

SB 631-FN - AS AMENDED BY THE SENATE

02/05/2026 0350s  
02/05/2026 0487s

2026 SESSION

26-2221  
06/05

SENATE BILL        **631-FN**

AN ACT            authorizing the sale of toll credits to fund a newly established noise barrier construction fund for the design and construction of noise barrier projects.

SPONSORS:        Sen. Carson, Dist 14; Rep. Packard, Rock. 16; Rep. Lundgren, Rock. 16; Rep. W. MacDonald, Rock. 16

COMMITTEE:      Transportation

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AMENDED ANALYSIS

This bill authorizes the sale of toll credits to fund a newly established noise barrier construction fund for the design and construction of noise barrier projects, provided that there are sufficient turnpike toll credits for the state match for certain federal apportionment totals.

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Explanation:      Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struckthrough.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT authorizing the sale of toll credits to fund a newly established noise barrier construction fund for the design and construction of noise barrier projects.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 New Section; Noise Barrier Construction Fund. Amend RSA 228 by inserting after section  
2 228:12-a the following new section:

3 228:12-b Noise Barrier Construction Fund.

4 I. Provided there are sufficient turnpike toll credits for the state match for the federal  
5 apportionment totals for 5 years based on the current federal fiscal year and the preceding 4 federal  
6 fiscal years, the commissioner is authorized in his or her discretion to sell up to \$10,000,000 per year  
7 in turnpike toll credits in compliance with federal rules and regulations and turnpike covenants,  
8 said sale being subject to the approval of the fiscal committee of the general court and the joint  
9 legislative capital project overview committee.

10 II. The revenue from the sale of the turnpike toll credits shall be deposited into a restricted  
11 fund to be established and known as the noise barrier construction fund, said revenue to be  
12 nonlapsing and continually appropriated to the department of transportation. Expenditures from  
13 the noise barrier construction fund made by the commissioner being subject to the approval of the  
14 fiscal committee of the general court and the joint legislative capital project overview committee.

15 III. The commissioner is authorized to use said revenue for the design and construction of  
16 noise barrier projects that meet the Type II noise barrier criteria set forth in the department's Policy  
17 and Procedural Guidelines for the Assessment and Abatement of Highway Traffic Noise for Type I &  
18 Type II Projects, as updated and amended. The commissioner may consider additional authorized  
19 adjustment factors for the determination of eligibility after consultation with an affected community  
20 concerning impacts to the community.

21 2 New Subparagraph; Dedicated Account; Noise Barrier Construction Fund. Amend RSA 6:12,  
22 I(b) by inserting after subparagraph (410) the following new subparagraph:

23 (411) Moneys in the noise barrier construction fund, established in RSA 228:12-b.

24 3 Effective Date. This act shall take effect July 1, 2026.

**SB 631-FN- FISCAL NOTE**  
AS AMENDED BY THE SENATE (AMENDMENT #2026-0487s)

AN ACT authorizing the sale of toll credits to fund a newly established noise barrier construction fund for the design and construction of noise barrier projects.

**FISCAL IMPACT:**

Estimated State Impact				
	FY 2026	FY 2027	FY 2028	FY 2029
<b>Revenue</b>	\$0	Indeterminable		
<i>Revenue Fund(s)</i>	Noise Barrier Construction Fund			
<b>Expenditures*</b>	\$0	Indeterminable		
<i>Funding Source(s)</i>	Noise Barrier Construction Fund			
<b>Appropriations*</b>	\$0	Continually Appropriated		
<i>Funding Source(s)</i>	Noise Barrier Construction Fund			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

**METHODOLOGY:**

This bill establishes a dedicated fund for noise barrier construction and authorizes the Department of Transportation to generate revenue through the sale of Turnpike toll credits, in compliance with federal regulations and Turnpike bond covenants. The bill limits such sales to no more than \$10 million and requires that sufficient credits remain available to support five years of the federal program, based on the current federal fiscal year requirement plus the prior four federal fiscal years. The Department states the fiscal impact cannot be determined at this time as there is no established market for the sale of Turnpike toll credits, and the federal requirements applicable to any sale are unknown. Potential variables include restrictions on the allowable use of proceeds, federal participation or revenue-sharing requirements, and additional administrative or reporting obligations. These factors would affect both the amount of revenue realized and any associated expenditures.

**AGENCIES CONTACTED:**

Department of Transportation