




U.S. Department
of Transportation

Federal Highway
Administration

Memorandum

Subject: **ACTION:** Fiscal Year (FY) 2016
Recreational Trails Program Opt Out
Reply Due: January 15, 2016

Date: January 5, 2016

From: 
Brian R. Bezio
Chief Financial Officer

In Reply Refer To:
HCFB-10

To: Division Administrators

The purpose of this memorandum is to notify States of the procedures to opt out of the recreational trails program set-aside for FY 2016.

Section 133(h)(5) of title 23, United States Code (U.S.C.), provides for a set-aside from each State's transportation alternatives funding for the recreational trails program. The full-year amount of the set-aside is equal to each State's FY 2009 apportionment for the recreational trails program. Each State subject to the set-aside must return 1 percent of the set-aside funds to the Secretary for administration, and these States must also comply with the provisions for the administration of the recreational trails program under section 206 of title 23, U.S.C.

Section 133(h)(6)(A) of title 23, U.S.C., allows a State to opt out of the recreational trails program set-aside. States had the opportunity to opt out of the recreational trails program before the beginning of FY 2016; however, since the Fixing America's Surface Transportation Act (FAST Act) repealed section 213 of title 23, U.S.C., and amended section 133 title 23, U.S.C., to include the recreational trails program set-aside, it is necessary for the Federal Highway Administration (FHWA) to make a new request for any opt out notifications.

Any State that desires to opt out of the recreational trails program set-aside for FY 2016 (including any State that had previously opted out for FY 2016) shall notify FHWA via e-mail, with a letter signed by the Governor or the Governor's designee accompanying the opt out notification, to the FHWA Office of Budget's official mailbox (BudDiv@dot.gov) no later than January 15, 2016. Note that failure to affirmatively opt out by the deadline will result in the recreational trails set-aside being applied to a State's full-year FY 2016 transportation alternatives funding. Please also note that any State that previously opted out for FY 2016 must submit a new notification and letter in order to opt out for FY 2016.

Division Administrators should ensure that copies of this memorandum are provided to the State agencies that administer the recreational trails program and the State departments of transportation.

If you have any questions, please contact Chris Brust at 202-366-3017 or Valentina Raptis at 202-366-3906.