

1st Sub. H.B. 203

NIGHTTIME HIGHWAY CONSTRUCTION NOISE AMENDMENTS

Representative **Kay J. Christofferson** proposes the following amendments:

1. *Page 2, Lines 38 through 43:*

38 (b) "Nighttime highway construction" means highway construction occurring between
39 the hours of 10:00 p.m. and 7:00 a.m.

(c) "Nuisance" means the same as that term is defined in Section 78B-6-1101.

40 ~~{(c)}~~ **(d)** (i) "Permitted activities" means activities occurring between the hours of 7:00 p.m.
41 and 7:00 a.m. that are related to and necessary for nighttime highway construction, whether
42 occurring at the construction site or at a gravel pit or other site for production of raw materials,
43 and includes:

2. *Page 3, Lines 80 through 84:*

80 (5) A local jurisdictional authority shall issue a nighttime highway construction permit
81 limited to permitted activities if :

(a) the applicant provides evidence that the permitted activities are
82 directly related to and necessary for a nighttime highway construction project for which the
83 department has obtained a nighttime highway construction permit from a local jurisdictional
84 authority pursuant to Subsection (2) or (3) ; and

(b) the local jurisdictional authority determines that any nuisance that may be caused by the nighttime highway construction may be reasonably mitigated .