

Federal Highway Administration

# Notice

Subject:

APPORTIONMENT OF FUNDS FOR FISCAL YEAR (FY) 2012 PURSUANT TO THE SURFACE TRANSPORTATION EXTENSION ACT OF 2011, PART II, AS AMENDED

Classification Code	Date	Office of Primary Interest
N 4510.752	July 23, 2012	HCFB-1

- 1. What is the purpose of this Notice? This Notice transmits the revised certificate of apportionment for apportioned Federal-aid highway program funds for FY 2012 pursuant to the Surface Transportation Extension Act of 2011, Part II (Extension Act), title I of Public Law (Pub. L.) 112-30, as amended by the Surface Transportation Extension Act of 2012, Pub. L. 112-102, and the Surface Transportation Extension Act of 2012, Part II, division G of Pub. L. 112-141. The apportionments are effective immediately.
- 2. **Does this Notice cancel FHWA Notice 4510.749?** Yes, this Notice cancels FHWA Notice 4510.749, Apportionment of Funds for the Period Beginning on October 1, 2011, and Ending on June 30, 2012, Pursuant to the Surface Transportation Extension Act of 2011, Part II, as Amended, dated April 11, 2012. The revision to the apportionment is required pursuant to division G of Pub. L. 112-141, which extends the time period of the extension. The revision to the apportionment is also required to reflect a correction to the FY 2011 rescission amount (see paragraph 3e of this Notice). In addition, this apportionment incorporates determinations made by the Secretary of Transportation pursuant to section 111(d)(3) of the Extension Act, as amended (see paragraph 5c of this Notice).

## 3. What is the background information?

- The Extension Act extends the surface transportation programs, including the highway and highway safety programs, under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L. 109-59, through September 30, 2012.
- Section 111(a) of the Extension Act incorporates by reference and continues in effect the requirements, authorities, conditions, eligibilities, limitations, and other provisions authorized under titles I, V, and VI of SAFETEA-LU; the SAFETEA-LU Technical Corrections Act of 2008; titles I and VI of the Intermodal Surface Transportation Efficiency Act of 1991; titles I and V of the Transportation Equity Act for the 21<sup>st</sup> Century; and title 23, U.S.C. (excluding chapter 4 of that title), which would have

otherwise expired or ceased to apply after September 30, 2011, under section 411(a) of the Surface Transportation Extension Act of 2010, title IV of Pub. L. 111-147, as amended.

- c. Pursuant to section 111(b) of the Extension Act, except as provided in section 112 for the administrative expenses of the Federal Highway Administration, there is authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for FY 2012 a sum equal to the total amount authorized to be appropriated out of the Highway Trust Fund for programs, projects, and activities for FY 2011 (taking into account any rescission or cancellation of funds or contract authority for FY 2011) under titles I, V, and VI of SAFETEA-LU and title 23, U.S.C. (excluding chapter 4 of that title).
- d. Pursuant to section 111(c)(1) of the Extension Act, except as otherwise expressly provided in the Extension Act, the funds authorized to be appropriated for FY 2012 shall be distributed, administered, limited, and made available for obligation in the same manner and at the same level as the total amount of funds authorized to be appropriated out of the Highway Trust Fund for FY 2011 (taking into account any rescission or cancellation of funds or contract authority for FY 2011) to carry out programs, projects, activities, eligibilities, and requirements under SAFETEA-LU; the SAFETEA-LU Technical Corrections Act of 2008; titles I and VI of the Intermodal Surface Transportation Efficiency Act of 1991; titles I and V of the Transportation Equity Act for the 21<sup>st</sup> Century; and title 23, U.S.C. (excluding chapter 4 of that title).
- e. As required by section 111(c)(2) of the Extension Act, the amount authorized to be appropriated for the Federal-aid highway program under section 111(b) of the Extension Act is calculated by taking into account any rescission or cancellation of funds or contract authority for FY 2011. The total rescission amount under sections 2207, 2210, 2211, and 2212 of the Full-Year Continuing Appropriations Act, 2011, division B of Pub. L. 112-10, is \$2,824,548,844. Therefore, the amount authorized to be appropriated for the Federal-aid highway program under section 111(b) of the Extension Act for FY 2012 has been reduced by \$2,824,548,844. The reduction has been made on a proportional basis, with a total proportional reduction of \$2,672,783,000 applied to the appropriationments under this Notice.

## 4. What is the availability of these funds?

a. The funds shall be available for obligation and administered in the same manner as if the funds were apportioned under chapter 1 of title 23, U.S.C.

- b. The funds resulting from this apportionment are available for obligation immediately and shall be subject to obligation controls in force at the time of obligation. For FY 2012, an amount of Equity Bonus Program funds equal to \$639,000,000 is provided which is exempt from obligation controls.
- c. The program codes to be used when obligating these funds are similar to those under SAFETEA-LU, except that the zero at the end of each program code under SAFETEA-LU is replaced by the letter "E".

## 5. How were the program-by-program and State-by-State amounts determined?

- a. The base amount of apportioned funds available for each program and distributed to each State for FY 2012 is equal to the amount for each such program and State in FY 2011 (taking into account, on a proportional basis, any rescission or cancellation of funds or contract authority for FY 2011).
- Pursuant to section 111(d)(1) of the Extension Act, for FY 2012, the b. amount that a State received or was authorized to receive for FY 2011 (taking into account, on a proportional basis, any rescission or cancellation of funds or contract authority for FY 2011) to carry out sections 1301, 1302, 1307, 1702, and 1934 of SAFETEA-LU, and section 144(f)(1) of title 23, U.S.C., is made available to the State for the programs apportioned under sections 104(b) and 144 of title 23, U.S.C. The funds are programmatically distributed among the programs apportioned under sections 104(b) and 144 of title 23, U.S.C., in the same proportions that the amount apportioned to the State for FY 2011 for each such program bears to the amount apportioned to the State for FY 2011 for all of the programs apportioned under sections 104(b) and 144 of title 23, U.S.C. The programmatically distributed funds are administered in the same manner and with the same periods of availability as such funding is administered under the programs apportioned under sections 104(b) and 144 of title 23, U.S.C., except that no funds may be used to carry out the project described in section 1307(d)(1) of SAFETEA-LU.\*
- c. Section 111(d)(3) of the Extension Act, as amended, instructs that no additional funds for FY 2012 are to be provided for any project or activity that the Secretary of Transportation determines was sufficiently funded before or during FY 2011 to achieve the authorized purpose of the project or activity. Funds for a project or activity subject to this determination are reserved and distributed to each State in the proportion that the total amount of funds made available for FY 2011 for such projects and activities in the State bears to the total amount of funds made available for

<sup>&</sup>lt;sup>t</sup> The Federal Highway Administration's Nevada Division Office will implement this restriction.

FY 2011 for such projects and activities in all States (i.e., the funds for FY 2012 are made available to the same State for which the funds were available in FY 2011). Funding that would have been made available to a national nonprofit or not-for-profit organization but determined to be subject to this provision will be proportionally distributed among all States based on each State's total FY 2011 apportionments. The funds for each State are for use in carrying out other highway projects and activities and have been programmatically distributed within each State to the programs specified in sections 104(b) and 144 of title 23, U.S.C. The Secretary of Transportation has made determinations, except with respect to section 1960 of Pub. L. 109-59, of the programs subject to this provision as follows:

- America's Byways Resource Center (section 1803 of SAFETEA-LU);
- Bicycle and Pedestrian Safety Grants (section 1411(b) of SAFETEA-LU);
- (3) Freight Intermodal Distribution Pilot Grant Program (section 1306 of SAFETEA-LU);
- (4) Going-to-the-Sun Road (section 1940 of SAFETEA-LU);
- (5) Great Lakes ITS Implementation (section 1943 of SAFETEA-LU);
- (6) Multimodal Facility Improvements (section 1962 of SAFETEA-LU);
- (7) National Work Zone Clearinghouse (section 1410 of SAFETEA-LU);
- (8) Non-motorized Transportation Pilot Program (section 1807 of SAFETEA-LU);
- (9) Operation Lifesaver (section 1103(f)(1) of SAFETEA-LU, section 104(d)(1) of title 23, U.S.C.);
- (10) Pavement Marking System (section 1907 of SAFETEA-LU);
- Road Safety Data and Public Awareness (section 1411(a) of SAFETEA-LU);
- (12) Road User Fee Study (section 1919 of SAFETEA-LU);
- (13) Set-Aside for Minneapolis/St. Paul-Chicago segment of Midwest High Speed Rail Corridor (section 104(d)(2)(E) of title 23, U.S.C.); and
- (14) Set-Aside for Ferry Boats Projects on the National Highway System (section 147(d) of title 23, U.S.C.).
- d. Table 1 shows the program-by-program, State-by-State apportionment amounts (inclusive of the previously allocated amounts under section 111(d)(1) of the Extension Act that have been programmatically distributed to the programs apportioned under sections 104(b) and 144 of title 23, U.S.C.) available under the Extension Act for FY 2012.
- 6. **Are certain States subject to penalty transfer?** Yes. Currently, the States that are listed under the following two requirements are subject to transfer of

funds. The funds to be transferred will be transferred to the States' 402 Safety Programs. It should be noted that the following penalty transfer amounts are subject to change based on revisions to the apportionment calculations.

### a. Open Container Requirements – 23 U.S.C. 154 – 3 percent

Funds subject to be transferred: Interstate Maintenance, National Highway System, and Surface Transportation Program.

Alaska, Arkansas, Connecticut, Delaware, Louisiana, Mississippi, Missouri, Tennessee, Virginia, West Virginia, and Wyoming

### b. Minimum Penalties for Repeat Offenders for Driving While Intoxicated or Driving Under the Influence – 23 U.S.C. 164 – 3 percent

Funds subject to be transferred: Interstate Maintenance, National Highway System, and Surface Transportation Program.

Alaska, California, Louisiana, Maryland, Minnesota, Missouri, Montana, New Mexico, Ohio, Oregon, Rhode Island, South Dakota, Vermont, Washington, Wisconsin, and Wyoming

- 7. **How will the funds be transferred?** Funds will be transferred from the Interstate Maintenance, National Highway System, and Surface Transportation Program apportionments (Table 1) to the States' 402 Safety Programs for those States that failed to meet the provisions of section 154 of title 23, U.S.C., the Open Container Requirements (3 percent), and section 164 of title 23, U.S.C., the Minimum Penalties for Repeat Offenders (3 percent). Tables 2 and 3 illustrate the amounts to be transferred subject to a determination by the State under sections 154(c)(5) and 164(b)(5), which allow the States to designate the funds to be transferred.
- 8. **What action is required?** Division Administrators should ensure that copies of this Notice are provided to the State departments of transportation.

Fit M Ment

Victor M. Mendez Administrator

Attachments

CERTIFICATE OF APPORTIONMENT FROM THE SUM OF \$37,560,219,746 AUTHORIZED TO BE APPROPRIATED FOR APPORTIONED FEDERAL-AID HIGHWAY PROGRAMS FOR FISCAL YEAR 2012 UNDER THE SURFACE TRANSPORTATION EXTENSION ACT OF 2011, PART II, TITLE I OF PUBLIC LAW 112-30, AS AMENDED BY PUBLIC LAW 112-102 AND DIVISION G OF PUBLIC LAW 112-141.

## то—

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 Federal-aid highway programs under the Surface Transportation Extension Act of 2011, Part II, title I of Public Law 112-30, as amended by Public Law 112-102 and division G of Public Law 112-141 is \$37,560,219,746, which is 100 percent of the amount authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for FY 2012.

Second, that except as otherwise expressly provided in the Surface Transportation Extension Act of 2011, Part II, the funds authorized to be appropriated for FY 2012 shall be distributed, administered, limited, and made available for obligation in the same manner and at the same level as the total amount of funds authorized to be appropriated out of the Highway Trust Fund for FY 2011 (taking into account any rescission or cancellation of funds or contract authority for FY 2011) to carry out programs, projects, activities, eligibilities, and requirements under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users; the SAFETEA-LU Technical Corrections Act of 2008; titles I and VI of the Intermodal Surface Transportation Efficiency Act of 1991; titles I and V of the Transportation Equity Act for the 21st Century; and title 23, United States Code (excluding chapter 4 of that title).

Third, that in compliance with section 154 of title 23, United States Code, the Open Container Requirements, 3 percent of the Interstate Maintenance, National Highway System, and Surface Transportation Program apportionments for the States of Alaska, Arkansas, Connecticut, Delaware, Louisiana, Mississippi, Missouri, Tennessee, Virginia, West Virginia, and Wyoming will be transferred to the States' 402 Safety Programs.

Fourth, that in compliance with section 164 of title 23, United States Code, the Minimum Penalties for Repeat Offenders for Driving While Intoxicated or Driving Under the Influence, 3 percent of the Interstate Maintenance, National Highway System, and

Surface Transportation Program apportionments for the States of Alaska, California, Louisiana, Maryland, Minnesota, Missouri, Montana, New Mexico, Ohio, Oregon, Rhode Island, South Dakota, Vermont, Washington, Wisconsin, and Wyoming will be transferred to the States' 402 Safety Programs.

Fifth, that after making the required deductions and transfers, I have computed the apportionments to each State and the District of Columbia of the remainder of the amounts authorized to be appropriated for the apportioned Federal-aid highway programs in the manner provided by law.

Sixth, that subject to the foregoing deductions and transfers, the sums that are hereby apportioned to each State and the District of Columbia, effective immediately, are respectively as follows:

FHWA, HCFB-1

#### U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

## APPORTIONMENT OF FUNDS FOR FISCAL YEAR 2012 PURSUANT TO THE SURFACE TRANSPORTATION EXTENSION ACT OF 2011, PART II, AS AMENDED (inclusive of programmatic distribution of amounts based on certain allocated programs under section 111(d); before programmatic distribution of Equity Bonus; before penalties)

											Coordinated			Equity Bonus		
		National	Surface	Bridge	Congestion	Appalachian					Border		Cubic data		Exempt from	
	Interstate	Highway	Transportation	Replacement &	Mitigation &			•		Rail-Hwy	Infrastructure	Safe Routes	Subject to	Subject to		Total
State	Maintenance	System	Program	Rehabilitation	Air Quality	Highway System	Trails	Planning	Safety	Crossings	Program	To School	Formula Limitation	Special Limitation	Limitation	TOTAL
ALABAMA	103.666.570	116,856,794	135.268.805	67,915,061	9,466,570	109,694,169	1.633,544	2,735,974	26,602,075	4.078.442	-	2,556,869	108,985,471	34,512,954	11,026,889	735,000,187
ALASKA	69.019.469	81,386,490	70,173,090	28,109,277	19,022,222		1,426,418	1,418,867	11,662,858	1,026,924	1,326,780	933,567	131,363,851	41,599,623	13,291,079	471,760,515
ARIZONA	105,519,574	127,703,614	121,415,645	19,200,110	36,934,326		1,806,325	5,508,236	24,070,639	2,493,954	9,482,344	3,372,404	177,250,148	56,130,656	17,933,745	708.821,718
ARKANSAS	80,030,283	99,907,505	103,286,880	65,266,361	10,228,672	-	1,394,721	1,418,867	19,149,428	3,536,138	· -	1,514.664	81,708,463	25,875.012	8,267.066	501,582,060
CALIFORNIA	502,488,152	636,008,329	699,282,613	479,134,761	407,420,689		5,373,790	42,310,243	116,949,982	14,580,151	24,795,868	21,080,209	427,608,049	135,412,697	43,264,357	3,555,709,890
COLORADO	90.812.874	121,787,653	114,469,002	35,622,449	37,208,120		1,485,914	4,528,426	18,482,632	2,918,398	•	2,483,132	62,237,494	19,709,046	6,297,040	518,042,180
CONNECTICUT	55,437,990	51,117,822	65,238,507	139,309,514	35,907,847	-	698,293	4,014,724	9,781,488	1,214,586	-	1,883,398	85,889,456	27,199.027	8,690,089	486,582,741
DELAWARE	9,521,522	57,257,778	38,665,716	12,844,504	10,481,338		845,513	1,418,867	6,426,292	1,026,924	-	933,567	17,248,779	5,462,254	1,745,190	163,878,244
DIST. OF COL.	2,811,658	61,252,264	37,093,440	30,017,099	10,055,132		770,285	1,418,867	6,164,978	1,026,924	-	933,567	2,139,958	677,671	216,516	154,578,359
FLORIDA	223,553,567	319,909,500	341.803.103	94,790,446	9.090.532	-	2,429,639	18,985,013	58,491,486	8,058,885	-	9.079,278	528.498,628	167,362,202	53,472,224	1.835,524,503
GEORGIA	196,098,103	180,261,208	230,629,950	59,657,981	47,709,448	11,061,736	1,624,535	7,061,351	39,382,374	7,491,292	-	5,256,979	327.722.517	103,781,466	33,158,178	1,250,897,118
HAWAU	10,740,109	52,939,807	36,871,164	32,768,953	9,994,878	-	896,658	1,418,867	6,128,035	1,026,924	-	933,567	7,148,434	2,263,729	723.261	163,854,386
IDAHO	42,333,813	56,490,334	44,297,700	20.012,014	9,636,420	-	1,596,923	1,418,867	8,500,000	1,577,380	1,382,608	933,567	62,710,028	19,858,686	6,344,850	277,093,190
ILLINOIS	255,039,471	217,464,007	281,569,340	140,703,902	92,374,789	-	1,423,968	13.724,174	43,829,735	9,482,087	-	7,052,029	221,953,411	70,287,054	22,456,714	1,377,360,681
INDIANA	138,106,882	139,680,358	158,388,520	59,683,701	32,488,817		1,121,876	4,807,431	21,591,530	6,781,275	-	3,553,529	251,720,600	79,713,573	25,468,487	923,106,579
IOWA	79,541,875	115.616.294	110,902,387	65.043,082	10,172,509	-	1,283,484	1,571.205	18,515,344	4,710,229	-	1,581,103	40,362,461	12,781,772	4,083,776	466,165,511
KANSAS	65,990,840	92,120,997	103,296,915	45,299,795	9,194,538	-	1,292,291	1,702,341	19,731,348	5,749,441	-	1,537,243	14,238,391	4,508,306	1,440,404	366,100,850
KENTUCKY	105.679.620	120.379,469	113,493,419	66.254.368	11.046.665	36,484,588	1,329,769	2,208,220	18,949,741	3,361,207	-	2,199,689	114,470,875	36,250,042	11,581,889	643,689,561
LOUISIANA	104,953,969	97.977.647	118,701,097	195,657,172	9,976,077	-	1,416,822	3,573,741	20,967,213	3,969,175	-	2,416,421	84,871.880	26.876,786	8,587,133	679,945,133
MAINE	33,540,299	36,762,424	39,614,848	35,135,062	10,612,611	-	1,346,896	1,418,867	6,506,778	1,125,454	11,834,723	933,567	-	-	-	178,831,529
MARYLAND	88,906,975	100.263.440	109,389,831	111,645,629	48,361,535	12,786,567	1,048,975	6,060,646	16,876,787	2,112,129	-	2,938,525	56.538,221	17,904,230	5,720,401	580,553,891
MASSACHUSETTS	82,209,300	83,309,178	104.040.425	189,708,485	60,630,888	-	1,107,892	7,942,255	14,087,652	2,191,120	-	3,226,073	28,163,465	8,918,660	2,849,512	588,382,905
MICHIGAN	142,866,852	178,789,474	227,014,521	106,272,098	62,221,486	-	2,664,359	9,271,967	36,528,704	7,022,507	26,418,236	5,594,348	151,878,701	48,096,159	15,366,723	1,020,006,135
MINNESOTA	102,131,597	126,305.644	158,249,078	36,189,994	27,006,700		2,255,544	3,821,990	24,809,382	5,601,337	3,903,147	2,713,764	97,850,271	30,986,716	9.900,256	631,725,420
MISSISSIPPI	74,602,960	109,086,473	106.151.168	57,708,901	9,917,407	4,685,828	1,271,448	1,418,867	22,154,427	3,182,773	-	1.724,971	54,056,025	17,118,182	5,469,259	468,548,689
MISSOURI	149,013,986	166.991.822	180,019,862	127.030,619	19,195,308	•	1,552,895	4,356,011	31,961,363	5,421,287	-	3,097,355	161,155,454	51,033,872	16,305,322	917,135,156
MONTANA	72,075,713	95,879,643	54,090,054	16,149,455	11,481,442		1,499,967	1,418,867	10,870,195	1,668,079	7,247,102	933,567	87,578,668	27,733,958	8,861,000	397,487,710
NEBRASKA	46,051,231	80,003.394	68,580,802	25,096,624	9,497,754	-	1.136.513	1.418.867	12,144,183	3,222,538		955,909	22,507,026	7,127,408	2.277,207	280,019,456
NEVADA	67,897,410	75,428,895	69,926,564	15,187,558	27.928,754	-	1.267.738	2,362,621	12,561.381	1,026,924		1,359,650	54,191,177	17,160,981	5,482,933	351,782,586
NEW HAMPSHIRE	19,290,265	38,391,493	33,398,263	22,055,678	9.053,459		1,183,711	1,418,867	5,550,834	1,026,924	310,649	933,567	19,361,831	6,131,404	1,958,984	160,065,929
NEW JERSEY	105,628,541	153,392,975	154,974,478	185,564,482	84,689,214	-	1,145,260	10,928,337	21,432,513	3,402,032	-	4,729,747	170,255,562	53,915.647	17,226,049	967,284,837
NEW MEXICO	75,185,252	90,429,260	64,354,833	13,287,510	9,355,963	-	1,334,844	1.418.867	12,029,820	1,483,249	1,754,735	1.047,720	59,302,650	18,779,655	6,000,100	355,764,458
NEW YORK	191,999,595	217,895,501	259,002,024	458,858,188	165,767,424	8,774,305	2,058,102	21,852,495	39,310,532	5,920,273	25,707,046	9,636,294	156,125,170	49,440,909	15.796,370	1,626,144,228
NORTH CAROLINA	137,503,444	161,367,522	184,276,887	113,663,452	39,264,841	30,734,858	1,506,367	5,300,641	29,036,271	5,787,692	-	4,699,927	208,327,794	65,972,164	21,078,106	1,008,519,966
NORTH DAKOTA	32,431,614	90,038,516	43,853,182	11,939,141	9,742,545		1,056,687	1,418,867	8,347,170	3,248,026	9,798,063	933,567	19,543,721	6,189,004	1,977,387	240,517,490
OHIO	217.228,369	190.391.029	238,196,708	160,226,276	76.609.698	21,195,064	1,560,786	10,304,670	34,952,704	7,996,878	-	6.140,248	235,407,066	74,547,488	23,817,922	1,298,574,906
OKLAHOMA	100,898,872	130,796,807	144,580,074	82,279,367	10,336,938	-	1,668,362	2,091,067	26,751,098	4,781,096	-	1,957,302	76,365,434	24,183,009	7,726,471	614,415,897
OREGON	83.016.201	105,593,026	103,743,942	94,750,771	18,075,572		1,503,186	2,785,185	17,865,873	2,886,037	-	1,832,689	36,798,101	11,653,032	3,723,144	484,226,759
PENNSYLVANIA	193,169,685	203,864,133	230,513,846	449,901,352	92,257,960	104,343,025	1,858,981	11,572,713	36,057,860	6,598,407	-	6,273,900	178,517,037	56,531,849	18,061,926	1,589,522,664
RHODE ISLAND	12,517,559	54,170,292	38,612,792	85,448,471	10,517,399	-	807,568	1,418,867	6,417,496	1,026,924	-	933,567	-	•	-	211,870,935
SOUTH CAROLINA	95,688,407	96,112,954	125,749,090	50,161,840	9,311,550	6,697,663	1,130,756	2,640,998	25,484,917	3,884,020	-	2,272,118	133,364,065	42,233.040	13,493,456	608,224,674
SOUTH DAKOTA	42,704,255	82,519,063	53,804,771	12,904,964	10,530,673		1,061,646	1,418,867	10,883,571	2,152,926	-	933,567	38,293,075	12,126,452	3,874,401	273.208,231
TENNESSEE	143,450,800	146,196,660	157,056,570	53,375,382	29,073,970	23,020,243	1,531,623	4,178,534	27,972,454	4,308,777	-	3,178,652	158,909,560	50,322,655	16,078.088	818,653,968
TEXAS	416,275,136	524,862,850	557,187,258	136,500,503	105,412,811	-	3,729,436	20,853,560	87,295,480	15.847,737	52,148,601	14,208,418	791,969.407	250,796,761	80,129,565	3,057,217,523
UTAH	86,040,416	59,277,761	63,935,892	12,583,590	10.268,426	-	1,458,094	2,463,776	9,312,944	1,431,495	-	1,604,073	44,955,510	14,236,278	4,548,491	312,116,746
VERMONT	23,092,307	54,389,012	44,862,365	40,571,850	12,161,099	-	959.717	1,418,867	7,456,183	1,026.924	7,921,014	933,567	1,287.960	407,864	130,313	196,619,042
VIRGINIA	155.882,642	152,437,304	186,717,527	104,802,282	43,463,093	35,560,393	1,425,708	6,643,014	28,946,880	4,188,938	-	4,005.905	184,629,703	58,467,576	18,680,390	985,851,355
WASHINGTON	106,078,265	121,319,401	136,065.918	163,642,212	35,458,375	· · ·	1,760,960	6,065,859	21.025,922	3,755,511	12,018,237	3,339,349	32,599,088	10,323,310	3,298,298	656,750,705
WEST VIRGINIA	54,438,786	54,872,436	59,377,669	61,017,453	10,761,361	33,738,241	1,223,977	1,418,867	11,812,699	1,843,752	-	933,567	93,052,972	29,467,532	9,414,877	423,374,189
WISCONSIN	89,663,264	152,841,553	146,278,069	20,369,219	19,720,844	-	2,023,744	4,006,264	24,756,885	5,075,801	-	2,868,305	184,319,284	58,369,274	18,648.983	728,941,489
WYOMING	52,343,748	89,203,107	33,355,867	11,080,606	9,041,966	-	1,376,523	1,418,867	5,591,945	1,026,924	-	933,567	30,196,198	9,562,375	3,055,179	248,186,872
TOTAL APPORTIONED	5,535,170,087	6,769,300,912	7,101,822,471	4,720,397,364	1,926,136 645	438 776,680	78 569,033	283,773,288	1,182,170,081	205,384,827	196.049 153	168,042,127	6,315,627,078	2,000,000,000	639,000,000	37,560,219,748

APPROVED EFFECTIVE FEDERAL HIGHWAY ADMINISTRATOR July 23, 2012

N4510.752 - TABLE 1

#### U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

#### TRANSFERS ASSESSED PURSUANT TO TITLE 23 U.S.C. 154 (Open Container Requirements) FROM THE INTERSTATE MAINTENANCE, NATIONAL HIGHWAY SYSTEM, AND SURFACE TRANSPORTATION PROGRAMS UNDER THE SURFACE TRANSPORTATION EXTENSION ACT OF 2011, PART II, AS AMENDED, FOR FISCAL YEAR 2012

Γ			RANSFERS ASSESSED	тоти								
	PURSUA	NT TO TITLE 23 U.S.C. 104	( /	PURSUAN	IT TO TITLE 23 U.S.C. 105		PURSI	PURSUANT TO TITLE 23 U.S.C. 154				
		National	Surface		National	Surface		National	Surface			
State	Interstate	Highway	Transportation	Interstate	Highway	Transportation	Interstate	Highway	Transportation	Tatal		
State	Maintenance	<u>System</u>	Program	Maintenance	<u>System</u>	Program	Maintenance	System	Program	Total		
ALABAMA	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0		
ALASKA	2,070,584	2,441,595	2,105,193	952,509	1,123,182	968,430	3,023,093	3,564,777	3,073,623	9,661,493		
ARIZONA	0	0	0	0	0	0	C		0	0		
ARKANSAS	2,400,908	2,997,225	3,098,606	510,779	637,642	659,210	2,911,687		3,757,816	10,304,370		
CALIFORNIA	0	0	0	0	0	0	C		0	0		
COLORADO	0	0	0	0	0	0	0.050.000	-	0	0		
CONNECTICUT DELAWARE	1,663,140 285,646	1,533,535 1,717,733	1,957,155 1,159,971	390,682 35,888	360,237 215,815	459,748 145,738	2,053,822 321,534		2,416,903 1,305,709	6,364,497 3,560,791		
DIST. OF COL.	203,040	0	1,155,571	0	215,015	145,750	321,334		1,303,709	3,300,731		
FLORIDA	0	0	0	0	0	0		-	0	0		
GEORGIA	0	0	0	0	0	0	C	0	0	0		
HAWAII	0	0	0	0	0	0	C	0	0	0		
IDAHO	0	0	0	0	0	0	C	0	0	0		
ILLINOIS	0	0	0	0	0	0	C	0	0	0		
INDIANA	0	0	0	0	0	0	C	-	0	0		
IOWA	0	0	0	0	0	0	C		0	0		
KANSAS	0	0	0	0	0	0	0	-	0	0		
KENTUCKY LOUISIANA	0 3,148,619	0 2,939,329	3,561,033	0 470,858	0 439,560	532,532	3,619,477	-	4,093,565	0 11,091,931		
MAINE	3,146,619	2,939,329	3,501,033	470,858	439,560	532,532	3,019,477		4,093,565	11,091,931		
MARYLAND	0	0	0	0	0	0		-	0	0		
MASSACHUSETTS	0	0	0	9	0	0			0	0		
MICHIGAN	0	0	0	0	0	0	c	0	0	0		
MINNESOTA	0	0	0	0	0	0	C	0	0	0		
MISSISSIPPI	2,238,089	3,272,594	3,184,535	313,680	458,671	446,329	2,551,769	3,731,265	3,630,864	9,913,898		
MISSOURI	4,470,420	5,009,755	5,400,596	1,041,865	1,167,561	1,258,650	5,512,285	6,177,316	6,659,246	18,348,847		
MONTANA	0	0	0	0	0	0	C	-	0	0		
NEBRASKA	0	0	0	0	0	0	C	-	0	0		
NEVADA	0	0	0	0	0	0	0	-	0	0		
NEW HAMPSHIRE NEW JERSEY	0	0	0	0	0	0			0	0		
NEW MEXICO	0	0	0	0	0	0		-	0	0		
NEW YORK	0	0	0	0	0	0	0	-	0	0		
NORTH CAROLINA	0	0	0	0	0	0	C	0	0	0		
NORTH DAKOTA	0	0	0	0	0	0	C	0	0	0		
OHIO	0	0	0	0	0	0	C	0	0	0		
OKLAHOMA	0	0	0	0	0	0	C	0	0	0		
OREGON	0	0	0	0	0	0	C		0	0		
PENNSYLVANIA	0	0	0	0	0	0	C	-	0	0		
RHODE ISLAND	0	0	0	0	0	0	C		0	0		
SOUTH CAROLINA SOUTH DAKOTA	0	0	0	0	0	0	0	-	0	0		
TENNESSEE	4,303,524	4,385,900	4,711,697	1,209,616	1,232,770	1,324,344	5,513,140	-	6,036,041	17,167,851		
TEXAS	4,000,024	4,000,000	4,711,007	1,203,010	1,202,770	1,024,044	0,010,140		0,000,041	11,101,001		
UTAH	0	0	0	0	0	0	C	0	0	0		
VERMONT	0	0	0	0	0	0	C	0	0	0		
VIRGINIA	4,676,479	4,573,119	5,601,526	1,263,119	1,235,201	1,512,974	5,939,598	5,808,320	7,114,500	18,862,418		
WASHINGTON	0	0	0	0	0	0	C	0	0	0		
WEST VIRGINIA	1,633,164	1,646,173	1,781,330	591,193	595,902	644,828	2,224,357		2,426,158	6,892,590		
WISCONSIN	0	0	0	0	0	0	0		0	0		
WYOMING	1,570,312	2,676,093	1,000,676	232,441	396,120	148,122	1,802,753	3,072,213	1,148,798	6,023,764		
Total	\$28,460,885	\$33,193,051	\$33,562,318	\$7,012,630	\$7,862,661	\$8,100,905	\$35,473,515	\$41,055,712	\$41,663,223	\$118,192,450		

N4510.752 - TABLE 2

#### U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION

## TRANSFERS ASSESSED PURSUANT TO TITLE 23 U.S.C. 164 (Minimum Penalties for Repeat Offenders for Driving While Intoxicated or Driving Under the Influence) FROM THE INTERSTATE MAINTENANCE, NATIONAL HIGHWAY SYSTEM, AND SURFACE TRANSPORTATION PROGRAMS UNDER THE SURFACE TRANSPORTATION EXTENSION ACT OF 2011, PART II, AS AMENDED, FOR FISCAL YEAR 2012

				OM APPORTIONMENTS	TOT						
	PURSUAN	NT TO TITLE 23 U.S.C. 1		PURSUAN	NT TO TITLE 23 U.S.C. 1		PURS	PURSUANT TO TITLE 23 U.S.C. 164			
State	Interstate Maintenance	National Highway <u>System</u>	Surface Transportation <u>Program</u>	Interstate Maintenance	National Highway <u>System</u>	Surface Transportation <u>Program</u>	Interstate Maintenance	National Highway <u>System</u>	Surface Transportation <u>Program</u>	Total	
ALABAMA	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
ALASKA	2,070,584	2,441,595	2,105,193	952,509	1,123,182	968,430	3,023,093	3,564,777	3,073,623	9,661,493	
ARIZONA	0	0	0	0	0	0	0	0	0	0	
ARKANSAS CALIFORNIA	0 15,074,645	0	0	0	0	2 000 475	0	0	0	0	
COLORADO	15,074,645	19,080,250 0	20,978,478	2,225,054	2,816,292	3,096,475	17,299,699 0	21,896,542 0	24,074,953	63,271,194	
CONNECTICUT	0	0	0	0	0	0	0	0	0	0	
DELAWARE	0	0	0	0	0	0	0	0	0	0	
DIST. OF COL.	0	0	0	0	0	0	0	0	0	0	
FLORIDA	0	0	0	0	0	0	0	0	0	0	
GEORGIA	0	0	0	0	0	0	0	0	0	0	
HAWAII	0	0	0	0	0	0	0	0	0	0	
IDAHO	0	0	0	0	0	0	0	0	0	0	
ILLINOIS	0	0	0	0	0	0	0	0	0	0	
INDIANA	0	0	0	0	0	0	0	0	0	0	
IOWA	0	0	0	0	0	0	0	0	0	0	
KANSAS	0	0	0	0	0	0	0	0	0	0	
KENTUCKY	0	0	0	0	0	0	0	0	0	0	
LOUISIANA	3,148,619	2,939,329	3,561,033	470,858	439,560	532,532	3,619,477	3,378,889	4,093,565	11,091,931	
	0	0	0	0	0	0	0	0	0	0	
MARYLAND	2,667,209	3,007,903 0	3,281,695	310,894 0	350,605 0	382,519	2,978,103	3,358,508 0	3,664,214	10,000,825	
MASSACHUSETTS MICHIGAN	0	0	0	0	0	0	0	0	0	0	
MINNESOTA	3,063,948	3,789,169	4,747,472	622,628	770,001	964,739	3,686,576	4,559,170	5,712,211	13,957,957	
MISSISSIPPI	0,000,040	0,705,105	4,747,472	0	0	0,105	0,000,010	4,000,110	0,712,211	10,007,007	
MISSOURI	4,470,420	5,009,755	5,400,596	1,041,865	1,167,561	1,258,650	5,512,285	6,177,316	6,659,246	18,348,847	
MONTANA	2,162,271	2,876,389	1,622,702	717,338	954,248	538,334	2,879,609	3,830,637	2,161,036	8,871,282	
NEBRASKA	0	0	0	0	0	0	0	0	0	0	
NEVADA	0	0	0	0	0	0	0	0	0	0	
NEW HAMPSHIRE	0	0	0	0	0	0	0	0	0	0	
NEW JERSEY	0	0	0	0	0	0	0	0	0	0	
NEW MEXICO	2,255,558	2,712,878	1,930,645	499,106	600,301	427,210	2,754,664	3,313,179	2,357,855	8,425,698	
NEW YORK	0	0	0	0	0	0	0	0	0	0	
NORTH CAROLINA	0	0	0	0	0	0	0	0	0	0	
NORTH DAKOTA	0	0	0	0	0	0	0	0	0	0	
OHIO	6,516,851 0	5,711,731 0	7,145,901	1,642,563	1,439,633	1,801,114	8,159,414	7,151,364	8,947,015	24,257,793	
OKLAHOMA OREGON	2,490,486	3,167,791	3,112,318	212,752	270,611	265,872	2,703,238	3,438,402	3,378,190	9,519,830	
PENNSYLVANIA	2,490,486	3,107,791	3,112,318	212,752	270,611	203,872	2,703,238	3,438,402	3,376,190	9,519,630	
RHODE ISLAND	375,527	1,625,109	1,158,384	0	ů 0	0	375,527	1,625,109	1,158,384	3,159,020	
SOUTH CAROLINA	0	0	0	0	0	0	0	0	0	0	
SOUTH DAKOTA	1,281,128	2,475,572	1,614,143	226,856	438,363	285,825	1,507,984	2,913,935	1,899,968	6,321,887	
TENNESSEE	0	0	0	0	0	0	0	0	0	0	
TEXAS	0	0	0	0	0	0	0	0	0	0	
UTAH	0	0	0	0	0	0	0	0	0	0	
VERMONT	692,769	1,631,670	1,345,871	4,798	11,300	9,320	697,567	1,642,970	1,355,191	3,695,728	
VIRGINIA	0	0	0	0	0	0	0	0	0	0	
WASHINGTON	3,182,348	3,639,582	4,081,978	174,216	199,247	223,466	3,356,564	3,838,829	4,305,444	11,500,837	
WEST VIRGINIA	0	0	0	0	0	0	0	0	0	0	
WISCONSIN	2,689,898	4,585,247	4,388,342	1,078,872	1,839,063	1,760,088	3,768,770	6,424,310	6,148,430	16,341,510	
WYOMING	1,570,312	2,676,093	1,000,676	232,441	396,120	148,122	1,802,753	3,072,213	1,148,798	6,023,764	
Total	\$53.712.573	\$67,370,063	\$67.475.427	\$10,412,750	\$12,816,087	\$12,662,696	\$64,125,323	\$80,186,150	\$80.138.123	\$224,449,596	
, Jiai	ψ <b>00,112,010</b>	ψ <b>01,310,003</b>	ψ01,410,421	ψ10, <del>4</del> 12,730	ψ12,010,007	ψ12,002,090	ψ04,123,323	ψ00,100,130	ψ00,100,120	ψ∠∠4,443,090	

N4510.752 - TABLE 3