

**MTFC Eligibility** -- Highway and bridge projects become eligible for MTFC funding based on FHWA's functional classification system, which establishes design standards. All FHWA functionally classified highways are MTFC eligible except for local or rural minor collectors. All bridges within the state that are included within FHWA's bridge inventory are also eligible. The nearest MoDOT District Office can assist in determining whether a highway or bridge is federal aid eligible.

All mass transportation capital projects that would otherwise be eligible to receive federal funding are MTFC eligible projects.

## **STATE INFRASTRUCTURE BANK ELIGIBLE PROJECTS**

*A state infrastructure bank (SIB) is an investment fund at the state level with the ability to make loans and provide other forms of credit assistance to public and private entities to carry out transportation projects. The Transportation Equity Act of the 21<sup>st</sup> Century (TEA 21) identified eligible projects as those projects eligible for assistance under title 23, United States Code, for capital projects (as defined in section 5302 of title 49, United States Code), or for any other project related to surface transportation that the Secretary determines to be appropriate. Later, in the same section, it states that "funds contributed to an infrastructure bank from funds made available to a State under subtitle V of title 49, United States Code, shall be used in a manner consistent with any project description specified under the law making the funds available to the State." Therefore, while transit, road and bridge projects can be funded by either federal transit or highway capitalization funds, rail projects can only be financed with rail funds coming to the state infrastructure bank.*

### **Projects Eligible Under Title 23, USC**

*Federal Highway Administration's (FHWA's) functional classification system determines design standards and funding eligibility for highways and bridges. The Transportation Equity Act of the 21<sup>st</sup> Century (TEA 21) provides that all functionally classified highways are SIB eligible except for local or rural minor collectors. All bridges within the state that are included within FHWA's bridge inventory are also eligible. The nearest MoDOT District Office can assist in determining whether a highway or bridge is federal aid eligible.*

*Within the group of projects identified as eligible by FHWA's classification and inventory systems, the following are eligible activities.*

#### **Road & Bridge**

Construction, reconstruction, rehabilitation, resurfacing, restoration, and operational improvements for highways and bridges

Construction or reconstruction necessary to accommodate other transportation modes

Eligible public land highways and forest highways

## Defense Access Roads

Parkways and park roads for projects on a servicewide priority list developed by the National Park Service and approved by the FHWA

Maintenance and improvements of refuge roads and associated projects based on a long-range transportation improvement program developed by the U.S. Fish and Wildlife Service

Replacement of structurally deficient or functionally obsolete highway bridges on any public road with a new facility constructed in the same general traffic corridor. The bridges must be over waterways, other topographical barriers, other highways, or railroads.

Rehabilitation that is required to restore the structural integrity of a bridge on any public road, as well as the rehabilitation work necessary to correct major safety defects. The bridges must be over waterways, other topographical barriers, other highways, or railroads.

Seismic retrofit and painting of and application of calcium magnesium acetate, sodium acetate formate, or other environmentally acceptable, minimally corrosive anti-icing and de-icing compositions or installing scour countermeasures on bridges and approaches and other elevated structures

The demonstration of innovative material technology application in the construction of bridges and other structures.

Projects to provide for rehabilitation or repair of a historic covered bridge and for preservation of an historic covered bridge by installation of a fire protection system, including a fireproofing or fire detection and sprinklers. Projects may also include installation of a system to prevent vandalism and arson, or relocation of a bridge to a preservation site. Funds may also be used to collect and disseminate information concerning historic covered bridges, to foster educational programs relating to the history and construction techniques of such structures, conduct research on their history, and conduct research and study techniques on protecting them from rot, fire, natural disaster or weight-related damage.

Demonstration, priority and special interest projects as specified in the project description in the section of the law authorizing the project

To establish, maintain, and monitor value-pricing projects

## Environmental Programs

Mitigation of damage to wildlife, habitat, wetlands and ecosystems caused by a transportation project funded under Title 23, USC

Environmental restoration and pollution abatement projects to address water pollution or environmental degradation caused or contributed to by transportation facilities

Environmental mitigation to address water pollution due to highway runoff or reduce vehicle-caused wildlife mortality while maintaining habitat connectivity

Congestion mitigation and air quality improvements projects to include:

- Transportation activities in an approved State Implementation Plan
- ISTEA management and monitoring systems
- Traffic management/monitoring/congestion relief strategies
- Transit (new system/service expansion or operations)
- Alternative fuel projects (including vehicle refueling infrastructure)
- Public/private partnerships and initiatives
- Inspection and maintenance (I/M) programs
- Intermodal freight
- Alternative fuels
- Telecommunications
- Travel demand management
- Project development activities for new services and programs with air quality benefits
- Public education and outreach activities
- Rideshare programs
- Establishing/contracting with transportation management associations
- Fare/fee subsidy programs
- Experimental pilot projects/innovative financing
- Other transportation projects with air quality benefits

#### Transit

Publicly-owned intracity or intercity bus terminals

#### Bicycle/Pedestrian Activities

Carpool projects, fringe and corridor parking facilities and programs, bicycle and pedestrian facilities (off-road or on-road, including modification of walkways) on any public roads and the modification of public sidewalks to comply with the Americans with Disabilities Act of 1990

#### Scenic/Historic Activities

To provide and maintain recreational trails for motorized and nonmotorized recreational trail uses, including trailside and trailhead facilities including provisions to facilitate access for people with disabilities.

Acquisition of scenic easements and scenic or historic sites and scenic or historic highway programs (including the provision of tourist and welcome center facilities)

Landscaping and other scenic beautification

Historic preservation

Rehabilitation and operation of historic transportation buildings, structures, or facilities (including historic railroad facilities and canals)

Archaeological planning and research

Establishment of transportation museums

Preservation of abandoned railroad corridors (including the conversion and use for pedestrian or bicycle trails)

Projects along All-American Roads, National Scenic Byways and State Scenic Byways to include safety improvements, construction of facilities, recreational access improvements, protection of historical and cultural resources along the highway and tourist information and marketing plans

Control and removal of outdoor advertising

#### Freight Activities

Replacement of ferryboat operations in existence on January 1, 1984, the replacement of bridges destroyed before 1965, low-water crossings, and bridges made obsolete by Corps of Engineers flood control or channelization projects and not rebuilt with COE funds.

The construction of ferry boats and/or ferry terminal facilities that are publicly operated and with public authority having a majority ownership interest provided the operation provides substantial public benefits.

#### Planning/Research Activities

Metropolitan transportation planning processes

Planning and development for corridors of national significance, economic growth, and international or interregional trade

State transportation planning and research

International highway transportation outreach

Intelligent transportation systems (ITS) research and development

Studies of the vulnerability of highways, tunnels, and bridges to earthquakes and to develop and implement cost-effective methods to reduce such vulnerability

Surface transportation research related to motor carrier transportation and the effect of State laws on activities

Surface transportation – environment cooperative research program

Surface transportation technology deployment projects that will significantly accelerate the adoption of innovative technologies by the surface transportation community.

Planning, developing and implementing strategies to integrate transportation and community and system preservation plans and practices.

Preconstruction planning activities related to deployment of magnetic levitation (maglev) systems capable of safe use by the public at a speed of under 50 mph or in excess of 240 mph

Analyze and implement programs to reduce tax evasion associated with motor fuel and highway use taxes

Training and technical assistance to rural, small urban and tribal governments on roads, bridges and public transportation

#### Safety Programs

State and community highway safety projects that pay for non-construction costs of highway safety programs aimed at the reduction of injuries, deaths and property damage from motor vehicle accidents.

“Operation Lifesaver” projects used to carry out public information and education programs intended to help reduce motor vehicle accidents, injuries, and fatalities, and to improve driver performance at highway-rail grade crossings and on railroad rights-of-way.

Safety improvements at public transportation facilities, public pedestrian and bicycle pathways and trails and rail-highway crossings and hazard elimination activities

Provision of safety and educational activities for pedestrians and bicyclists

#### **Rail Program Projects Eligible Under Subtitle V, Title 49, USC**

*Eligible railroad projects include:*

Right-of-way acquisition

Development or establishment of new intermodal or railroad facilities (intermodal means the connection between rail service and other modes of transportation)

Improvement or rehabilitation of intermodal or rail equipment or facilities (including tracks, components of tracks, bridges, yards, buildings, and shops

Refinancing outstanding debt incurred for these purposes

**Capital Projects as Defined in section 5302 of Title 49, USC**

*Eligible mass transportation projects include:*

Acquiring, constructing, supervising, or inspecting equipment or facilities for use in mass transportation

Expenses incidental to the acquisition or construction (including designing, engineering, location surveying, mapping, and acquiring rights of way) of equipment or facilities for use in mass transportation

Payments for the capital portions of rail trackage rights agreements, relocation assistance, acquiring replacement housing sites, and acquiring, constructing, relocating, and rehabilitating replacement housing

Rehabilitation or remanufacturing a bus

Overhauling rolling stock

Preventive maintenance

Leasing equipment or a facility for use in mass transportation, subject to regulations that the Secretary prescribes limiting the leasing arrangements to those that are more cost-effective than purchase or construction

A mass transportation improvement that enhances economic development or incorporates private investment, because the improvement enhances the effectiveness of a mass transportation project and is related physically or functionally to that mass transportation project, or establishes new or enhanced coordination between mass transportation and other transportation, and provides a fair share of revenue for mass transportation that will be used for mass transportation, including the following types of projects:

1. Commercial and residential development;
2. Pedestrian and bicycle access to a mass transportation facility;
3. The renovation and improvement of historic transportation facilities;

Including the following types of expenses:

1. Property acquisition;
2. Demolition of existing structures;
3. Site preparation;
4. Utilities;
5. Building foundations;
6. Walkways;
7. Open space;

8. Safety and security equipment and facilities (including lighting, surveillance and related intelligent transportation system applications);
9. Facilities that incorporate community services such as daycare or health care;
10. A capital project for, and improving, equipment or a facility for an intermodal transfer facility or transportation mall, except that a person making an agreement to occupy space in a facility under this subparagraph shall pay a reasonable share of the costs of the facility through rental payments and other means; and excluding construction of a commercial revenue-producing facility or a part of a public facility not related to mass transportation

The introduction of new technology, through innovative and improved products, into mass transportation

The provision of nonfixed route paratransit transportation services in accordance with section 223 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12143) for grant recipients that are in compliance with applicable requirements of that Act, including both fixed route and demand responsive service

J:\ORM\SIB\MTFCBOAR\STATE INFRASTRUCTURE BANK ELIGIBLE PROJECTS.doc