



U.S. Department
of Transportation

**Federal Highway
Administration**

Notice

Subject:

**APPORTIONMENT OF FUNDS FOR THE PERIOD BEGINNING ON
OCTOBER 1, 2014, AND ENDING ON MAY 31, 2015, PURSUANT TO
THE HIGHWAY AND TRANSPORTATION FUNDING ACT OF 2014**

Classification Code

Date

Office of Primary Interest

N 4510.778

October 1, 2014

HCFB-10

1. **What is the purpose of this Notice?** This Notice transmits the certificate of apportionment for apportioned Federal-aid highway program funds authorized for the period beginning on October 1, 2014, and ending on May 31, 2015, pursuant to the Highway and Transportation Funding Act of 2014, Public Law (Pub. L.) 113-159. The apportionments made available by this Notice are for the following programs: National Highway Performance Program, Surface Transportation Program, Highway Safety Improvement Program, Railway-Highway Grade Crossings Program, Congestion Mitigation and Air Quality Improvement Program, and the Metropolitan Planning Program. The apportionments are effective immediately.

2. **What is the background information?**
 - a. The Highway and Transportation Funding Act of 2014 extends the surface transportation programs, including the Federal-aid highway programs, under the Moving Ahead for Progress in the 21st Century Act (MAP-21), Pub. L. 112-141, through May 31, 2015.

 - b. Section 1001(a) of the Highway and Transportation Funding Act of 2014 incorporates by reference and continues in effect the requirements, authorities, conditions, eligibilities, limitations, and other provisions authorized under divisions A and E of MAP-21; the SAFETEA-LU Technical Corrections Act of 2008; titles I, V, and VI of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); titles I and V of the Transportation Equity Act for the 21st Century; the National Highway System Designation Act of 1995; titles I and VI of the Intermodal Surface Transportation Act of 1991; and title 23, United States Codes (U.S.C.) (excluding chapter 4 of that title), which would have otherwise expired or ceased to apply after September 30, 2014.

 - c. Pursuant to section 1001(b)(1) of the Highway and Transportation Funding Act of 2014, except as provided in section 1002 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 the period beginning on October 1, 2014, and ending on

May 31, 2015, a sum equal to 243/365 of the total amount authorized to be appropriated out of the Highway Trust Fund for programs, projects, and activities for Fiscal Year (FY) 2014 under divisions A and E of MAP-21 and title 23, U.S.C. (excluding chapter 4 of that title).

- d. Pursuant to section 1001(c)(1) of the Highway and Transportation Funding Act of 2014, except as otherwise expressly provided in the Act, the funds authorized to be appropriated for the period beginning on October 1, 2014, and ending on May 31, 2015, shall be distributed, administered, limited, and made available for obligation in the same manner and at the same levels as 243/365 of the amounts of funds authorized to be appropriated out of the Highway Trust Fund (other than the Mass Transit Account) for FY 2014 to carry out programs, projects, activities, eligibilities, and requirements under MAP-21; the SAFETEA-LU Technical Corrections Act of 2008; SAFETEA-LU; titles I and V of the Transportation Equity Act for the 21st Century; the National Highway System Designation Act of 1995; titles I and VI of the Intermodal Surface Transportation Act of 1991; and title 23, U.S.C. (excluding chapter 4 of that title)

3. 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 until September 30, 2018. Any amounts not obligated by the State on or before September 30, 2018, shall lapse.
- c. 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.
- d. For the period beginning on October 1, 2014, and ending on May 31, 2015, an amount of National Highway Performance Program funds equal to \$425,416,438 prior to sequestration (\$394,361,038 after sequestration) that is exempt from obligation controls is provided. See FHWA Notice N4510.779 for additional information on sequestration.
- e. The Federal share payable shall be in accordance with section 120 of title 23, U.S.C., except as provided by another provision of law.
- f. Program codes to be used when obligating these funds were provided in a program code memorandum dated September 23, 2014.

4. **How were the State-by-State and program-by-program amounts determined?**

- a. The base amount of apportioned funds available for each program and each State for the period beginning on October 1, 2014, and ending on May 31, 2015, is equal to 243/365 of the amount for each such program and State in FY 2014.
- b. Table 1 shows the State-by-State, program-by-program apportionment amounts (before post-apportionment set-asides and before penalties) available under the Highway and Transportation Funding Act of 2014 for the period beginning on October 1, 2014, and ending on May 31, 2015.

5. **Are certain States subject to penalties?** Yes. Currently, the States that are listed under the following requirements are subject to penalties. The penalty funds for a State under sections 154 and 164 of title 23, U.S.C., are reserved and then, in the proportions elected by the State, will be released for use on eligible Highway Safety Improvement Program activities under section 148 of title 23, U.S.C., or transferred to the State's safety program under section 402 of title 23, U.S.C.

a. **Open Container Requirements – 23 U.S.C. 154 – 2.5 percent**

Funds subject to penalty: National Highway Performance Program and Surface Transportation Program.

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

Table 2 shows the penalty amounts under section 154 of title 23, U.S.C., subject to section 154(c)(5), which allows a State to designate how the total penalty amount is to be derived from the National Highway Performance Program and the Surface Transportation Program.

b. **Minimum Penalties for Repeat Offenders for Driving While Intoxicated or Driving Under the Influence – 23 U.S.C. 164 – 2.5 percent**

Funds subject to penalty: National Highway Performance Program and Surface Transportation Program.

Alabama, Alaska, California, Delaware, Hawaii, Indiana, Louisiana, Minnesota, Montana, New Mexico, North Dakota, Ohio, Oregon, Rhode Island, South Carolina, South Dakota, Utah, Vermont, and Wyoming

The penalties under section 164 of title 23, U.S.C., for Alabama, Delaware, and South Carolina are subject to an administrative review by the National Highway Traffic Safety Administration and the Federal Highway Administration; the penalty amount for each of the preceding States is reserved pending the completion of the administrative review and then will either be administered under the provisions of section 164 or restored to the State's apportionments depending on the outcome of that process.

Table 3 shows the penalty amounts under section 164 of title 23, U.S.C., subject to section 164(c)(5), which allows a State to designate how the total penalty amount is to be derived from the National Highway Performance Program and the Surface Transportation Program.

6. **What other amounts are related to these apportionments?** Supplementary tables showing other amounts related to these apportionments will be issued at a later date via a separate notice. The amounts shown in the supplementary tables will include set-asides (State Planning & Research, Transportation Alternatives Program, etc.), suballocations for the Surface Transportation Program and the Transportation Alternatives Program, and various limiting amounts.
7. **What action is required?** Division Administrators should ensure that copies of this Notice are provided to the State departments of transportation.



Gregory G. Nadeau
Acting Administrator

Attachments

**CERTIFICATE OF APPORTIONMENT FROM THE SUM OF \$25,164,147,945
AUTHORIZED TO BE APPROPRIATED FOR APPORTIONED FEDERAL-AID HIGHWAY
PROGRAMS FOR THE PERIOD BEGINNING OCTOBER 1, 2014, AND
ENDING ON MAY 31, 2015**

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 Highway and Transportation Funding Act of 2014, title 23 of the United States Code, 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 program under the Highway and Transportation Funding Act of 2014, Public Law 113-159, is \$25,164,147,945, which is 100 percent of the amount authorized to be appropriated from the Highway Trust Fund (other than the Mass Transit Account) for the period beginning on October 1, 2014, and ending on May 31, 2015.

Second, that I have computed the apportionment to each State and the District of Columbia of the amounts authorized to be appropriated for the apportioned Federal-aid highway programs and further computed the distribution among the programs within each State and the District of Columbia in the manner provided by law.

Third, that in compliance with section 154 of title 23, United States Code, the Open Container Requirements, 2.5 percent of the National Highway Performance Program and Surface Transportation Program apportionments for the States of Alaska, Arkansas, Connecticut, Delaware, Hawaii, Louisiana, Maine, Mississippi, Missouri, Tennessee, Virginia, West Virginia, and Wyoming are reserved for release for use on eligible Highway Safety Improvement Program activities or transfer 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, 2.5 percent of the National Highway Performance Program and Surface Transportation Program apportionments for the States of Alabama, Alaska, California, Delaware, Hawaii, Indiana, Louisiana, Minnesota, Montana, New Mexico, North Dakota, Ohio, Oregon, Rhode Island, South Carolina, South Dakota, Utah, Vermont, and Wyoming are reserved for release for use on eligible Highway Safety Improvement Program activities or transfer to the States' 402 Safety Programs (except that the penalty amounts for Alabama, Delaware, and South Carolina are reserved pending the outcome of the administrative review by the National Highway Traffic Safety Administration and the Federal Highway Administration).

Fifth, subject to the above-mentioned penalties, that the sums that are hereby apportioned to each State and the District of Columbia, effective immediately, are respectively as follows:

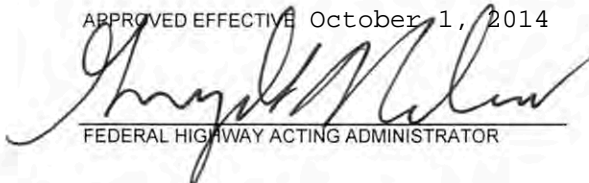
U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

N4510.778 - TABLE 1

FEDERAL-AID HIGHWAY PROGRAM APPORTIONMENTS FOR THE PERIOD BEGINNING ON OCTOBER 1, 2014, AND
ENDING ON MAY 31, 2015, PURSUANT TO THE HIGHWAY AND TRANSPORTATION FUNDING ACT OF 2014
(before post-apportionment set-asides; before penalties)

State	National Highway Performance Program	Surface Transportation Program	Highway Safety Improvement Program	Railway-Highway Crossings Program	Congestion Mitigation & Air Quality Improvement	Metropolitan Planning	Apportioned Total
Alabama	304,444,542	140,034,931	30,438,512	3,016,932	7,587,720	1,983,992	487,506,629
Alaska	192,646,595	88,611,385	20,437,627	732,329	18,303,693	1,463,096	322,194,725
Arizona	275,096,248	126,535,637	28,448,595	1,781,763	34,505,067	3,775,817	470,143,127
Arkansas	205,997,804	94,752,522	20,133,520	2,503,601	8,190,340	1,108,631	332,686,418
California	1,285,120,626	591,115,138	131,049,114	10,172,933	308,668,446	32,284,220	2,358,410,477
Colorado	198,781,578	91,433,285	19,734,037	2,110,093	28,132,338	3,412,659	343,603,990
Connecticut	184,942,580	85,067,780	19,454,083	869,278	29,426,096	2,977,941	322,737,758
Delaware	63,566,159	29,238,437	6,252,963	732,329	7,756,518	1,149,798	108,696,204
Dist. of Col.	60,300,720	27,736,438	5,894,124	732,329	6,718,959	1,145,260	102,527,830
Florida	761,248,048	350,150,201	78,018,817	5,634,814	9,044,076	13,360,009	1,217,455,965
Georgia	496,528,947	228,387,726	49,320,713	5,242,907	45,194,099	5,013,338	829,687,730
Hawaii	64,121,743	29,493,988	6,314,017	732,329	6,889,832	1,128,471	108,680,380
Idaho	110,978,937	51,046,826	11,012,647	1,182,840	8,522,774	1,044,727	183,788,751
Illinois	528,283,749	242,993,938	51,166,086	6,887,073	73,226,750	11,010,147	913,567,743
Indiana	367,904,250	169,224,404	35,520,982	4,908,057	31,337,712	3,377,333	612,272,738
Iowa	195,561,850	89,952,311	18,011,736	3,478,578	7,512,730	1,279,903	315,797,108
Kansas	149,847,156	68,924,987	12,547,523	3,919,198	6,329,515	1,256,853	242,825,232
Kentucky	265,117,007	121,945,500	26,701,835	2,431,902	9,111,794	1,634,612	426,942,650
Louisiana	280,663,874	129,096,569	28,165,002	2,677,182	7,613,275	2,774,133	450,990,035
Maine	70,437,433	32,399,008	6,924,411	815,966	6,848,854	1,188,659	118,614,331
Maryland	220,372,096	101,364,245	22,691,536	1,525,177	35,714,237	4,474,555	386,141,846
Massachusetts	218,030,078	100,286,991	22,344,973	1,614,376	42,182,475	5,800,282	390,259,175
Michigan	395,346,853	181,847,139	38,517,906	4,926,803	49,223,022	6,681,985	676,543,708
Minnesota	251,374,551	115,624,401	23,658,867	3,964,709	21,434,264	2,950,352	419,007,144
Mississippi	192,512,156	88,549,548	18,905,998	2,249,183	7,462,086	1,097,265	310,776,236
Missouri	375,371,494	172,659,102	37,582,285	3,667,329	15,677,881	3,353,954	608,312,045
Montana	160,894,328	74,006,339	16,453,272	1,227,424	9,901,902	1,160,061	263,643,326
Nebraska	113,269,695	52,100,504	10,074,833	2,372,386	6,842,791	1,069,460	185,729,669
Nevada	133,481,646	61,397,366	13,935,984	732,329	21,662,775	2,118,198	233,328,298
New Hampshire	62,594,188	28,791,361	6,146,154	732,329	6,883,502	1,020,061	106,167,595
New Jersey	359,463,679	165,342,006	37,085,829	2,415,674	69,234,945	8,032,900	641,575,033
New Mexico	144,815,358	66,610,518	14,838,990	1,074,786	7,591,125	1,038,595	235,969,372
New York	599,174,163	275,601,303	61,737,676	4,105,639	121,846,547	16,114,114	1,078,579,442
North Carolina	402,791,194	185,271,302	39,971,952	4,290,816	34,089,060	3,753,345	670,167,669
North Dakota	96,472,592	44,374,363	8,187,907	2,413,477	6,997,319	1,083,377	159,529,035
Ohio	503,323,112	231,512,828	49,592,140	5,718,092	63,690,206	7,474,797	861,311,175
Oklahoma	253,550,895	116,625,451	24,412,112	3,450,623	7,818,701	1,668,403	407,526,185
Oregon	194,880,948	89,639,118	19,492,304	1,923,185	12,903,793	2,335,747	321,175,095
Pennsylvania	621,975,387	286,089,150	63,968,102	4,380,842	69,506,181	8,369,642	1,054,289,304
Rhode Island	84,334,187	38,791,078	8,535,164	732,329	6,937,487	1,198,272	140,528,517
South Carolina	267,244,177	122,923,931	26,556,474	2,811,018	8,712,923	2,032,476	430,280,999
South Dakota	109,508,367	50,370,410	10,488,127	1,545,760	8,159,036	1,140,259	181,211,959
Tennessee	328,215,856	150,968,989	32,930,678	3,136,999	24,637,608	3,101,891	542,992,021
Texas	1,333,068,024	613,169,437	134,839,460	11,651,532	109,500,354	15,793,172	2,218,021,979
Utah	135,325,603	62,245,528	13,827,123	1,043,822	8,593,255	2,090,996	223,126,327
Vermont	77,192,044	35,505,916	7,750,313	732,329	7,879,047	1,352,679	130,412,328
Virginia	390,151,810	179,457,583	39,903,284	2,970,541	36,528,179	4,878,328	653,889,725
Washington	258,815,070	119,046,806	25,736,032	2,705,184	24,577,929	4,724,748	435,605,769
West Virginia	172,109,980	79,165,187	17,591,493	1,321,692	9,526,423	1,098,383	280,813,158
Wisconsin	294,494,752	135,458,339	28,627,452	3,734,609	18,222,799	2,950,100	483,488,051
Wyoming	99,795,588	45,902,837	10,234,219	732,329	6,930,827	1,020,139	164,615,939
Apportioned Total	14,911,539,717	6,858,840,087	1,492,164,983	146,465,756	1,541,789,267	213,348,135	25,164,147,945

APPROVED EFFECTIVE October 1, 2014



FEDERAL HIGHWAY ACTING ADMINISTRATOR

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

N4510.778 - TABLE 2

PENALTIES ASSESSED PURSUANT TO 23 U.S.C. 154 FOR THE PERIOD
BEGINNING ON OCTOBER 1, 2014, AND ENDING ON MAY 31, 2015
(before election of penalty shifts by States)

State	23 U.S.C. 154 Penalty Amounts (Open Container Requirements)		
	National Highway Performance Program	Surface Transportation Program	Total
ALABAMA	\$0	\$0	\$0
ALASKA	4,816,165	2,215,285	7,031,450
ARIZONA	0	0	0
ARKANSAS	5,149,945	2,368,813	7,518,758
CALIFORNIA	0	0	0
COLORADO	0	0	0
CONNECTICUT	4,623,565	2,126,695	6,750,260
DELAWARE	1,589,154	730,961	2,320,115
DIST. OF COL.	0	0	0
FLORIDA	0	0	0
GEORGIA	0	0	0
HAWAII	1,603,044	737,350	2,340,394
IDAHO	0	0	0
ILLINOIS	0	0	0
INDIANA	0	0	0
IOWA	0	0	0
KANSAS	0	0	0
KENTUCKY	0	0	0
LOUISIANA	7,016,597	3,227,414	10,244,011
MAINE	1,760,936	809,975	2,570,911
MARYLAND	0	0	0
MASSACHUSETTS	0	0	0
MICHIGAN	0	0	0
MINNESOTA	0	0	0
MISSISSIPPI	4,812,804	2,213,739	7,026,543
MISSOURI	9,384,287	4,316,478	13,700,765
MONTANA	0	0	0
NEBRASKA	0	0	0
NEVADA	0	0	0
NEW HAMPSHIRE	0	0	0
NEW JERSEY	0	0	0
NEW MEXICO	0	0	0
NEW YORK	0	0	0
NORTH CAROLINA	0	0	0
NORTH DAKOTA	0	0	0
OHIO	0	0	0
OKLAHOMA	0	0	0
OREGON	0	0	0
PENNSYLVANIA	0	0	0
RHODE ISLAND	0	0	0
SOUTH CAROLINA	0	0	0
SOUTH DAKOTA	0	0	0
TENNESSEE	8,205,396	3,774,225	11,979,621
TEXAS	0	0	0
UTAH	0	0	0
VERMONT	0	0	0
VIRGINIA	9,753,795	4,486,440	14,240,235
WASHINGTON	0	0	0
WEST VIRGINIA	4,302,750	1,979,130	6,281,880
WISCONSIN	0	0	0
WYOMING	2,494,890	1,147,571	3,642,461
Total	\$65,513,328	\$30,134,076	\$95,647,404

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

N4510.778 - TABLE 3

PENALTIES ASSESSED PURSUANT TO 23 U.S.C. 164 FOR THE PERIOD
BEGINNING ON OCTOBER 1, 2014, AND ENDING ON MAY 31, 2015
(before election of penalty shifts by States)

State	23 U.S.C. 164 Penalty Amounts (Minimum Penalties for DWI or DUI Repeat Offenders)		
	National Highway Performance Program	Surface Transportation Program	Total
ALABAMA	\$7,611,114	\$3,500,873	\$11,111,987
ALASKA	4,816,165	2,215,285	7,031,450
ARIZONA	0	0	0
ARKANSAS	0	0	0
CALIFORNIA	32,128,016	14,777,878	46,905,894
COLORADO	0	0	0
CONNECTICUT	0	0	0
DELAWARE	1,589,154	730,961	2,320,115
DIST. OF COL.	0	0	0
FLORIDA	0	0	0
GEORGIA	0	0	0
HAWAII	1,603,044	737,350	2,340,394
IDAHO	0	0	0
ILLINOIS	0	0	0
INDIANA	9,197,606	4,230,610	13,428,216
IOWA	0	0	0
KANSAS	0	0	0
KENTUCKY	0	0	0
LOUISIANA	7,016,597	3,227,414	10,244,011
MAINE	0	0	0
MARYLAND	0	0	0
MASSACHUSETTS	0	0	0
MICHIGAN	0	0	0
MINNESOTA	6,284,364	2,890,610	9,174,974
MISSISSIPPI	0	0	0
MISSOURI	0	0	0
MONTANA	4,022,358	1,850,158	5,872,516
NEBRASKA	0	0	0
NEVADA	0	0	0
NEW HAMPSHIRE	0	0	0
NEW JERSEY	0	0	0
NEW MEXICO	3,620,384	1,665,263	5,285,647
NEW YORK	0	0	0
NORTH CAROLINA	0	0	0
NORTH DAKOTA	2,411,815	1,109,359	3,521,174
OHIO	12,583,078	5,787,821	18,370,899
OKLAHOMA	0	0	0
OREGON	4,872,024	2,240,978	7,113,002
PENNSYLVANIA	0	0	0
RHODE ISLAND	2,108,355	969,777	3,078,132
SOUTH CAROLINA	6,681,104	3,073,098	9,754,202
SOUTH DAKOTA	2,737,709	1,259,260	3,996,969
TENNESSEE	0	0	0
TEXAS	0	0	0
UTAH	3,383,140	1,556,138	4,939,278
VERMONT	1,929,801	887,648	2,817,449
VIRGINIA	0	0	0
WASHINGTON	0	0	0
WEST VIRGINIA	0	0	0
WISCONSIN	0	0	0
WYOMING	2,494,890	1,147,571	3,642,461
Total	\$117,090,718	\$53,858,052	\$170,948,770