportation Office shall make recommendations on actions and policy changes on
30 the part of departments and agencies of the government which could assist in meeting
31 the objective described in paragraph 1 of this section.

1 SECTION 5. Management and Reduction of Aviation Noise in Other Areas –
2 Beginning on the date of the enactment of this Act, the Air Transportation Office may
3 make an airspace traffic change only if the change will not result in an increase in
4 aviation noise in violation of the next succeeding section.

5 SECTION 6. Requirements – A violation of any of the following requirements,
6 which apply only to residential areas that are not in the vicinity of an airport, shall be
7 considered to be a violation of this Section.

8 (a) Hourly average sound level – The hourly average sound level, with combined
9 aviation and non-aviation sources, over any 1-hour period may not exceed 6 decibels
10 above the background sound level for such 1-hour period.

11 (b) Single Event Maximum Sound Level – Under normal circumstances, the
12 single event maximum sound level -

13 (i) may not exceed 70 decibels;

14 (ii) during nighttime hours, may not exceed 55 decibels; and

15 (iii) may not be more than 20 decibels above the background sound level
16 for the 1-hour period in which the event occurs.

17 The requirement of this paragraph shall be considered to have been met if there
18 are no more than 3 violations of the limits contained in this subparagraph in a 24-hour
19 period.

20 (c) Day-Night Average Sound Level – if the day-night average sound level, with
21 combined aviation and non-aviation sources, exceeds 45 decibels, then aviation activity
22 may not contribute more than 3 decibels to such sound level.

23 SECTION 7. Determination of Vicinity of Airport – if the location of the airport is
24 substantially different from the geographic area as defined by this Act, an airport may
25 on or before the 180th day following the effectivity of this Act, transmit to the Air
26 Transportation Office for approval alternative boundaries of the vicinity of the airport
27 which conform to the ground noise distribution of the airport; except that the geographic
28 area enclosed by such alternative boundaries may not include an area with a day-night
29 average sound level of less than 60 decibels for the 1-year period ending on the date of
30 the effectivity of this Act.

1 In the event that an airspace traffic change or other action makes it unfeasible or
2 impracticable to meet the sound level limits prescribed by this Act within a residential
3 area then such area may be added to the area considered to be in the vicinity of the
4 airport upon acquisition of the property or by acquisition of easements of the property
5 by the airport operator.

6 Not later than 1 year after the date of the effectivity of this Act, the Air
7 Transportation Office through the Department of Transportation and Communication
8 shall transmit to Congress a report containing the plan to be developed and a
9 description of actions taken with respect to airspace changes together with
10 recommendations for appropriate administrative and legislative actions.

11 SECTION 8. Responsibility of Secretary of Transportation – In complying with
12 this Act, the Secretary of the Department of Transportation and Communications shall
13 assume responsibility for all non-military aviation activity, within and outside controlled
14 airspace and shall regulate such activity to ensure compliance with the requirements of
15 this Act.

16 SECTION 9. Separability Clause – If any provision or part of this Act is held
17 invalid or unconstitutional, the remainder of the law or the provision not otherwise
18 affected shall remain valid and subsisting.

19 SECTION 10. Repealing Clause – Any law, presidential decree or issuance,
20 executive order, letter of instruction, administrative order, rule of regulation contrary to,
21 or inconsistent with the provisions of this Act is hereby repealed, modified, or amended
22 accordingly.

23 SECTION 11. Effectivity Clause – This Act shall take effect fifteen (15) days after
24 its publication at least 2 newspapers of general circulation.

Approved,