

# **2013 - SEBPP Meeting**

## **Norfolk, VA**

### **Roundtable Discussion**



## **Q- How will we justify proposed bridge projects under MAP-21?**

- There are four programs that provide funding for bridge projects. These programs are:
  - National Highway Performance Program (NHPP)
  - Surface Transportation Program (STP)
  - Highway Safety Improvement Program (SIP)
  - Congestion Mitigation and Air Quality Improvement Program (CMAQ)
- Each of these programs includes eligible activities and eligibility requirements.

# National Highway Performance Program (SEC 1106)

- Funds an enhanced National Highway System, combining functions of the existing NHS, IM and Bridge Programs
- Requires an asset management plan
- States set targets for conditions and performance

# National Highway Performance Program (SEC 1106)

- Eligible Facility = Any facility on the NHS
- Eligible Project = Supports the national performance goals and meets at least one listed purpose
- NHS performance targets set by state as part of an asset management plan
  - Law sets standard for NHS bridges -- no more than 10% of deck area may be structurally deficient
  - Risk and performance based
  - In line with national goals, specified in law (SEC 1203)

# National Highway Performance Program (SEC 1106)

## Asset management plan

- Must include specific features such as objectives and measures, investment strategies, risk analysis
- A summary listing of all pavement and bridge assets on the NHS, including a description of their conditions
- 18 months after October 1<sup>st</sup> - Secretary to issue regulations defining the process for developing an asset management plan
- 18 month transition period beyond publication of final rule

# National Highway Performance Program (SEC 1106)

## Eligible Activities Include:

- Construction, Replacement, Rehabilitation, Preservation, Inspection, Evaluation, Inspector Training
- Protection – scour countermeasures, seismic retrofits, impact protection, security, extreme events
- Costs associated with obtaining, updating, and licensing software and equipment required for asset management
- Inspection and evaluation of other infrastructure assets (signs, walls, drainage structures)

# Surface Transportation Program (SEC 1108)

- Eligible Facility = Any facility including bridges and tunnels on public roads of all functional classifications
- Eligible Activities Include:
  - Construction of new bridge or tunnel on a Federal-aid Highway, replacement, rehabilitation, preservation, protection, application of de-icing chemicals, inspection, evaluation, inspector training

## More Q and A

- **Question:** When will the bridge condition penalty under section 1106 (23 U.S.C. 119(f)(2), MAP-21 § 1106(a)) be applied?
- **Answer :** In order to allow the States three complete years under the NHPP as determined by 23 U.S.C. 119(f)(2), FHWA will examine bridge condition data submitted by the States in April 2014, 2015, and 2016. If the deck area on structurally deficient NHS bridges exceeds the 10 percent bridge condition threshold for all three years, the penalty will be imposed on October 1, 2016 (the start of FY 2017).

## More Q and A

- **Question:** What if a State Doesn't have an approved Asset Management Plan?
- **Answer:** If no approved asset management plan in place, Federal share will be limited to 65%

## More Q and A

- **Question:** What is the penalty if a State does not achieve the bridge condition threshold established in section 1106 (23 U.S.C. 119(f)(2), MAP-21 § 1106(a))?
- **Answer:** The penalty requires that an amount equal to 50 percent of the State's Highway Bridge Program (HBP) apportionment in 2009 will be set aside from National Highway Performance Program (NHPP) funds to be used only for eligible projects on NHS bridges.

## More Q and A

- **Question:** Since MAP-21 did not reauthorize the Highway Bridge Program (HBP) and amended 23 U.S.C. 144, what rules apply to the use of old HBP funds?
- **Answer:** Unobligated funds which were apportioned under the HBP will continue to follow the requirements of 23 U.S.C. 144 as it existed prior to the enactment of MAP-21.

## More Q and A

- **Question:** For many years FHWA has applied a "10-year rule" for determining a bridge's eligibility for HBP funding. Is this "10-year rule" still in place under MAP-21?
- **Answer:** No, the programmatic rule applied under the HBP, known as the 10-year rule, does not apply under MAP-21 programs. The HBP was eliminated and the apportionment process under the MAP-21 programs is not affected by the population of deficient bridges; therefore, the rule has no relevance.

## More Q and A

- **Question:** Are pavement, tunnel, and bridge preservation projects eligible for federal-aid funding?
- **Answer:** Yes, MAP-21 adds preservation to the definition of construction in 23 U.S.C. 101. As such, preservation is eligible under multiple programs including the National Highway Performance Program and the Surface Transportation Program.

## More Q and A

- **Question :** Does MAP-21 require agreements between state agencies and FHWA for the use of federal funds for preventive maintenance on highway bridges?
- **Answer :** No, agreements are not required by MAP-21. However, preservation activities which include preventive maintenance are eligible for federal-aid funding provided that the activities are cost effective means of extending the useful life of a Federal-aid highway. Programmatic agreements between a state agency and FHWA are encouraged for efficiency purposes. Lack of such agreements would require project approval on a case by case basis.

## Resources on MAP-21

- FHWA MAP-21 Website:  
<http://www.fhwa.dot.gov/map21/>
- FHWA Transportation Performance Management Website: <http://www.fhwa.dot.gov/tpm/>

# Roundtable Questions

Q1 - Does your agency collect bridge element condition data?

Q2- Do any of your local agencies collect bridge element condition data?

Q3- What percentage of the total bridge budget is being invested in Bridge Preservation?

Q4- What would be an adequate level of funding annually for your bridge preservation program?