



CHAPTER I GENERAL INFORMATION

SECTION 1-04

FEDERAL-AID HIGHWAY PROGRAM

1-04.1 FEDERAL-AID HIGHWAY PROGRAM. The Federal Highway Administration (FHWA) is one of the key partners with the MoDOT in delivering the highway program in the State of Missouri. Federal funding of highway projects is an essential part of planning, design and construction activities undertaken by the MoDOT. The FHWA is one of the agencies under the U.S. Department of Transportation and is responsible for administering the Federal-aid Highway Program nationwide. In addition to the Washington Headquarters office and Regional offices, the FHWA has a Division office in each State to provide direct assistance and guidance to the individual State Highway Departments. The primary sources of guidance on the Federal-aid program are available in Title 23, United States Code - Highways, 23 Code of Federal Regulations (CFR), the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, and the Federal-Aid Policy Guide (FAPG) which provide the current regulations, policies and procedural guidance.

In order to insure that projects qualify for federal funding and obtain the maximum participation, compliance with federal legislation and the FHWA policies and procedures is necessary. This has always been accomplished through a close partnership arrangement with the MoDOT and has included innovative methods and practices to enhance program implementation. In 1976, the FHWA and the MoDOT entered into an agreement to operate under a Certification Acceptance (CA) Plan, which allowed the MoDOT to discharge some of the responsibilities previously performed by the FHWA for certain projects not on the Interstate highway system.

With the passage of ISTEA in 1991, the Federal-aid program entered a new phase of increased flexibility and sharing of responsibilities with the States to achieve "program efficiencies" and promote more effective operating practices. This new operating relationship between the FHWA and the MoDOT is documented in the FHWA Missouri Division Stewardship Plan which was prepared in 1993. The CA Plan was also revised and updated at this time. The CA Plan was further modified in December 1995 to include the right of way acquisition authorization process. These documents identify the roles and responsibilities of both the FHWA and the MoDOT in carrying out the Federal-aid Highway program. This includes identification of the type of projects which will require full oversight by the FHWA, are administered under Certification Acceptance or are exempt from the FHWA oversight. It should be noted, however, that all Federal-aid projects, regardless of whether the MoDOT or a local agency has responsibility for administration, must comply with all applicable Federal regulations in order to receive Federal-aid funding. Specific guidance and assistance in implementing the Federal-aid program is available from the FHWA Missouri Division office in Jefferson City.

1-04.2 FHWA OVERSIGHT - NATIONAL HIGHWAY SYSTEM. The National Highway System Designation Act was passed into law on November 28, 1995 and identified routes of national significance which includes the entire Interstate system and other urban and rural principal arterials along with major highway network connectors as indicated on [Figure 1-04.1](#). The FHWA has the responsibility to ensure the safety, appropriate design, and national continuity of the National Highway System (NHS). In order to fulfill these objectives, FHWA will perform oversight in the following manner:

1-04.2 (1) FULL OVERSIGHT PROJECTS. Individual projects which require approval by the FHWA for all project actions (full oversight) are:

- All interstate system projects.
- Intelligent Transportation System (ITS) projects. ITS projects are those which provide for phased implementation of ITS features utilizing the statewide fiber optic communication system or which include new ITS technology.
- Major bridge projects on the National Highway System. The FHWA Order 5520.1 defines major bridges as new, complex designs involving unique design or operational features, unusual geotechnical features or unusual hydraulic features. This includes major structures with span lengths greater than 61 meters (200 ft.) or a total length greater than 305 meters (1000 ft.).

- 1-04.2 (2) **OTHER NHS PROJECTS.** For projects on the NHS which do not require full oversight, FHWA will be given the opportunity to participate on MoDOT project management teams to insure that timely input and technical assistance are provided to achieve quality project development. The FHWA will also be given the opportunity to participate in task forces and other quality improvement teams established to review existing processes and procedures to improve implementation of the MoDOT transportation program.
- 1-04.3 **FEDERAL APPROPRIATIONS**
- 1-04.3 (1) **GENERAL.** Current legislation provides for the appropriation of Federal funds from the Highway Trust Fund for the purposes of carrying out the provisions of Title 23, U.S.C. Funds are divided among the various States by an apportionment process. These funds are subject to mandatory limitations established by the U.S. Congress each fiscal year to help control spending and drawdown of the Highway Trust Fund. A certain percentage of the apportioned funds are directly allocated to urbanized areas with a population over 200,000 and are subject to the control of a Metropolitan Planning Organization (MPO). In Missouri, the urbanized areas over 200,000 population are St. Louis and Kansas City. The cities of Springfield, St. Joseph, Joplin and Columbia also have MPO's but do not receive a direct allocation of funds. Other major funding categories are noted below:
- 1-04.3 (2) **INTERSTATE MAINTENANCE (IM).** Interstate Maintenance funds can be used for resurfacing, restoration, and rehabilitation, but not for the construction of new travel lanes unless they are high occupancy vehicle (HOV) or auxiliary lanes.
- 1-04.3 (3) **NATIONAL HIGHWAY SYSTEM (NHS).** National Highway System (NHS) funds may be used for a variety of projects on the NHS including construction, reconstruction, resurfacing, restoration, and rehabilitation, operational and safety improvements, start-up costs for traffic management and control systems, fringe and corridor parking facilities, carpool and vanpool projects, and bicycle and pedestrian facilities.
- 1-04.3 (4) **SURFACE TRANSPORTATION PROGRAM (STP).** These funds may be used for any highways, including the NHS, that are not functionally classified as local or rural minor collectors. Eligible items of work are similar to those under the NHS and the funds may be used at the discretion of the State except that ten percent must be earmarked for safety construction activities, another ten percent for transportation enhancements and fifty percent of the remainder must be divided between urbanized areas over 200,000 population.
- 1-04.3 (5) **HIGHWAY BRIDGE REPLACEMENT AND REHABILITATION PROGRAM (HBRRP).** Eligible projects for HBRRP funding include replacement or rehabilitation of a structurally deficit or functionally obsolete highway bridge, replacement of ferryboat operations and low water crossings, bridge painting, calcium magnesium acetate applications, and seismic retrofitting. Other provisions for these funds are that not less than 15% nor more than 35% is to be spent on off-system bridges and that up to 40% of the HBRRP funds may be transferred to the NHS or STP funding categories.
- 1-04.3 (6) **ADDITIONAL INFORMATION.** Further information on Federal funding is available on [Figure 1-04.2](#).
- 1-04.4 **PROGRAMMING.** In order to insure coordination of intergovernmental planning and before any Federal-aid programs are approved by the FHWA, all projects must be cleared under the Missouri State and Local Review System.
- 1-04.4 (1) **STATE CLEARINGHOUSE.** The State Clearinghouse, after notifying other state agencies, certifies to the MoDOT that these agencies have been informed of the project and have indicated whether the proposed work conflicts with their programs.
- 1-04.4 (2) **REGIONAL AND METROPOLITAN CLEARINGHOUSES.** Similar clearance must be received from regional and metropolitan clearinghouses who notify appropriate local governments and other regional agencies in the area. These clearinghouses provide comments to the MoDOT on proposed projects.

Any adverse comments received from the above clearinghouses must be resolved. In order for any proposed project to be eligible for Federal funding, it must be included on the Statewide Transportation Improvement Program (STIP). Before any work is performed for which Federal reimbursement is expected, the FHWA must provide approval. The MoDOT district offices should notify the Design Division as soon as possible if any proposed work is identified that is not on the approved STIP. For projects to be constructed in stages, a separate item should be shown on the STIP for each stage.

1-04.5 FEDERAL AUTHORIZATION. Authorization to proceed with a Federal-aid project can be given only after applicable requirements of Federal laws and regulations have been satisfied, including the planning and programming items noted above. For construction projects, additional requirements must be completed such as an approved environmental document, right-of-way clearance, and submission of a request to authorize by the MoDOT. Authorization to proceed is considered a contractual obligation of the Federal Government under 23 U.S.C. 106 and Federal funds shall not participate in costs incurred prior to the date of authorization.