

224.30-115 Development and maintenance of comprehensive state-wide program of noise regulation.

- (1) The secretary shall develop, adopt, and maintain a comprehensive state-wide program of noise regulation which may include, but not be limited to, the following:
 - (a) Controls on environmental noise (or one (1) or more sources thereof) through the licensing, regulation, and restriction of the use, operation, and movement of any product or combination of products.
 - (b) Noise emission standards for products which, in the secretary's judgment, are major sources of noise, or are products for which noise emission standards are feasible and are requisite to protect the public health and welfare.
 - (c) Labeling requirements which prohibit the sale or offer to sell or the lease or offer to lease of any product, machine, vehicle, or equipment, or class thereof, without notice to the prospective purchaser, lessee, or user of the noise levels and characteristics emitted by such product, machine, vehicle or equipment, or its effectiveness in reducing noise, as the case may be.
 - (d) Development and adoption of ambient noise standards except such ambient noise standards shall not exceed those ambient noise standards promulgated by regulation by the administrator of the Federal Environmental Protection Agency.
 - (e) Development and adoption of a plan for the achievement of ambient noise standards.
 - (f) Noise insulation and abatement standards for any occupancy or class of occupancies of buildings, except residential dwellings and the limitation of human exposure to noise generated by mechanical equipment and systems associated with such buildings. Such noise insulation and abatement standards shall be based on criteria for the limitation of interior noise exposures appropriate to building and occupancy use.
 - (g) Establishment of special noise insulation districts within which specified building performance standards and noise insulation standards shall apply, in order to protect building occupants from excessive noise of external origins.
- (2)
 - (a) Any regulation promulgated pursuant to the authority of KRS 224.30-100 to 224.30-190 shall be one which, in the judgment of the secretary is requisite to protect the public health and welfare, taking into account the magnitude and conditions of use of the product or activity involved, the degree of noise reduction achievable through the application of the best commercially available technology, and the cost of compliance. In determining the degree of noise reduction achievable through the application of the best available technology, the secretary shall take into consideration technology which may be available at the time the regulation becomes effective.
 - (b) The cabinet may adopt rules and regulations to carry out KRS 224.30-100 to 224.30-190.

Effective: June 21, 1974

History: Created 1974 Ky. Acts ch. 74, Art. III, secs. 1 and 13, effective June 21,

1974; and ch. 99, sec. 5, effective June 21, 1974.

Formerly codified as KRS 224.725.