



U.S. Department  
of Transportation

**Federal Highway  
Administration**

# Notice

Subject:

**APPORTIONMENT OF FISCAL YEAR (FY) 2008  
HIGHWAY SAFETY IMPROVEMENT PROGRAM FUNDS**

Classification Code	Date	Office of Primary Interest
<b>N4510.654</b>	October 1, 2007	<b>HCFB-1</b>

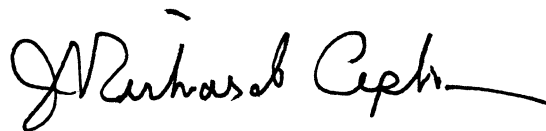
1. **What is the purpose of this Notice?** This Notice transmits the certificate of apportionment of Highway Safety Improvement Program funds authorized for FY 2008 pursuant to the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) Public Law (Pub. L. No.) 109-59. The apportionment is effective immediately.
2. **What is the availability of these funds?**
  - a. The Highway Safety Improvement Program funds resulting from this apportionment are available for obligation until September 30, 2011. Any amounts not obligated by the State on or before September 30, 2011, shall lapse.
  - b. The funds resulting from this apportionment are available for obligation immediately and will be subject to obligation controls in force at the time of obligation.
  - c. The Federal share is 90 percent for highway safety improvement projects carried out with funds apportioned under Section 104(b)(5) of Title 23 United States Code (U.S.C.), except as provided for in Sections 120 and 130 of Title 23, U.S.C.
  - d. The program codes to be used when obligating these funds are LS10, LS20 and LS30.
3. **What is the background information?**
  - a. Section 1101(a)(6) of the SAFETEA-LU authorizes a total of \$1,275,929,067 in contract authority for the Highway Safety Improvement Program set forth in Section 148 of Title 23, U.S.C. for FY 2008.
  - b. As required by Section 130(e) of Title 23, U.S.C., (which was amended by Section 1401(d)(1) of the SAFETEA-LU), before any apportionment under Section 104(b)(5), of the amounts authorized for the Highway Safety Improvement Program under Section 148 of Title 23, U.S.C., the amount of \$220,000,000 has been set aside for the elimination of hazards and the installation of protective devices at railway-highway crossings.

- c. The total contract authority available for distribution in FY 2008 net of the reduction is \$1,055,929,067.

4. **What are the requirements for the Highway Safety Improvement Program?**

- a. Pursuant to Section 148(b) of Title 23, U.S.C., the purpose of the program is to achieve a significant reduction in traffic fatalities and serious injuries on public roads. Section 148(c) requires each State to have in effect a Highway Safety Improvement Program as set forth therein, including the development of State strategic highway safety plan (SHSP). In accordance with the transition provision in Section 1401(e) of SAFETEA-LU, during an interim period, before fiscal year 2007 (October 1, 2006) and until the State develops a SHSP, the Secretary of Transportation shall apportion Highway Safety Improvement Program funds to the States for obligation for the Highway Safety Improvement Program under Section 148 for projects that were eligible for funding under Sections 130 and 152 of Title 23, U.S.C., as in effect on August 9, 2005. The Secretary of Transportation shall approve obligations of funds apportioned under Section 104(b)(5) to carry out projects under Section 148, only if a State has developed and implemented a SHSP as required by Section 148(c). If a State has not developed a SHSP by October 1, 2007, the State shall receive for the Highway Safety Improvement Program for each subsequent fiscal year until the date of development of such plan an amount that equals the amount apportioned to the State for that program for fiscal year 2007. **As of September 28, 2007, all States had developed and implemented a SHSP.**
- b. Section 148(f) of Title 23, U.S.C., as amended by Section 1401 of the SAFETEA-LU, requires that after making an apportionment to the States, the Secretary shall ensure, from amounts made available to carry out Section 148(f) for such fiscal year, that a total of \$90,000,000 of such apportionment is **set aside by the States**, proportionally according to the share of each State of the total amount so apportioned, for use only for construction and operational improvements on high risk rural roads.

5. **What action is required?** Division Administrators should ensure that copies of this Notice are provided to the State departments of transportation.



J. Richard Capka  
Administrator

**CERTIFICATE OF APPORTIONMENT FROM  
THE SUM OF \$1,275,929,067 AUTHORIZED TO BE APPROPRIATED  
FOR THE HIGHWAY SAFETY IMPROVEMENT PROGRAM  
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2008**

TO--

The Secretary of the Treasury of the United States and the State departments of transportation:

Pursuant to Section 9503 of the Internal Revenue Code of 1986, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users, Title 23, United States Code, and the delegation of authority from the Secretary of Transportation to the Federal Highway Administrator, Section 1.48 of Title 49, Code of Federal Regulations, I certify--

First, that the Secretary of the Treasury has made the estimate required by Section 9503(d) of the Internal Revenue Code of 1986 and, based on that estimate, I have determined that the amount that can be apportioned for the Highway Safety Improvement Program for the fiscal year ending September 30, 2008, pursuant to Section 1101(a)(6) of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), is \$1,275,929,067, which is 100 percent of the amount authorized to be appropriated for the fiscal year.

Second, pursuant to Section 130(e) of Title 23, United States Code, before making the apportionment, \$220,000,000 has been set aside from the amount authorized for the Highway Safety Improvement Program for the elimination of hazards and the installation of protective devices at railway-highway crossings.

The resulting amount is \$1,055,929,067.

Third, that after making the deduction, I have computed the apportionment to each State and the District of Columbia of the remainder of the amounts authorized for the Highway Safety Improvement Program in the manner provided by law in accordance with the formula set forth in Section 104(b)(5) of Title 23, United States Code.

Fourth, that subject to the foregoing set asides, the sums that are hereby apportioned to each State and the District of Columbia, effective immediately, are respectively as follows:

U.S. DEPARTMENT OF TRANSPORTATION  
FEDERAL HIGHWAY ADMINISTRATION

N4510.654 - ATTACHMENT

APPORTIONMENT OF FUNDS FOR THE  
HIGHWAY SAFETY IMPROVEMENT PROGRAM  
AUTHORIZED FOR FISCAL YEAR 2008

<u>STATE</u>	<u>AMOUNT</u>
ALABAMA	\$23,984,734
ALASKA	5,279,645
ARIZONA	21,983,520
ARKANSAS	16,530,440
CALIFORNIA	98,488,641
COLORADO	18,392,530
CONNECTICUT	8,174,941
DELAWARE	5,279,645
DIST. OF COL.	5,279,645
FLORIDA	57,015,796
GEORGIA	35,745,164
HAWAII	5,279,645
IDAHO	7,941,945
ILLINOIS	36,722,879
INDIANA	18,461,842
IOWA	16,607,366
KANSAS	18,216,897
KENTUCKY	16,635,051
LOUISIANA	17,028,269
MAINE	5,279,645
MARYLAND	15,029,919
MASSACHUSETTS	14,758,919
MICHIGAN	33,854,117
MINNESOTA	21,233,865
MISSISSIPPI	17,067,465
MISSOURI	29,502,547
MONTANA	8,708,811
NEBRASKA	11,371,806
NEVADA	8,118,517
NEW HAMPSHIRE	5,279,645
NEW JERSEY	20,619,472
NEW MEXICO	12,323,228
NEW YORK	34,306,474
NORTH CAROLINA	28,871,724
NORTH DAKOTA	7,707,901
OHIO	29,956,828
OKLAHOMA	21,541,760
OREGON	14,310,263
PENNSYLVANIA	32,833,221
RHODE ISLAND	5,279,645
SOUTH CAROLINA	22,487,420
SOUTH DAKOTA	9,078,539
TENNESSEE	22,850,254
TEXAS	96,276,965
UTAH	8,553,937
VERMONT	5,279,645
VIRGINIA	25,774,412
WASHINGTON	18,093,798
WEST VIRGINIA	9,567,354
WISCONSIN	21,161,911
WYOMING	5,800,465
<b>TOTAL</b>	<b>\$1,055,929,067</b>

APPROVED EFFECTIVE October 1, 2007

  
FEDERAL HIGHWAY ADMINISTRATOR