

FEDERAL
HIGHWAY
ADMINISTRATION
OVERVIEW

TRANSPORTATION COMMITTEE DAILY AGENDA

- 1) CALL MEETING TO ORDER
- 2) NOTE MONTH/DAY/YEAR WEDNESDAY, JANUARY 30, 1985
- 3) NOTE TIME: (7:00 A.M.)
- 4) NOTE MEMBERS PRESENT AND EXCUSED
--NOTE: FOR THE RECORD, ALSO NOTE ANY LATE ARRIVALS
TO THE MEETING.
- 5) RECOGNIZE VIP'S
- 6) REMIND PARTICIPANTS TO SIGN THE WITNESS REGISTER

TODAY'S PARTICIPANT:

BARRY MOREHEAD
FEDERAL HIGHWAY ADMINISTRATION

PROCESSION OF MEETING

- 7) INTRODUCE BARRY MOREHEAD OF THE FEDERAL HIGHWAY
ADMINISTRATION. HE SHALL PROVIDE AN OVERVIEW OF THE AGENCY.

NOTE TO COMMITTEE MEMBERS:

INSIDE THEIR FILE FOLDERS IS:

- ° NOTHING--MR. MOREHEAD SAID HE WOULD BRING
MATERIALS. THE FILE FOLDERS ARE FOR THOSE
MATERIALS.

- 8) ANNOUNCE TIME OF ADJOURNMENT
- 9) REMIND MEMBERS AND AUDIENCE TO CLEAR THE ROOM FOR THE NEXT
COMMITTEE MEETING OF HOUSE RESOURCES.



U.S. Department
of Transportation

**Federal Highway
Administration**

Alaska Division

FEB 4 1985
P.O. Box 1648
Juneau, Alaska 99802

February 1, 1985

HDA-AK

Betty Cato, Chairman
House Transportation Committee
Pouch V, Juneau, Alaska 99811
Mail Stop 3100

Dear Ms. Cato:

During the January 30 meeting with your other committees, I recall three different requests. Representative Pignalberi asked about matching ratios for various Federal Program categories. The major categories and federal share are:

Interstate	95%
Interstate 4R	95%
Primary	94.37%
Secondary	94.37%
Urban	94.37%
Hazard Elimination	90%
Railway Highway Crossings	90%
Bridge Replacement	80%
Forest Highways	100%
Public Lands	100%

There are a number of other categories with varying matching ratios that could be made available if it is desired. Representative Furnace asked if Federal-Aid Funds could be used to retire bonds if the proceeds were used for construction of the Knik Arm Crossing facility. The answer is Yes. As you can see from the attachment, there are a number of variables and agreements needed. The Alaska DOT&PF would need to analyze these variables to determine which would be most advantageous.

The third request was for additional copies of our publication Financing Federal-Aid Highways. We have exhausted our supply; however, Ms. Jareene Barkdoll from our Planning Section is attempting to locate copies in other Federal Highway Administration offices and will forward them as soon as possible.

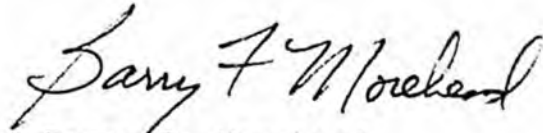
Betty Cato

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February 1, 1985

I appreciated the opportunity to discuss Transportation issues with you and other committee members.

Sincerely yours,

A handwritten signature in cursive script that reads "Barry F. Morehead". The signature is written in dark ink and is positioned above the typed name.

Barry F. Morehead
Division Administrator



U.S. Department
of Transportation
**Federal Highway
Administration**

Memorandum

Subject: Federal-Aid Participation
in Bond-Redemption

Date: January 31, 1985

From: Division Bridge Engineer
Juneau, Alaska

Reply to
Attn. of: HBR-AK

To: Mr. Barry Morehead
Division Administrator
Alaska Division
Juneau, Alaska

I reviewed the regulations on toll facilities and the utilization of Federal-aid funds to retire bonds, the proceeds of which were used to finance Federal-aid projects.

We can participate in toll facilities, per 23 USC 129 (Attachment 1), providing that facility eventually becomes free in some reasonable period of time.

According to 23 USC 122 (Attachment 2), we can participate in the retirement of the principal of bonds the proceeds of which were used to construct a Federal-aid primary or urban project, or the retirement of the principal and interest of bonds the proceeds of which were used to finance an interstate project. 23 CFR 140, subpart F (Attachment 3) says somewhat the same in 140.602(a&b). Paragraph "a" states that funds may be used to aid in the retirement of the principals of bonds at their maturities to the extent the proceeds have been spent for construction. 140.602(b) states that interest on bonds, the proceeds of which were expended on Interstate construction, is and eligible cost of construction.

Since interest and principal on Interstate projects is specifically mentioned while only principal is mentioned on other projects, it does not appear that interest on bonds used to finance a Primary or Urban projects is eligible.

The attached copy of 23 CFR 640, subpart F (Attachment 4) details the necessary procedures for advance construction of Federal-aid projects if we are to subsequently participate in retirement of bonds.

Charles W. Seslar

Attachment
BJA31031:CWS

has afforded the opportunity for such hearings, for the purpose of enabling persons in rural areas through or contiguous to whose property the highway will pass to express any objections they may have to the proposed location of such highway. Such certification shall be accompanied by a report which indicates the consideration given to the economic, social, environmental, and other effects of the plan or highway location or design and various alternatives which were raised during the hearing or which were otherwise considered. ¹¹⁸

(b) When hearings have been held under subsection (a), the State highway department shall submit a copy of the transcript of said hearings to the Secretary, together with the certification and report. ¹¹⁹

Sec. 129. Toll Roads, Bridges, Tunnels, and Ferries. ¹²⁰

(a) Notwithstanding the provisions of section 301 of this title, the Secretary may permit Federal participation, on the same basis and in the same manner as in the construction of free highways under this chapter, in the construction of any toll bridge, toll tunnel, or approach thereto, upon compliance with the conditions contained in this section. Such bridge, tunnel, or approach thereto, must be publicly owned and operated. Federal funds may participate in the approaches to a toll bridge or toll tunnel whether such bridge or tunnel is to be or has been constructed, or acquired, by the State or other public authority. The State highway department or departments must be a party or parties to an agreement with the Secretary whereby it or they undertake performance of the following obligations:

(1) all tolls received from the operation of the bridge or tunnel, less the actual cost of such operation and maintenance, shall be applied to the repayment to the State or other public authority of all of the costs of construction or acquisition of such bridge or tunnel, except that part which was contributed by the United States;

(2) no tolls shall be charged for the use of such bridge or tunnel after the State or other public authority shall have been so repaid; and

(3) after the date of final repayment, the bridge or tunnel shall be maintained and operated as a free bridge or free tunnel; except in the case of a bridge which connects the United States with any foreign country: Provided, That such tolls or charges do not exceed the amount necessary for the proper maintenance, repair, and operation of the bridge and its approaches under economical management: And further provided, That the entity or governmental instrumentality responsible for the operation of the portion of

¹¹⁸ Amended by sec. 24 of Public Law 90-495, Aug. 23, 1968 (82 Stat. 815); and sec. 135(a) of Public Law 91-605, Dec. 31, 1970 (84 Stat. 1713).
¹¹⁹ Amended by sec. 135(b) of Public Law 91-605, Dec. 31, 1970 (84 Stat. 1713).
¹²⁰ Amended by Sec. 5(b) of Public Law 86-657, July 14, 1960 (74 Stat. 522).

the bridge within the jurisdiction of the foreign country is charging tolls for the use of the bridge. ¹²¹

(b) Upon a finding by the Secretary that such action will promote the development of an integrated Interstate System, the Secretary is authorized to approve as part of the Interstate System any toll road, bridge or tunnel, now or hereafter constructed which meets the standards adopted for the improvement of projects located on the Interstate System, when such toll road, bridge or tunnel is located on a route heretofore or hereafter designated as a part of the Interstate System. No Federal-aid highway funds shall be expended for the construction, reconstruction or improvement of any such toll road, except to the extent permitted by law after June 29, 1956. When any such toll road which the Secretary has approved as a part of the Interstate System is made a toll-free facility. Federal-aid highway funds apportioned under section 104(b)(5) of this title may be expended for the construction, reconstruction, or improvement of that road to meet the standards adopted for the improvement of projects located on the Interstate System. No Federal-aid highway funds shall be expended for the construction, reconstruction or improvement of any such toll bridge or tunnel, except to the extent permitted by law on or after June 29, 1956. After June 30, 1968, all agreements between the Secretary and a State highway department for the construction of projects on the Interstate System shall contain a clause providing that no toll road will be constructed after June 30, 1968, on the interstate highway route involved without the official concurrence of the Secretary. The Secretary shall not concur in any such construction unless he makes an affirmative finding that, under the particular circumstances existing, the construction of such road as a toll facility rather than a toll-free facility is in the public interest. The preceding two sentences shall not apply to any toll bridge or toll tunnel. ¹²²

(c) Funds authorized for expenditure on any of the Federal-aid highway systems, including the Interstate System, shall be available for expenditure on projects approaching any toll road, bridge or tunnel to a point where such project will have some use irrespective of its use for such toll road, bridge or tunnel. ¹²³

(d) Funds authorized for the Interstate System shall be available for expenditure on Interstate System projects approaching any toll road on the Interstate System, although the project has no use other than an approach to such toll road, if an agreement satisfactory to the Secretary has been reached with the State prior to the approval of such project—

(1) that the section of toll road will become free to the public upon the collection of tolls sufficient to liquidate the cost of the

¹²¹ Amended by sec. 7 of Public Law 92-434, Sept. 26, 1972 (86 Stat. 732).

¹²² Amended by sec. 28 of Public Law 90-495, Aug. 23, 1968 (82 Stat. 815); and sec. 118(a) of Public Law 93-87, Aug. 13, 1973 (87 Stat. 259).

¹²³ Amended by sec. 8(a) of Public Law 86-657, July 14, 1960 (74 Stat. 522).

toll road or any bonds outstanding at the time constituting a valid lien against such section of toll road covered in the agreement and their maintenance and operation and debt service during the period of toll collections, and

(2) that there is one or more reasonably satisfactory alternate free routes available to traffic by which the toll section of the system may be bypassed.

(e) Notwithstanding the provisions of subsection (b) of this section, the Secretary may permit Federal participation in the reconstruction and improvement of any toll road providing for only two lanes of traffic, which is designated part of the Interstate System as he may find necessary to bring such two lane toll road to the geometric and construction standards for the Interstate System in order to provide for the safe use of such highway as part of the Interstate System and to facilitate the removal of tolls therefrom. Federal participation in such reconstruction and improvement shall be on the same basis and in the same manner as in the construction of free Interstate System highways under this chapter. No Federal participation shall be permitted pursuant to this subsection except on two lane toll roads which were designated as a part of the Interstate System on or before June 30, 1973. Before Federal participation under this subsection, the State highway department and the toll road authority involved shall enter into an agreement with the Secretary which shall provide that—

(1) no indebtedness which is to be liquidated by the collection of tolls (in addition to indebtedness in existence on date of enactment in this subsection) shall be incurred after the date of enactment of this subsection;

(2) all tolls received from the operation of the toll road, less the actual cost of such operation and maintenance, shall be applied to the repayment of only those bonds outstanding on the date of enactment of this subsection constituting a valid lien against such toll road and its maintenance and operation and debt service during the period of toll collection;

(3) the toll road shall become free to the public upon collection of tolls sufficient to liquidate all such bonds. ¹²⁴

(f) Notwithstanding the provisions of section 301 of this title, the Secretary may permit Federal participation under this title in the construction of a project constituting an approach to a ferry, whether toll or free, the route of which has been approved under section 103(b) or (c) of this title as a part of one of the Federal-aid systems and has not been designated as a route on the Interstate System. Such ferry may be either publicly or privately owned and operated, but the operating authority and the amount of fares charged for passage shall be under

¹²⁴ New subsection added by sec. 133 of Public Law 91-605, Dec. 31, 1970 (84 Stat. 1713); and amended by sec. 118(b) of Public Law 93-87, Aug. 13, 1973 (87 Stat. 259).

the control of a State agency or official, and all revenues derived from publicly owned or operated ferries shall be applied to payment of the cost of construction or acquisition thereof, including debt service, and to actual and necessary costs of operation, maintenance, repair, and replacement. ¹²⁵

(g) * Notwithstanding section 301 of this title, the Secretary may permit Federal participation under this title in the construction of ferry boats, whether toll or free, subject to the following conditions:

(1) It is not feasible to build a bridge, tunnel, combination thereof, or other normal highway structure in lieu of the use of such ferry.

(2) The operation of the ferry shall be on a route which has been approved under section 103 (b) or (c) of this title as a part of one of the Federal-aid systems within the State and has not been designated as a route on the Interstate System.

(3) Such ferry shall be publicly owned and operated.

(4) The operating authority and the amount of fares charged for passage on such ferry shall be under the control of the State, and all revenues derived therefrom shall be applied to actual and necessary costs of operation, maintenance, and repair.

(5) Such ferry may be operated only within the State (including the islands which comprise the State of Hawaii and the islands which comprise the Commonwealth of Puerto Rico) or between adjoining States. Except with respect to operations between the islands which comprise the State of Hawaii and operations between the islands which comprise the Commonwealth of Puerto Rico and operations between any two points in Alaska and between Alaska and Washington, including stops at appropriate points in the Dominion of Canada, no part of such ferry operation shall be in any foreign or international waters. ¹²⁶

(6) No such ferry shall be sold, leased, or otherwise disposed of without the approval of the Secretary. The Federal share of any proceeds from such a disposition shall be credited to the unprogrammed balance of Federal-aid highway funds of the same class last apportioned to such State. Any amount so credited shall be in addition to all other funds then apportioned to such State and available for expenditure in accordance with the provisions of this title. ¹²⁷

¹²⁵ New subsection (e) added by sec. 5(a) of Public Law 86-657, July 14, 1960 (74 Stat. 522); relettered by sec. 133 of Public Law 91-605, Dec. 31, 1970 (84 Stat. 1713).

* Relettered by sec. 139(a) of Public Law 93-87, Aug. 13, 1973 (87 Stat. 270).

¹²⁶ Amended by sec. 139(b) of Public Law 93-87, Aug. 13, 1973 (87 Stat. 271); sec. 108 of Public Law 93-643, Jan. 4, 1975 (88 Stat. 2284); and sec. 121 of Public Law 94-280, May 5, 1976 (90 Stat. 438).

¹²⁷ New subsection added by sec. 139 of Public Law 91-605, Dec. 31, 1970 (84 Stat. 1713).

(h) Notwithstanding the provisions of section 301 of this title, in the case of each State which, before January 1, 1975, shall have constructed or acquired any interstate toll bridge (including approaches thereto), which before January 1, 1975, caused such toll bridge to be made free, which bridge is owned and maintained by such State or by a political subdivision thereof, and which bridge is on the Federal-aid primary system (other than the Interstate System), sums apportioned to such State in accordance with paragraphs (1) and (3) of subsection (b) of section 104 of this title shall be available to pay the Federal share of a project under this subsection of (1) such amount as the Secretary determines to be the reasonable value of such bridge after deducting therefrom that portion of such value attributable to any grant or contribution previously paid by the United States in connection with the construction or acquisition of such bridge, and the exclusive of rights-of-way, or (2) the amount by which the principal amount of the outstanding unpaid bonds or other obligations created and issued for the construction or acquisition of such bridge exceeds the amount of any funds accumulated or provided for their amortization, on the date such bridge is made free, whichever is the lesser amount. ¹²⁸

(i) Notwithstanding section 301 of this title, the Secretary may permit Federal participation, through funds for any Federal-aid system other than the Interstate System, in any engineering and fiscal assessments, traffic analyses, network studies, preliminary modification planning, and any other study necessary to determine whether a privately owned toll bridge should be acquired by a State or political subdivision thereof. ^{128a}

Sec. 130. Railway-highway crossings.

(a) Except as provided in subsection (d) of section 120 of this title and subsection (b) of this section, the entire cost of construction of projects for the elimination of hazards of railway-highway crossings, including the separation or protection of grades at crossings, the reconstruction of existing railroad grade crossing structures, and the relocation of highways to eliminate grade crossings may be paid from sums apportioned in accordance with section 104 of this title. In any case when the elimination of the hazards of a railway-highway crossing can be effected by the relocation of a portion of a railway at a cost estimated by the Secretary to be less than the cost of such elimination by one of the methods mentioned in the first sentence of this section, then the entire cost of such relocation project, except as provided in subsection (d) of section 120 of this title and subsection (b) of this

¹²⁸ New subsection added by sec. 132 of Public Law 93-87, Aug. 13, 1973 (87 Stat. 267).

^{128a} New subsection added by sec. 120 of Public Law 95-599, Nov. 6, 1978 (92 Stat. 2700).

voucher covering such payment plus the Federal share of the value of the materials which have been stockpiled in the vicinity of such construction in conformity to plans and specifications for the project. Such payments may also be made in the case of any such materials not in the vicinity of such construction if the Secretary determines that because of required fabrication at an off-site location the materials cannot be stockpiled in such vicinity. ¹¹²

(b) After completion of a project in accordance with the plans and specifications, and approval of the final voucher by the Secretary, a State shall be entitled to payment out of the appropriate sums apportioned to it of the unpaid balance of the Federal share payable on account of such project.

(c) No payment shall be made under this chapter, except for a project located on a Federal-aid system and covered by a project agreement. No final payment shall be made to a State for its costs of construction of a project until the completion of the construction has been approved by the Secretary following inspections pursuant to section 114(a) of this title.

(d) In making payments pursuant to this section, the Secretary shall be bound by the limitations with respect to the permissible amounts of such payments contained in sections 120 and 130 of this title. Payments for construction engineering on any project financed with Federal-aid highway funds shall not exceed 10 per centum of the Federal share of the cost of construction of such project after excluding from the cost of construction the costs of rights-of-way, preliminary engineering, and construction engineering. However, this limitation shall be 15 per centum in any State with respect to which the Secretary finds such higher limitation to be necessary. ¹¹³

(e) Such payments shall be made to such official or officials or depository as may be designated by the State highway department and authorized under the laws of the State to receive public funds of the State.

Sec. 122. Payment to States for bond retirement.

Any State that shall use the proceeds of bonds issued by the State, county, city, or other political subdivision of the State for the construction of one or more projects on the Federal-aid primary or Interstate System, or extensions of any of the Federal-aid highway systems in urban areas, or for substitute highway projects approved under section 103(e)(4) of this title, may claim payment of any portion of the sums apportioned to it for expenditure on such system or on highway projects approved under section 103(e)(4) of this title to aid in the retirement of the principal of such bonds the proceeds of which were used

¹¹² Added by sec. 117 of Public Law 93-87, Aug. 13, 1973 (87 Stat. 250).

¹¹³ Amended by sec. 7(b) of Public Law 88-157, Oct. 24, 1963 (77 Stat. 276); and by sec. 118(a) of Public Law 94-280, May 5, 1976 (90 Stat. 437).

for projects on the Federal-aid primary system or extensions of any of the Federal-aid highway systems in urban areas and the retirement of the principal and interest of such bonds the proceeds of which were used for projects on the Interstate System at their maturities, to the extent that the proceeds of such bonds have been actually expended in the construction of one or more of such projects. Such claim for payment may be made only when all of the provisions of this title have been complied with to the same extent and with the same effect as though payment were to be made to the State under section 121 of this title, instead of this section, and the Federal share payable shall not exceed the pro rata basis of payment authorized in section 120 of this title. This section shall not be construed as a commitment or obligation on the part of the United States to provide for the payment of the principal or interest of any such bonds. The payment of interest on such bonds and incidental costs in connection with the sale of such bonds shall not be included in the estimated cost of completing the Interstate System. ^{112a}

Sec. 123. Relocation of utility facilities.

(a) When a State shall pay for the cost of relocation of utility facilities necessitated by the construction of a project on the Federal-aid primary or secondary systems or on the Interstate System, including extensions thereof within urban areas, Federal funds may be used to reimburse the State for such cost in the same proportion as Federal funds are expended on the project. Federal funds shall not be used to reimburse the State under this section when the payment to the utility violates the law of the State or violates a legal contract between the utility and the State. Such reimbursement shall be made only after evidence satisfactory to the Secretary shall have been presented to him substantiating the fact that the State has paid such cost from its own funds with respect to Federal-aid highway projects for which Federal funds are obligated subsequent to April 16 1958, for work, including relocation of utility facilities.

(b) The term "utility", for the purposes of this section, shall include publicly, privately, and cooperatively owned utilities.

(c) The term "cost of relocation", for the purposes of this section, shall include the entire amount paid by such utility properly attributable to such relocation after deducting therefrom any increase in the value of the new facility and any salvage value derived from the old facility.

Sec. 124. Advance to States.

(a) If the Secretary shall determine that it is necessary for the expeditious completion of projects on any of the Federal-aid systems, including the Interstate System, he may advance to any State out of any

^{112a} Amended by sec. 115(b) of Public Law 95-599, Nov. 6, 1978 (92 Stat. 2698); and sec. 107(f), Public Law 97-424, Jan. 6, 1983 (96 Stat. 2103).

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§ 140.602

Chapter I—Federal Highway Administration

SOURCE: 48 FR 54571, Dec. 8, 1983, unless otherwise noted.

§ 140.601 Purpose.

To prescribe policies and procedures for the use of Federal funds by State highway agencies (SHAs) to aid in the retirement of the principal and interest of bonds, pursuant to 23 U.S.C. 122 and the payment of interest on bonds of eligible Interstate projects.

§ 140.602 Requirements and conditions.

(a) An SHA that uses the proceeds of bonds issued by the State, a county, city or other political subdivision of the State, for the construction of Interstate system, or extensions of any of the Federal-aid highway systems in urban areas, or for substitute highway projects approved under 23 U.S.C. 103(c)(4), may claim payment of any portion of such sums apportioned to it for expenditures on such system to aid in the retirement of the principal of bonds at their maturities, to the extent that the proceeds of bonds have actually been expended in the construction of projects.

(b) Any interest earned and payable on bonds, the proceeds of which were expended on Interstate projects after November 6, 1978, is an eligible cost of construction. The amount of interest eligible for participation will be based on (1) the date the proceeds were expended on the project, (2) amount expended, and (3) the date of conversion to a regularly funded project. As provided for in section 115(c), Pub. L. 95-509, November 6, 1978, interest on bonds issued in any fiscal year by a State after November 6, 1978, may be paid under the authority of 23 U.S.C. 122 only if such SHA was eligible to obligate Interstate Discretionary funds under the provisions of 23 U.S.C. 118(b) during such fiscal year, and the Administrator certifies that such eligible SHA has utilized, or will utilize to the fullest extent possible during such fiscal year, its authority to obligate funds under 23 U.S.C. 118(b).

(c) The Federal share payable at the time of conversion, as provided for in § 140.610 shall be the legal pro rata in effect at the time of execution of the

SOURCE: 44 FR 59233, Oct. 15, 1979, unless otherwise noted.

§ 140.501 Purpose.

This regulation establishes the criteria for eligibility for reimbursement of administrative settlement costs in defense of contract claims on projects performed by a State under Federal-aid procedures.

§ 140.503 Definition.

Administrative settlement costs are costs related to the defense and settlement of contract claims including, but not limited to, salaries of a contracting officer or his/her authorized representative, attorneys, and/or members of State boards of arbitration, appeals boards, or similar tribunals, which are allocable to the findings and determinations of contract claims, but not including administrative or overhead costs.

§ 140.505 Reimbursable costs.

(a) Federal funds may participate in administrative settlement costs which are:

- (1) Incurred after notice of claim,
- (2) Properly supported,
- (3) Directly allocable to a specific Federal-aid or Federal project,
- (4) For employment of special counsel for review and defense of contract claims, when
 - (i) Recommended by the State Attorney General or State Highway Agency (SHA) legal counsel and
 - (ii) Approved in advance by the FHWA Division Administrator, with advice of FHWA Regional Counsel, and
- (5) For travel and transportation expenses, if in accord with established policy and practices.

(b) No reimbursement shall be made if it is determined by FHWA that there was negligence or wrongdoing of any kind by SHA officials with respect to the claim.

Subpart F—Reimbursement for Bond Issue Projects

Authority: Sec. 115(c), Pub. L. 95-598, 92 Stat. 2698; sec. 4, Pub. L. 96-106, 93 Stat. 797 (23 U.S.C. 115(b)); 23 U.S.C. 123; 49 CFR 1.48(b).

Title 23—Highways

APPENDIX A TO SUBPART C OF PART 140—MAXIMUM OBLIGATION AMOUNTS FOR MATCHING FUND WAIVER PROJECTS AUTHORIZED PRIOR TO SEPT. 30, 1984—Continued

State	Amount (Thousands of dollars)
Alabama	13,231
Alaska	90,754
Arizona	76,308
Arkansas	16,960
California	18,969
Colorado	131,495
Connecticut	120,714
Delaware	37,986
District of Columbia	48,427
Florida	41,313
Georgia	38,770
Hawaii	14,459
Idaho	64,090
Illinois	48,583
Indiana	148,622
Iowa	38,087
Kansas	57,051
Kentucky	102,423
Louisiana	34,694
Maine	32,196
Maryland	13,332
Massachusetts	12,554
Michigan	85,941
Minnesota	10,323
Mississippi	192,239
Missouri	100,309
Montana	5,038
Nebraska	196,379
Nevada	73,055
New Hampshire	37,783
New Jersey	127,060
New Mexico	16,112
New York	34,224
North Carolina	22,704
North Dakota	63,593
Ohio	314,109
Oklahoma	28,114
Oregon	10,331
Pennsylvania	56,069
Rhode Island	59,197
South Carolina	40,800
South Dakota	66,015
Tennessee	23,288
Texas	9,590
Utah	13,209
Vermont	3,292,345
Virginia	
Washington	
West Virginia	
Wisconsin	
Wyoming	
District of Columbia	
Puerto Rico	
Total	

Subpart D—[Reserved]

Subpart E—Administrative Settlement Costs—Contract Claims

Authority: 23 U.S.C. 121, 315; 49 CFR 1.48(b); and OMB Circular A-102, Attachment O, Standard 2 (h) and (i).

State	Amount (Thousands of dollars)
Alabama	\$59,556
Alaska	34,806
Arizona	40,388
Arkansas	37,208
California	234,552
Colorado	47,615
Connecticut	47,356

Pl. 140, Subpt. C, App. A

tions shall be made from the State's fiscal year 1985 and fiscal year 1986 apportionments which are made under 23 U.S.C. 104(b), excluding the apportionment for Interstate construction under 23 U.S.C. 104(b)(5)(A). The total amount deducted shall be the amount reimbursed to the State on the increased Federal share of all qualifying projects. In each of the fiscal years, one-half of the total deduction shall be made from these apportionments on a pro rata basis.

(c) The total amount deducted in accordance with paragraph (b) of this section shall be reapportioned to those States which did not receive an increased Federal share under this subpart and to those States which have made repayment under this section. These reapportioned funds shall be distributed by the FHWA in accordance with the apportionment formula established for the Federal-aid primary system in 23 U.S.C. 104(b)(1). The reapportioned amount shall supplement the States' primary system apportionments for fiscal years 1985 and 1986.

(d) The apportionments made on October 1, 1984, and October 1, 1985, shall subsequently be adjusted by the FHWA in order to reflect the deductions made under paragraph (b) of this section and the reapportionments made under paragraph (c) of this section.

(e) The FHWA shall deposit all repayments made by a State under paragraph (a) of this section to the Highway Trust Fund and shall credit the repayments to the appropriate apportionment accounts of the State.

APPENDIX A TO SUBPART C OF PART 140—MAXIMUM OBLIGATION AMOUNTS FOR MATCHING FUND WAIVER PROJECTS AUTHORIZED PRIOR TO SEPT. 30, 1984

State	Amount (Thousands of dollars)
Alabama	\$59,556
Alaska	34,806
Arizona	40,388
Arkansas	37,208
California	234,552
Colorado	47,615
Connecticut	47,356

project agreement for the bond issue project.

(d) The authorization of a bond issue project does not constitute a commitment of Federal funds until the project is converted to a regular Federal-aid project as provided for in § 140.610.

(e) Reimbursements for the redemption of bonds may not precede, by more than 60 days, the scheduled date of the retirement of the bonds.

(f) Federal funds are not eligible for payment into sinking funds created and maintained for the subsequent retirement of bonds.

§ 140.603 Programs.

Programs covering projects to be financed from the proceeds of bonds shall be prepared and submitted to FHWA. Project designations shall be the same as for regular Federal-aid projects except that the prefix letter "B" for bond issue shall be used as the first letter of each project designation, e.g., "B1" for Bond Issue Projects—Interstate.

§ 140.604 Reimbursable schedule.

Projects to be financed from other than Interstate funds shall be subject to a 36-month reimbursable schedule upon conversion to regular Federal-aid financing (See appendix). FHWA will consider requests for waiver of this provision at the time of conversion action. Waivers are subject to the availability of liquidating cash.

§ 140.605 Approval actions.

(a) Authorization to proceed with preliminary engineering and acquisition of rights-of-way shall be issued in the same manner as for regularly financed Federal-aid projects.

(b) Authorization of physical construction shall be given in the same manner as for regularly financed Federal-aid projects. The total cost and Federal funds required, including interest, shall be indicated in the plans, specifications, and estimates.

(c) Projects subject to the reimbursable schedule shall be identified as an "E" project when the SHA is authorized to proceed with all or any phase of the work.

Title 23—Highways

(d) Concurrence in the award of contracts shall be given.

§ 140.606 Project agreements.

Project Agreements, Form PR-2, shall be prepared and executed. Agreement provision 8 on the reverse side of Form PR-2 shall apply for bond issue projects.

§ 140.607 Construction.

Construction shall be supervised by the SHA in the same manner as for regularly financed Federal-aid projects. The FHWA will make construction inspections and reports.

§ 140.608 Reimbursable bond interest costs of Interstate projects.

(a) Bond interest earned on bonds actually retired may be reimbursed on the Federal pro rata basis applicable to such projects in accordance with § 140.602(b) and (c).

(b) No interest will be reimbursed for bonds issued after November 6, 1978, used to retire or otherwise refinance bonds issued prior to that date.

§ 140.609 Progress and final vouchers.

(a) Progress vouchers may be submitted for the Federal share of bonds retired or about to be retired, including eligible interest on Interstate Bond Issue Projects, the proceeds of which have actually been expended for the construction of the project.

(c) Upon completion of a bond issue project, a final voucher shall be submitted by the SHA. After final review, the SHA will be advised as to the total cost and Federal fund participation for the project.

§ 140.610 Conversion from bond issue to funded project status.

(a) At such time as the SHA elects to apply available apportioned Federal-aid funds to the retirement of bonds, including eligible interest earned and payable on Interstate Bond Projects, subject to available obligational authority, its claim shall be supported by appropriate certifications as follows: "I hereby certify that the following

The text of FHWA Form PR-2 is found in 23 CFR Part 630, Subpart C, Appendix A.

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bonds, (list), the proceeds of which have been actually expended in the construction of bond issue projects authorized by United States Code, Title 23, Section 122, (1) have been retired on _____, or (2) mature and are scheduled for retirement on _____, which is _____ days in advance of the maturity date of _____. Eligible interest claimed on Interstate Bond Projects shall be shown for each bond and the certification shall include the statement: "I also certify that interest earned and paid or payable for each bond listed has been determined from the date on and after which the respective bond proceeds were actually expended on the project."

(b) The SHA's request for full conversion of a completed project, or partial conversion of an active or completed project(s), may be made by letter, inclusive of the appropriate certification as described in § 140.610(a) making reference to any progress payments received or the final voucher(s) previously submitted and approved in accordance with § 140.609.

(c) Approval of the conversion action shall be by the Division Administrator.

(d) The SHA's request for partial conversion of an active or completed bond issue project shall provide for: (1) Conversion to funded project status of the portion to be financed out of the balance of currently available apportioned funds, and (2) retention of the unfunded portion of the project in the bond program.

(e) Where the SHA's request involves the partial conversion of a completed bond issue project, payment of the Federal funds made available under the conversion action shall be accomplished through use of Form PR-20, Voucher for Work Performed under Provisions of the Federal-aid and Federal Highway Acts, prepared in the division office and appropriately cross-referenced to the Bond Issue Project final voucher previously submitted and approved. The final voucher will be reduced by the amount of the approved reimbursement.

§ 140.611 Determination of bond retirement.

Division Administrators shall be responsible for the prompt review of the

SHA's records to determine that bonds issued to finance the projects and for which reimbursement has been made, including eligible bond interest expense, have been retired pursuant to the State's certification required by § 140.610(a), and that such action is documented in the project file.

§ 140.612 Cash management.

By July 1 of each year the SHA will provide FHWA with a schedule, including the anticipated claims for reimbursement, of bond projects to be converted during the next two fiscal years. The data will be used by FHWA in determining liquidating cash required to finance such conversions.

Appendix—Reimbursable Schedule for Converted "E" (Bond Issue) Projects (other than Interstate Projects)

Time in months following conversion from "E" (bond issue) project to regular project	Cumulative amount reimbursable (percent of Federal funds obligated)
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
29	29
30	30
31	31
32	32
33	33
34	34
35	35
36	36

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Time in months following conversion from "E" (bond issued) project to regular project	Cumulative amount reimbursable (percent of Federal funds obligation)
36	100

Subpart G--Payroll and Related Expenses of Public Employees; General Administration and Other Overhead; and Cost Accumulation Centers and Distribution Methods

AUTHORITY: 23 U.S.C. 101(e), 114(a), 315; 49 CFR 1.48(b).

SOURCE: 46 FR 3501, Jan. 15, 1981, unless otherwise noted.

§ 140.701 Purpose.

To prescribe policies and procedures for reimbursing a State highway agency (SHA) for the costs of salaries, wages, and related costs incurred by its employees or by those of a county, city, or other local public agency (LPA) for the benefit of a federally participating highway project.

§ 140.703 Reimbursable costs.

The costs of salaries, wages, and related costs may be reimbursable for the following activities:

- (a) *Preliminary engineering.* Location, design, and related work preparatory to the advancement of a project to physical construction.
- (b) *Construction engineering.* The supervision and inspection of construction activities; additional staking functions considered necessary for effective control of the construction operations; testing materials incorporated into construction; checking shop drawings; and measurements needed for the preparation of pay estimates.
- (c) *Acquisition of rights-of-way.* The preparation of right-of-way plans; making economic studies and other related preliminary work; appraisal for parcel acquisition; review of appraisals; preparation for and trial of condemnation cases; management of properties acquired; furnishing of relocation advisory assistance; and other related labor expenses.

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(d) *Highway planning.* The orderly and continuing assembly and analysis of information about highways, such as the history of development and their extent, dimensions and conditions, use, economic and social effects, costs, and future needs.

(e) *Research and development.* The search for more complete knowledge of the characteristics of the highway system and the translation of the results of research into practice.

(f) *Administrative settlement costs--contract claims.* Services related to the review and defense of claims against Federal-aid projects, as provided for in Subpart E of Part 140 of this title, Administrative Settlement Costs--Contract Claims.

(g) *Miscellaneous functions.* Costs incurred for other activities which are properly attributable to, and for the benefit of, Federal-aid projects but are not assignable to any of the previously defined functions.

§ 140.705 Salaries and wages.

(a) Subject to appropriate authorization requirements, Federal funds may participate in the cost of salaries, wages, and related payroll expenses incurred for periods of time public employees are actively engaged, either directly or indirectly, in project-related activities.

(b) Salaries, wages, and related payroll expenses of an SHA for maintenance, general administration, supervision and other overhead are not eligible for reimbursement except as provided for in paragraph (b) of § 140.713.

§ 140.707 Travel and transportation.

(a) Federal funds may participate in the cost of commercial transportation, privately owned automobiles, and per diem or subsistence which is essential to the prosecution of the project and is performed in accordance with prescribed procedures.

(b) Reimbursement may be made for use of privately owned automobiles and per diem or subsistence which is incurred in conformance with established reimbursement policy of the SHA or LPA.

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§ 140.700 Employee leave and holidays.

(a) An SHA or LPA may claim reimbursement for the costs of leave, i.e., annual, sick, military, jurv, etc., that is earned, accounted for, and used in accordance with established procedures. The cost of such leave must be a liability of the SHA or LPA, must be equitably distributed to all activities, and the pro rata costs distributed to a Federal-aid project must be representative of the amount that is earned and accrued while working on the project.

(b) Compensatory leave granted by an SHA or LPA in lieu of payment of overtime to eligible employees may be claimed for reimbursement if accrued and granted under established policies on a uniform basis. Such leave costs must meet the criteria discussed in paragraph (a) of this section.

(c) Costs for other leave of a similar nature which may be peculiar to a specific SHA or LPA may also be reimbursed provided it meets the criteria set forth in paragraph (a) of this section.

§ 140.711 Social security, retirement, and other payroll benefits.

(a) Federal funds may participate in allocable costs incurred for social security, retirement, group insurance premiums, and similar items applicable to salaries and wages of public employees engaged in work in Federal-aid projects.

(b) The costs for such benefits must be a liability of the SHA or LPA and must meet the criteria set forth in paragraph (a) of § 140.709.

§ 140.713 General administration and other overhead.

(a) General administration, supervision, and other unallowable overhead costs of an SHA are those considered necessary for the management, supervision, and administrative control of a suitably equipped, staffed and operational SHA. Examples of such unallowable costs may include, but are not limited to, the following types of personnel, related payroll benefit costs, and other administrative or support services:

- (1) Directors, department heads, legal, accounting, budgeting, internal

auditing, personnel, and procurement units.

(2) Related clerical, secretarial, and other support services for officials and personnel listed in paragraph (a)(1) of this section.

(3) Management, supervision, and administrative overhead costs incurred by other units or departments of State, county, or city governmental organizations.

(b) Costs incurred for services rendered by employees generally classified as administrative may, however, be considered eligible for reimbursement for:

(1) A highway planning unit and a research and development unit, in the ratio of time spent on the participating portion of work in the unit to the total unit's working hours, and

(2) Other operating units if such employees are assigned for specific identifiable periods of time to perform project-related activities in the same manner as other operating personnel.

§ 140.715 Use of cost accumulation centers and cost distribution methods.

(a) Cost accumulation centers, i.e., cost centers, cost pools, or other acceptable cost accumulation methods, may be used to capture related types of costs for later distribution to all projects or other benefitting activities for which work was performed during the accounting period. The accounting and cost distribution procedures must be in accordance with paragraph (b) of this section for types of costs incurred under the following general criteria:

- (1) Salaries, wages and related payroll benefit costs may be incurred during a payroll accounting period which affects a number of projects and, therefore, may not be easily adaptable to charging directly to individual projects due to such factors as:
 - (i) Incompatibility of time increment for individual projects, (ii) an inordinate amount of time or additional number of documents to provide separate project coding, or (iii) a documented reduction of overhead costs through the elimination of processing source and coding required, increased electronic data processing application

APPENDIX C—FEDERAL-AID PROJECT AGREEMENT (NATIONAL COOPERATIVE HIGHWAY RESEARCH PROGRAM), FORM PR-2.1

<p style="text-align: center;">U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION</p> <p style="text-align: center;">FEDERAL-AID PROJECT AGREEMENT (National Cooperative Highway Research Program)</p>	<p>1. STATE _____</p> <p>2. PROJECT NUMBER _____</p>	
<p>SECTION I—AGREEMENT PROVISIONS</p>		
<p>In conformance with arrangements for financing the National Cooperative Highway Research Program, hereinafter referred to as the "NCHRP," pursuant to the Memorandum Agreement effective June 29, 1965, as amended, between the Federal Highway Administration, hereinafter referred to as "FHWA," the American Association of State Highway and Transportation Officials, hereinafter referred to as "AASHTO," and the National Academy of Sciences, hereinafter referred to as the "Academy"; the State formally consents to providing the funds stated in this agreement as its contribution towards financing expenditures incurred in conducting the NCHRP in accordance with the Memorandum Agreement.</p> <p>In accordance with the action taken by AASHTO requesting the Academy, through its Transportation Research Board to administer the NCHRP, the State authorizes FHWA to charge the State's pro rata share of the costs incurred against the funds stated in this agreement.</p> <p>It is understood that FHWA will make payments to the Academy for the State's share of the cost of the program pursuant to the State-Academy Agreement for the current fiscal year and the Fiscal Agreement entered into between the FHWA on July 1, 1962.</p> <p>In the event the State's contribution towards the cost of the NCHRP is to be financed with both Federal-aid funds and State-matching funds, the State agrees to advance the FHWA the State-matching funds for its share of the estimated cost.</p>		
<p>SECTION II—FUNDS</p>		
1. ESTIMATED TOTAL COST OF PROJECT _____	4. FEDERAL FUNDS _____	5. EFFECTIVE DATE OF AUTHORIZATION _____
<p>SECTION III—AGREEMENT AND SIGNATURES</p>		
<p>The State, through its Highway Agency, and the Federal Highway Administration agree to the above provisions.</p>		
(Official Name of the Highway Agency) _____ BY _____ (Title) _____	U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION BY _____ (Title) _____	Date Executed _____ BY _____ (Title) _____

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Subpart D—Geodetic Markers

Source: 39 FR 28414, July 10, 1974, unless otherwise noted.

§ 630.401 Purpose.

The purpose of this subpart is to prescribe procedures for conducting geodetic control surveys when participation with Federal-aid highway funds in the cost thereof is proposed and to encourage inter-agency cooperation in setting station markers, surveying to measure their position, and preserving the control so established.

§ 630.402 Policy.

(a) Geodetic surveys along Federal-aid highway routes may be programmed as Federal-aid highway projects.

(b) All geodetic survey work performed as a Federal-aid highway project will conform to National Ocean Survey (NOS) specifications. NOS will, as the representative of FHWA, be responsible for the inspection and verification of the work to ascertain that the specifications for the work have been met. Final project acceptance by FHWA will be predicated on a finding of acceptability by NOS.

§ 630.403 Initiation of projects.

All projects shall be coordinated by the FHWA Division Administrator, the State highway department and the National Ocean Survey.

§ 630.404 Standards.

(a) Highway purposes may best be served by the establishment of station markings for horizontal control along Federal-aid highway routes at spacings of three to eight kilometers (about 2 to 5 miles) and station markers for vertical control of spacings no closer than one kilometer. These requirements may be waived only with the approval of the Administrator.

(b) Projects should be of sufficient scope to permit efficient use of field parties. Projects should extend at least 30 kilometers. Projects may be coordinated with adjoining States to attain greater efficiency.

(c) Where geodetic station markers cannot be established initially at points readily accessible from the Fed-

eral-aid route, or where unavoidable circumstances result in their being established within construction limits, supplemental projects may later be approved to set and survey markers at satisfactory permanent points, preferably within the right-of-way but at points where their use does not introduce traffic hazards.

Subparts E-F—[Reserved]

Subpart G—Advance Construction of Federal-Aid Projects

Source: 48 FR 54974, Dec. 8, 1983, unless otherwise noted.

§ 630.701 Purpose.

To prescribe procedures for the construction of projects by a State highway agency (SHA) on any highway substitute, Federal-aid system, or bridge project, in advance of apportionment of Federal-aid funds, or in lieu of apportioned funds for the Interstate System only, and for the subsequent reimbursement to the SHA of the Federal share of the cost of the project, including the payment of interest on bonds of eligible Interstate projects for which proceeds of bonds were expended in the construction of the projects.

§ 630.702 Requirements and conditions.

(a) The SHA must have obligated all funds apportioned or allocated to it under 23 U.S.C. 103(e)(4), 104, or 144, other than Interstate funds, of the particular class of funds for which the project is proposed.

(b) The SHA may proceed to construct without the aid of Federal funds any highway substitute, Federal-aid system, or bridge project in the same manner and to the same extent as a regularly funded federally participating project, subject to the following provisions:

(1) Any such project shall conform to the applicable standards adopted for roads on that system on which the project is located.

(2) The plans and specifications shall be approved prior to construction in the same manner as for other

projects on the Federal-aid system involved.

(3) The prevailing wage rate provisions of 23 U.S.C. 113, as amended, shall apply.

(c) Advance construction projects are limited to the SHA's expected apportionments for 23 U.S.C. 103(c)(4), 104, or 144 of Federal-aid funds authorized by the Congress but not yet apportioned to the States.

(d) Any interest earned and payable on bonds issued by a State, county, city, or other political subdivision, the proceeds of which were expended on a project on the Interstate system under physical construction on January 1, 1983, and converted to a regularly funded project after January 1, 1983, is an eligible cost of construction as provided for in 23 U.S.C. 115(b)(2) to the extent that the bond proceeds were actually expended in the construction of an Interstate project. The amount of interest eligible for participation will be based on: (1) The date the proceeds were expended on the project, (2) amount expended, and (3) the date of conversion to a regularly funded project or the date of bond maturity, whichever is earlier.

(e) Interest earned and payable on bonds issued by a State after January 6, 1983, to the extent such bond proceeds were actually expended in the advance physical construction of Interstate projects may be considered an eligible cost of construction in accordance with 23 U.S.C. 115(b)(3). Eligibility for participation will be based on: (1) The date the bond proceeds were expended on the project, (2) amount expended, and (3) the date of bond maturity. The amount of interest allowable as a cost of construction is limited to the excess of the estimated cost of the physical construction of the project as if it were to be constructed at the time of conversion to a regularly funded project over the actual cost of construction of the project (excluding interest). Construction cost indices will be used to determine the cost of construction at the time of conversion to a regularly funded project.

(f) The authorization of an advance construction project does not constitute a commitment of Federal funds

until the project is converted to a regular Federal-aid project as provided for in § 630.708.

§ 630.703 Programs.

Programs for advance construction projects shall be prepared and submitted in the manner prescribed for Federal-aid projects. Project designations shall be the same as for regular Federal-aid projects except that until the project is converted to a regular Federal-aid project, the prefix letters "AC" for advance construction shall be used as the first letters of each project designation.

§ 630.704 Bond proceeds expended on projects.

(a) The SHA shall include with its request for conversion action in accordance with § 630.708 a certification which provides a listing of bonds the proceeds of which have been expended on a project on the Interstate system under physical construction on January 1, 1983, and converted to a regularly funded project after January 1, 1983. The certification will show the bond amounts, maturity dates and bond interest payable.

(b) The SHA shall indicate in its request for approval of plans, specifications, and estimates (PS&E) for Interstate projects if bond proceeds will be expended on the project, for bonds issued after January 6, 1983, amount to be expended, and estimated bond interest payable. A certification which provides a listing of the bonds expended or to be expended on the projects showing bond amounts, maturity dates, and bond interest payable shall be furnished either as a part of the PS&E submission or in a separate letter to the Division Administrator.

(c) The Division Administrator shall perform adequate reviews of the SHA's records to provide assurance that bond proceeds have been or will be expended on the projects in accordance with the listing in § 630.704 (a) and (b).

§ 630.705 Approval actions.

(a) Authorizations to proceed with preliminary engineering and acquisition of rights-of-way shall be issued in

the same manner as for regularly financed Federal-aid projects.

(b) Authorization of physical construction shall be given in the same manner as for regularly financed Federal-aid projects, subject to the provisions of § 630.704(a).

(c) Concurrence in the award of contracts shall be given.

§ 630.706 Project agreements.

Project agreements, Form PR-2, Federal-aid Project Agreement, shall be prepared and executed. Agreement provision 6 on the reverse side of Form PR-2 shall apply for advance construction projects.

(48 FR 54974, Dec. 8, 1983; 48 FR 56216, Dec. 20, 1983)

§ 630.707 Construction.

Construction shall be supervised by the SHA in the same manner as for regularly financed Federal-aid projects. The Federal Highway Administration (FHWA) will make construction inspections and reports.

§ 630.708 Conversion from advance construction status to regular Federal-aid funded status.

An advance construction project may be converted to a regularly financed Federal-aid project by approval of a SHA's written request whenever sufficient obligational authority and apportioned Federal-aid funds of the particular class are available to cover the Federal pro rata share of the cost. Approval of the conversion action shall be by the Division Administrator.

§ 630.709 Progress and final vouchers.

(a) Progress or final vouchers may be submitted for the Federal share of construction costs incurred on advance construction projects after conversion action including eligible interest costs on Interstate projects.

(b) Although reimbursement cannot be made until after conversion action is completed, a final voucher shall be submitted by the SHA upon completion of an advance construction project which has not been converted to a regularly funded project. After

The text of FHWA Form PR-2 is found in 23 CFR Part 630, Subpart C, Appendix A.

final review, the SHA will be advised as to the total cost and Federal fur participation in the project when conversion is accomplished. Such final vouchers shall be retained until conversion of the project is accomplished.

(c) The final voucher shall contain certification that bond proceeds were expended in the construction of the project as described in § 630.704 (a) and shall include a computation of the eligible interest costs in accordance with § 630.702 (d) or (e).

§ 630.710 Cash management.

By July 1 of each year, the SHA will provide FHWA with a schedule, including the anticipated claims for reimbursement, of advance construction projects to be converted during the next two fiscal years. The data will be used by FHWA in determining liquidating cash required to finance sur conversions.

Subpart H—Bridges on Federal Dair

SOURCE: 39 FR 39474, Oct. 10, 1974, until otherwise noted.

§ 630.801 Purpose.

The purpose of this subpart is prescribe procedures for the construction and financing, by an agency of the Federal Government, of public highway bridges over dams constructed and owned by or for the United States.

§ 630.802 Applicability.

A proposed bridge over a dam, together with the approach roads connect the bridge with existing public highways, must be eligible for inclusion in the Federal-aid highway system, if not already a part thereof.

§ 630.803 Procedures.

A State's application to qualify for action under this subpart will include:

(a) A certification that the bridge economically desirable and needed as link in the Federal-aid highway system.

(b) A statement showing the source and availability of funds to be used in construction of the roadway approaches.