

HIGHWAY SAFETY IMPROVEMENT PROGRAM

Questions and Answers

The following Highway Safety Improvement Program (HSIP) questions and answers have been prepared by the FHWA Office of Safety to outline overall provisions and address key issues. This represents the second batch of questions and answers from the Office of Safety on HSIP. To the maximum extent possible, future program area questions will be answered through guidance documents developed by Office of Safety lead staff and Q&As will be reserved for those items not specifically addressed in the guidance.

Highway Safety Improvement Program

Do sections 130 and 152 remain in effect as "living statutes" while the State develops its SHSP?

Section 152 will remain in title 23 U.S.C., it has not been repealed, and it will serve (together with section 130, as in effect prior to SAFETEA-LU) to determine the projects eligible for section 148 funding in the case of States that have not implemented an SHSP. However, the old section 152 source of funding - 10% STP set aside in 23 U.S.C. § 133(d)(1) - has been repealed by section 1113(b)(1) of SAFETEA-LU, as of October 1, 2005. This is why section 152 can be referred to as a so-called "living statute." The regulations in 23 CFR Part 924 remain in place to determine project eligibility for those States that have not adopted a SHSP.

Are roundabouts now eligible for 100% safety funding?

Per SAFETEA-LU Section 1947, roundabouts are added to the list of 100 percent payable projects in Title 23 Section 120 (c) (increased Federal Share for certain Safety projects.)