



National Association County Engineers

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The Voice of County Road Officials

NACE UPDATE

The almost bi-weekly newsletter for Board members, Committee Chairs, and Members
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House Votes to Add \$521 Million to Federal Highway Program

(AASHTO Journal)

The House of Representatives approved legislation on May 28, 2010 that would provide \$521 million in additional highway funding, increasing allocations for 37 states.

This provision is contained in a tax-extenders bill, HR 4213, the American Jobs & Closing Tax Loopholes Act, which the House passed 215-204. The bill also contains an extension of Build America Bonds, which were created by the American Recovery & Reinvestment Act of 2009. The federal government subsidizes interest costs for the bonds paid by state and local governments when they borrow money to finance infrastructure projects.

House Transportation & Infrastructure Committee Chairman James Oberstar, D-Minnesota, has been working for more than two months to amend two highway funding categories that were set by the Hiring Incentives to Restore Employment Act. The HIRE Act mandates the distribution of Fiscal Year 2010 funding for Projects of National and Regional Significance as well as the National Corridor Infrastructure Improvement to the 29 states that received those discretionary funds under the 2005 surface transportation reauthorization law known as "SAFETEA-LU."

Oberstar's original proposal was to distribute the Fiscal Year 2010 funding for PNRS and National Corridor programs among all states based on each state's share of FY 2009 highway apportioned funds. Senate Majority Leader Harry Reid, D-Nevada, promised Oberstar and House Speaker Nancy Pelosi, D-California, in writing that the Senate would consider Oberstar's proposed fix.

However, the fix would have resulted in more than a dozen states losing some of their FY 2010 highway funds. Therefore, several senators objected including Senate Majority Whip Richard Durbin, D-Illinois, whose state was among those that would have been affected.

Oberstar agreed this week to modify his proposal with a "hold harmless" provision that adds \$521 million in highway formula funds (\$417 million in annual highway contract authority). The agreement would result in no state having highway funding rescinded, while those states that didn't receive any money from these programs under the HIRE Act will now receive additional funding.

The current language also distributes additional highway formula funds provided for FY 2010 among all 13 of the highway programs rather than among just six of the programs as the current law would require.

HR 4213 also includes an expansion of Build America Bonds for two years (through 2012). For direct-pay Build America Bonds issued in 2011, the amount of the direct payment would be reduced from 35% to 32% of the coupon interest. For such bonds issued in 2012, the amount of the direct payment would be reduced to 30% of the coupon interest. The bill would also allow issuers to refinance Build America Bonds to save money should interest rates fall in the future.

HR 4213 now returns to the Senate, which is in recess until June 7.

TIGER II Grants

Following an April 26th interim notice, the US Department of Transportation (DOT) has issued a final notice of funding availability for the \$600 million National Infrastructure Investments discretionary grant program, also known as TIGER II, and requests proposals. The June 1st Federal Register notice, (http://www.access.gpo.gov/su_docs/fedreg/a100601c.html), announces selection criteria and pre-application and application requirements.

As with the first TIGER program authorized by the 2009 Economic Recovery Act, funds for the TIGER II program are to be awarded on a competitive basis for projects that will have a significant impact on the Nation, a metropolitan area or a region.

Pre-applications must be submitted by July 16, 2010 at 5 p.m. EDT. Final applications must be submitted through Grants.gov by August 23, 2010 at 5 p.m. EDT.

The DOT pre-application system will open no later than June 23, 2010 to allow prospective applicants to submit pre-applications. Subsequently, the Grants.gov "Apply" function will open on July 30, 2010, allowing applicants to submit applications. DOT will evaluate all applications and announce the projects that have been selected to receive TIGER II Discretionary Grants no sooner than September 15, 2010.

Pre-applications must be submitted electronically to DOT and applications must be submitted electronically through Grants.gov. Only pre-applications received by DOT and applications received through Grants.gov will be deemed properly filed. Instructions for submitting pre-applications to DOT and applications through Grants.gov are included in Section VIII, Pre-Application and Application Cycle, in the June 1st Federal Register notice.

Because this is a new program, the interim notice requested comments on the proposed selection criteria and guidance for awarding TIGER II Discretionary Grants. DOT considered the comments that were submitted in accordance with the interim notice and decided to publish the June 1st notice revising some elements of the interim notice. See the Federal Register notice for details.

For more information contact the TIGER II Discretionary Grant program manager via e-mail at TIGERIIGrants@dot.gov. In addition, DOT will regularly post answers to questions and requests for clarifications on DOT's Web site at <http://www.dot.gov/recovery/ost/TIGERII>.

Federal Highway Administration Proposes Revision of Rules to Make Roadway Markings Brighter

To further improve roadway safety by making pavement markings brighter and easier to see, Federal Highway Administrator Victor Mendez today proposed to establish the first-ever standards for maintaining the reflectivity of centerlines, lane lines and edge lines on all roads used by the public. Full release and link to comments page:

<http://www.fhwa.dot.gov/pressroom/fhwa1008.htm>

All NACE members are encouraged to review and comment on these proposed regulations which are due on August 20, 2010. Since these regulations propose significant requirements for county roads with regards to pavement markings with no funding identified we remain concerned that they constitute an unfunded mandate on local government. A future NACE action alert will be sent.

Listen to NACE Past President Chris Bauserman Discuss Critical Issues in the New Authorization of the Surface Transportation Program! Visit Our Local Roads Matter website!

Chris E. Bauserman, NACE Past President & County Engineer, Delaware County OH discusses the important issues associated with the next transportation authorization in this important PODCAST. To view his presentation visit the NACE Local Roads Matter Campaign site <http://countyengineers.../LRM/index.html> (click on Social Media Center).

U. S. DOT Asks for Comments on Strategic Plan

The US Department of Transportation (USDOT) is seeking public comments to help finalize its new Strategic Plan. The plan, Transportation for a New Generation, will help set the priorities for the USDOT. The Strategic Plan can be found at DOT website in the middle of the page and comments can be submitted electronically.

County officials are encouraged to share their comments as soon as possible but no later than June 15. The reason your thoughts are important is that the Strategic Plan really sets the transportation priorities for the Obama Administration at least through 2012 and gives an insight into what its' legislative proposals will be in many areas, including highways, transit, safety, aviation, and high-speed rail. If, for instance, you think counties need more funding and input into the federal highway program, this is a good opportunity to comment while the Obama Administration prepares its position on reauthorization. Since county and other local governments are very much involved in transportation and are often the recipients of federal transportation funds, it is important that county officials be heard on these issues. It is also essential to point out to the federal policy makers the key role of counties in transportation and areas, if any, where you think county views are overlooked.

[For the Strategic Plan, please click here.](#)

Toward Zero Deaths (TZD): A National Strategy on Highway Safety - Webinars Coming

As part of the *Toward Zero Deaths: a National Strategy on Highway Safety*, a series of webinars will be held in June to obtain input from a wide range of highway safety stakeholders. Please see the attached flyer for additional details on the TZD initiative and the webinars. Registration is required. To register:

https://www.nhi.fhwa.dot.gov/resources/webconference/web_conf_learner_reg.aspx?webconfid=20430 There is no charge to participate.

Your input is needed to ensure consideration of a wide range of Safety perspectives! The first webinar was held on June 1st and provided an overview of the TZD initiative and safety culture. Additional webinars will be held in June 2010. Each webinar will have a separate topic discussion as follows:

SAFER INFRASTRUCTURE

How can we ensure safer infrastructure on all public roads in the United States? **Thursday, June 10, 12:30 p.m.–2:00 p.m. Eastern**

https://www.nhi.fhwa.dot.gov/resources/webconference/web_conf_learner_reg.aspx?webconfid=20432

SAFER VEHICLES

How can we develop and implement new vehicle safety initiatives in the United States?

Monday, June 21, 1:30 p.m.–3:00 p.m. Eastern

https://www.nhi.fhwa.dot.gov/resources/webconference/web_conf_learner_reg.aspx?webconfid=20433

ROAD USER SAFETY

How can we promote new road user safety efforts in the United States? **Wednesday, June 30,**

1:30 p.m.–3:00 p.m. Eastern

https://www.nhi.fhwa.dot.gov/resources/webconference/web_conf_learner_reg.aspx?webconfid=20434

Highway Safety Manual Webinar – June 14, 2010

Highway Safety Manual Webinar - The New Highway Safety Manual (HSM) will be published by AASHTO in 2010. The first webinar on the HSM will be: June 14, 1:30-3:30 pm ET HSM Introduction & Overview - HSM introduction, purpose, summary of content, and marketing & deployment initiatives.

Click Here to Register:

http://www.nhi.fhwa.dot.gov/resources/webconference/web_conf_learner_reg.aspx?webconfid=20194

Webinars will be offered at a rate of about rate of 2 per week. Refer to the attached flyer for a list of additional upcoming Highway Safety Manual webinars. More info on the Manual itself is available at: <http://www.highwaysafetymanual.org/Pages/default.aspx>.

The Online Source for Local Agencies

With the debut of the Federal Highway Administration's (FHWA) new Local Public Agency Web site (www.fhwa.dot.gov/federalaid/lpa/index.cfm), local transportation agencies, public works agencies, and others can find resources tailored directly to them. These resources include reference guides, training opportunities, and information on useful State and FHWA contacts.

"The site is designed to better assist local public agencies and State transportation agency officials in the administration and oversight of Federal-aid funded projects. This evolving site will continue to be updated with new information and resources to meet the needs of local agencies," says Bob Wright of FHWA's Office of Program Administration.

References include links to FHWA's *Guide to Federal-Aid Programs and Projects*, *Environmental Toolkit*, and *Real Estate Acquisition Guide for Local Public Agencies*. Also featured is the FHWA Contract Administration *Core Curriculum Participant's Manual and Reference Guide*. Visitors can find links to statutory and regulatory requirements in the U.S. Code and the Code of Federal Regulations as well.

Training information highlighted includes resources offered by FHWA's Local and Tribal Technical Assistance Programs, National Highway Institute, and the Transportation Curriculum Coordination Council (TCCC), including the TCCC's Core Curriculum for highway worker training. The curriculum can be tailored to fit the specific needs of each agency.

Visitors to the site can also find contact information for State transportation agencies and FHWA's division office and Resource Center staff members.

To learn more about the many resources for local agencies, visit www.fhwa.dot.gov/federalaid/lpa/index.cfm. For additional information about the Web site or to make suggestions about new resources to add, contact Bob Wright at FHWA, 202-366-4630 (email: robert.wright@fhwa.dot.gov).



Visit FHWA's local Public Agency Web site at www.fhwa.dot.gov/federalaid/lpa/index.cfm

Work Zone News

FHWA has added a number of new resources to our Work Zone website, including a new compendium of training opportunities, information on work zone speed management systems, news on this year's National Work Zone Awareness Week, case studies, and more! Visit their homepage at <http://www.fhwa.dot.gov/workzones> or click on one of the links below to go directly to one of our new resources.

Training

- [Work Zone Training Compendium](#) - Information on training opportunities (title, content, format, length, target audience, cost, point of contact) and resource guides, organized by subject: design, inspection, intelligent transportation systems, law enforcement, management, nighttime operations, short duration, traffic control, and worker safety.

- 1 [National Highway Institute Courses](#)

- Maintenance of Traffic for Technicians (Course No. FHWA-NHI-380098)

- 1 Maintenance of Traffic for Supervisors (Course No. FHWA-NHI-380099)

ITS in Work Zones

- [Speed Management Systems](#)
- Photo Radar Speed Enforcement in a Highway Work Zone: Oregon DOT Demonstration Project
 - 1 Maryland SafeZones Automated Enforcement Program
 - 2 Work Zone Variable Speed Limit Systems: Effectiveness and System Design Issues

National Work Zone Awareness Week

- [2010 National Work Zone Awareness Week, April 19-23, 2010](#) – Includes links to various States' NWZAW activities. This year's theme was "Work Zones Need Your Undivided Attention" and the national event was held in New York City.

General Work Zone Safety and Mobility Rule Implementation

- Case Study: [Missouri DOT I-64 Rehabilitation Project](#) – By using the types of practices emphasized in the Work Zone Safety and Mobility Rule, Missouri DOT was able to successfully complete this full closure rehabilitation project under budget and ahead of schedule.

Work Zone Policy

- [Work Zone Policy Library](#) – Policies addressing Subpart K have been added where available

Impacts Analysis

- [Maryland State Highway Administration Work Zone Analysis Guide and tools](#)

Public Information and Outreach

- [Program-Level Public Information and Outreach Examples](#) – Kentucky Transportation Cabinet
 - 1 [Project-Level Public Information and Outreach Examples](#)
- [Utah DOT Consolidated Project Web Site](#)
 - 1 [Minnesota DOT Highway 36 Full Closure](#)

Work Zone Traffic Management

- [Traffic Control Guidance](#) - Oregon DOT Work Zone Design and Operations Enhancements

Performance Measurement

- [Work Zone Self Assessment](#) – 2009 National Results Report

Design and Construction Strategies

- [Full Road Closure](#) – Minnesota DOT TH-36 example
- [Accelerated Construction](#) - 2009 Domestic Scan of Accelerated Construction Practices

Recent Work Zone News Items

- Can be found at <http://www.ops.fhwa.dot.gov/wz/resources/news/wznews.asp>

Traffic Safety Facts 2008: A Compilation of Motor Vehicle Crash Data from the Fatality Analysis Reporting System and the General Estimates System

The U.S. Department of Transportation's National Highway Traffic Safety Administration has released the final edition of its Traffic Safety Facts 2008 report. The report examines statistics about traffic crashes of all severities, from those that result in property damage to those that result in the loss of human life. The report contains all exposure data including vehicle miles traveled, registered vehicles, licensed drivers, and more. A [pocket edition of the report](#), which includes some of the most frequently used data tables from the final edition, is also available. [\[More\]](#)

FHWA Planning and Environment Linkages (PEL) Program – Training Announcement

The final offering of the training webcast titled “PEL 101: The Tools for Adopting and Implementing a PEL Approach” will be held on **Thursday, July 22, 2010** from 1pm to 3pm **Eastern**. The training webinar, co-sponsored by FHWA’s Office of Planning and Office of Project Development and Environmental Review, is designed to help transportation professionals and resource agency practitioners to better understand, coordinate and integrate transportation planning and the environmental review process. Upon completion of the training participants will be able to:

- Identify the key elements of PEL
- Identify opportunities and tools to integrate environmental considerations early in planning, and
- Identify methods to carry the goals and decisions identified in planning into the NEPA and project development process.

Registration for this session is limited. To register online go to https://www.nhi.fhwa.dot.gov/resources/webconference/web_conf_learner_reg.aspx?webconfid=19530 . Once you register, you will receive an email with instructions on how to access the Webcast. For difficulties registering please contact Gina Filosa at gina.filosa@dot.gov.

The June issue of FHWA's "Successes in Stewardship" Newsletter is now available at:

<http://www.environment.fhwa.dot.gov/strmlng/newsletters/jun10nl.asp>

This issue's feature story is: "EPA Sets New Effluent Limitation Guidelines and Standards for Construction Sites"

New from US DOT

Latest Edition of Reactive Solutions Newsletter

<http://www.fhwa.dot.gov/pavement/concrete/reactive/v03issue02.cfm>

FHWA Order 1311.1A, FHWA Value Engineering Policy

<http://www.fhwa.dot.gov/legsregs/directives/orders/13111a.htm>

Memorandum – Updated FHWA Value Engineering (VE) Policy

<http://www.fhwa.dot.gov/legsregs/directives/policy/memoveng20100525.htm>