



U.S. Department  
of Transportation

**Federal Highway  
Administration**

# Memorandum

Subject: **ACTION:** Highway Safety  
Improvement Program (HSIP) Eligibility  
Guidance (Effective date: October 1,  
2021)

Date: February 2, 2022

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In Reply Refer To:  
HSSP

To: Division Administrators

## Purpose

This memorandum provides background and guidance to clarify eligibility requirements for the Highway Safety Improvement Program (23 U.S.C. 148) under the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. 117-58, also known as the “[Bipartisan Infrastructure Law](#)” (BIL)). This guidance also incorporates FHWA priorities, consistent with the [Policy on Using Bipartisan Infrastructure Law Resources to Build a Better America](#), dated December 16, 2021. The Highway Safety Improvement Program (HSIP) requirements within the BIL took effect on October 1, 2021, and apply to all related funding obligated on or after that date, whether carryover or new. This guidance replaces the February 26, 2016 HSIP Program Eligibility Guidance.

*Except for the statutes and regulations cited, the contents of this document do not have the force and effect of law and are not meant to bind the States or the public in any way. This document is intended only to provide information regarding existing requirements under the law or agency policies.*

## Background: Addressing the Growth in Fatalities, Moving Toward Zero

As emphasized in the National Roadway Safety Strategy (NRSS) released in January 2022, the mission of the United States Department of Transportation (USDOT) and the Federal Highway Administration (FHWA) is to “ensure America has the safest transportation system in the world.”<sup>1</sup> Of the more than 370,000 people who died in transportation incidents in the United States over the last decade, more than 350,000 – almost 95% – died on our streets, roads and highways.<sup>2</sup> As the NRSS states, this situation is a crisis; however, it is both unacceptable and solvable.<sup>3</sup> The policy of both USDOT and FHWA is to strive for zero roadway fatalities. Zero is the only acceptable number of deaths on our highways, roads, and streets.

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<sup>1</sup> USDOT National Roadway Safety Strategy

<sup>2</sup> USDOT National Roadway Safety Strategy

<sup>3</sup> USDOT National Roadway Safety Strategy

The rate of fatalities per 100 million vehicle miles traveled has not substantially improved over the last ten years and increased significantly in 2020.<sup>4</sup> Since 2015, the annual number of fatalities has exceeded 35,000, with millions more injured – sometimes permanently – each year.<sup>5</sup> In 2019, an average of 99 people lost their lives on roads in the United States (U.S.) every day.<sup>6</sup> From 2010 to 2019, traffic fatalities in the United States increased by nine (9) percent nationally.<sup>7</sup> At the same time, the number of non-motorist (pedestrians, pedalcyclists, and others) fatalities increased by 44 percent from 2010 to 2019.<sup>8</sup> While Americans drove less in 2020 due to the pandemic, the National Highway Traffic Safety Administration’s early estimates show that an estimated 38,680 people died in motor vehicle traffic crashes—the largest projected number of fatalities since 2007.<sup>9</sup> This represents an increase of about 7.2 percent as compared to the 36,096 fatalities reported in 2019.<sup>10</sup> Preliminary data show that vehicle miles traveled (VMT) in 2020 decreased by about 430.2 billion miles, or about a 13.2-percent decrease compared to 2019.<sup>11</sup> The fatality rate for 2020 was 1.37 fatalities per 100 million VMT, up from 1.11 fatalities per 100 million VMT in 2019.<sup>12</sup> An estimated 20,160 people died in motor vehicle crashes in the first half of 2021, up 18.4% over 2020, which is the largest number of projected fatalities in that time period since 2006.<sup>13</sup>

Recognizing the critical role that HSIP funding plays as part of the Federal response to save lives on our Nation’s roads, the BIL substantially increased HSIP funding. The HSIP is a core Federal-aid highway program with the purpose of achieving a significant reduction in fatalities and serious injuries on all public roads, including non-State-owned public roads and roads on tribal land. (23 U.S.C. 148(b)). As described in 23 U.S.C. 148(c)(1), to obligate HSIP funds, a State must have in effect a State HSIP under which the State:

- Develops, implements, and updates a strategic highway safety plan (SHSP) that identifies and analyzes highway safety problems and opportunities;
- Produces a program of projects or strategies to reduce identified safety problems; and
- Evaluates the SHSP on a regularly recurring basis to ensure the accuracy of data and priority of proposed strategies.

FHWA not only supports the vision of zero deaths and serious injuries on the Nation’s roadway system, but also recognizes that a Safe System approach for all road users is the best way to accomplish this goal. FHWA is committed to working with the States to ensure that available HSIP funds are invested in safety and strongly encourages States to invest the HSIP funds

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<sup>4</sup> USDOT National Roadway Safety Strategy

<sup>5</sup> USDOT National Roadway Safety Strategy

<sup>6</sup> National Highway Traffic Safety Administration (NHTSA), Fatality Analysis Reporting System (FARS) database, (2019 data based on FARS data publication, 1st release.) <https://www-fars.nhtsa.dot.gov/Main/index.aspx>

<sup>7</sup> NHTSA’s National Center for Statistics and Analysis. (2021, October). State traffic data: 2019 data (Traffic Safety Facts. Report No. DOT HS 813 183). <https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/813183.pdf>

<sup>8</sup> NHTSA, FARS database, (2019 data based on FARS data publication, 1st release.) <https://www-fars.nhtsa.dot.gov/Main/index.aspx>

<sup>9</sup> [2020 Fatality Data Show Increased Traffic Fatalities During Pandemic | NHTSA](#)

<sup>10</sup> [2020 Fatality Data Show Increased Traffic Fatalities During Pandemic | NHTSA](#)

<sup>11</sup> [2020 Fatality Data Show Increased Traffic Fatalities During Pandemic | NHTSA](#)

<sup>12</sup> [2020 Fatality Data Show Increased Traffic Fatalities During Pandemic | NHTSA](#)

<sup>13</sup> [USDOT Releases New Data Showing That Road Fatalities Spiked in First Half of 2021 | NHTSA](#)

available to advance implementation of the Safe System approach<sup>14</sup> and maximize opportunities to advance highway safety improvement projects that have the greatest potential to reduce the State's roadway fatalities and serious injuries. The HSIP is a key place to implement the Safe System approach as it sets the funding and policy tone for national safety implementation efforts.

To achieve the goal of using HSIP funds to advance the Safe System approach and help move toward zero fatalities and serious injuries, FHWA strongly encourages States to use most, if not all, of their HSIP funding for eligible safety purposes. The HSIP is subject to the transfer provision under 23 U.S.C. 126, under which States are permitted to transfer up to 50 percent of their HSIP funds apportioned for the fiscal year to any other eligible core apportioned program. As of September 30, 2021, 23 States transferred net FAST Act funds out of the HSIP into to other core apportioned programs and 9 States transferred net FAST Act funds from other core apportioned programs into the HSIP.<sup>15</sup> Given that the BIL substantially increased funding for core apportioned programs, FHWA strongly encourages States to consider whether there remains a need to transfer HSIP funds to other programs and to consider transferring other apportioned funds into HSIP.

FHWA acknowledges that HSIP funding obligation rates are not necessarily a reflection of a State's commitment to safety; they do not, for example, include safety improvements that are planned but not yet obligated or safety spending from other Federal or State sources. FHWA nevertheless encourages States to track their HSIP obligation rates (which are posted annually on the FHWA Safety website) and consider the potential safety benefits of obligating most or all of HSIP funding for safety-related investments.

### **Prioritizing Safety in All Investments and Projects**

FHWA also recognizes that the funding available through HSIP alone will not achieve the goal of zero fatalities on the Nation's roads. The Safe System approach addresses the safety of all road users, including those who walk, bike, drive, ride transit, and travel by other modes. It involves a paradigm shift to improve safety culture, increase collaboration across all safety stakeholders, and refocus transportation system design and operation on anticipating human mistakes and lessening impact forces to reduce crash severity and save lives. FHWA encourages States to prioritize safety in all Federal-aid investments and in all appropriate projects, using not only HSIP funding but also other Federal-aid funding.

As noted in 23 U.S.C. 148(e)(2)(A) and 23 U.S.C. 148(e)(3)(C)(ii), nothing in HSIP prohibits the use of other Federal-aid funds made available under title 23 for highway safety improvement projects and specified safety projects, respectively. The statute encourages States to address the

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<sup>14</sup> *Safe system approach* means a roadway design that emphasizes minimizing the risk of injury or fatality to road users; and that

(i) takes into consideration the possibility and likelihood of human error;

(ii) accommodates human injury tolerance by taking into consideration likely accident types, resulting impact forces, and the ability of the human body to withstand impact forces; and

(iii) takes into consideration vulnerable road users. (23 U.S.C. 148(a)(9))

<sup>15</sup> [https://safety.fhwa.dot.gov/hsip/gen\\_info/slorhsip/](https://safety.fhwa.dot.gov/hsip/gen_info/slorhsip/).

full scope of their safety needs with funds made available under other provisions of title 23. (23 U.S.C. 148(e)(2)(B)). States and other funding recipients should invest Federal-aid funds in projects that upgrade the condition of streets, highways, and bridges, and make them safe for all road users. To achieve the vision of zero fatalities and Building a Better America, safety should be fully considered in a State's transportation investment decisions, from planning and programming, environmental analysis, project design, construction, to maintenance and operations. States should use data-driven safety analyses to ensure that safety is a key input in any decision made in the project development process and fully consider the safety of all road users in project development.

FHWA encourages State and local agencies to leverage other Federal, State, and local funding to address roadway safety and implement the Safe System approach wherever possible. For example, available funding should be used to implement [proven safety countermeasures](#) at locations identified through data-driven safety analyses and ensure safety is at the forefront of all design and project funding decisions. Improvements to safety features, including traffic signs and pavement markings, that are routinely provided as part of a broader Federal-aid highway project can and should be funded from the same source as the broader project as long as the use is eligible under that funding source. FHWA encourages the use of other Federal-aid highway funds for safety-related investments as part of system-wide replacement projects, where eligible.

## **Summary of Guidance**

Except as described later in this guidance, highway safety improvement projects, including specified safety projects, must be consistent with the State's SHSP (23 U.S.C. 148(a)(4)(A)), and must be identified through a data-driven process (23 U.S.C. 148(c)(2)(B)). HSIP funds should be used to advance implementation of the Safe System approach and maximize opportunities to advance highway safety improvement projects that have the greatest potential to reduce the State's roadway fatalities and serious injuries and support the safety performance targets the State establishes in accordance with 23 U.S.C. 150(d). HSIP funding should support implementation of proven, effective strategies such as the [proven safety countermeasures](#). In addition, the cost effectiveness of highway safety improvement projects should be considered during the project selection and prioritization process.

FHWA encourages States to consider additional elements in their Safe System approach beyond those specified in 23 U.S.C. 148(a)(9). The Safe System approach –

- aims to eliminate death and serious injury for all road users;
- anticipates and accommodates human errors;
- keeps crash impact energy on the human body within tolerable levels;
- proactively identifies safety risks in the system;
- builds in redundancy through layers of protection so if one part of the system fails, the other parts provide protection; and
- shares responsibility for achieving the vision zero goal among all who design, build, manage and use the system.

## General HSIP Eligibility

To be eligible under HSIP, a project generally must:

- be consistent with a State's SHSP (23 U.S.C. 148(a)(4)(A));
- correct or improve a hazardous road location or feature, or address a highway safety problem (23 U.S.C. 148(a)(4)(A)(i)-(ii));
- be identified on the basis of crash experience, crash potential, crash rate, or other data-supported means (23 U.S.C. 148(c)(2)(B));
- be listed under 23 U.S.C. 148(a)(4)(B) or (a)(11); and
- comply with other title 23 requirements.

The eligibility decision-making framework is described below, including special circumstances that may require additional consideration. The guidance also addresses Federal share for HSIP, the use of other funding for safety, opportunities to streamline project delivery, and applicability of general Federal-aid requirements.

### *Ensuring Consistency with SHSPs*

Highway safety improvement projects are defined as being “consistent” with a State's SHSP (23 U.S.C. 148(a)(4)(A)) – which means that projects should logically flow from the emphasis areas and strategies identified in the State’s SHSP. The SHSP emphasis areas should guide HSIP problem identification, and SHSP strategies should influence countermeasure identification and HSIP project selection. Implementation of highway safety improvement projects supports implementation of the SHSP actions and strategies, and HSIP evaluation results feed back into the SHSP evaluation process.

### *Using a Data-Driven Process*

Highway safety improvement projects must be identified based on crash experience, crash potential, crash rate, or other data-supported means. (23 U.S.C. 148(c)(2)(B)(iv)). The general framework for the identification and analysis of highway safety problems and countermeasure opportunities is defined in 23 U.S.C. 148(c)(2). This framework is consistent with general roadway safety management practices that States should take:

- **Problem Identification**: Identify safety problems either through a site analysis or systemic approach using the best available data and most advanced analysis methods to identify locations with the greatest risk for potential future fatal and serious injury crashes;
- **Countermeasure Identification**: Identify countermeasures that align with the Safe System approach to address those problems based on a thorough diagnosis of crash contributing factors, including behavioral and human factors;
- **Project Prioritization and Implementation**: Prioritize projects for implementation to maximize HSIP performance, considering potential reductions in fatalities and serious injuries and cost effectiveness; and

- Evaluation:** Evaluate projects, countermeasures, and programs to determine their effectiveness and contribution toward meeting safety performance targets and long-term safety goals. Evaluation results should feed back into the HSIP planning process, and States should incorporate effective countermeasures into design standards and policies to deploy systematically across all projects.

Figure 1 below illustrates the data-driven process that is the foundation of the HSIP, as well as the relationship between the SHSP and the HSIP described in the previous section.

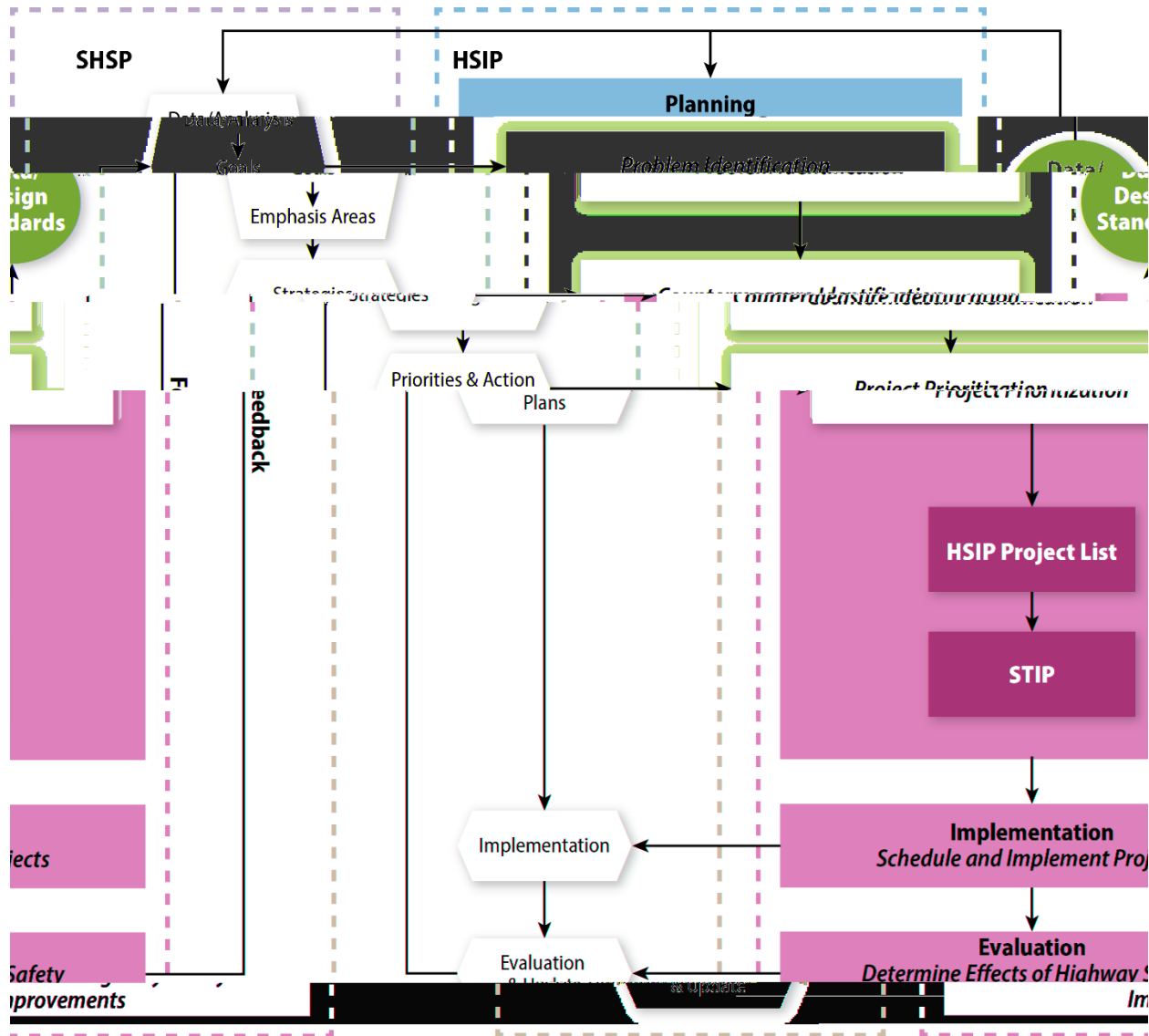


Figure 1: Relationship between SHSP and HSIP

The data-driven framework allows States to administer the HSIP to address their specific safety needs. Each State is responsible for developing procedures to administer the HSIP in accordance with the requirements of 23 U.S.C. 148 and 23 CFR Part 924. These procedures shall be

developed in cooperation with FHWA Division Offices and furnished to the Division Offices for documentation purposes. (23 CFR 924.7(b); *see* 23 CFR 1.5).

As part of these procedures, States should focus their data-driven safety analysis efforts on fatalities and serious injuries, consistent with the purpose of the HSIP. (23 U.S.C. 148(b)(2)). At a minimum, States should focus network screening efforts on fatalities and serious injuries to identify potential locations for safety improvement with the greatest potential to reduce fatalities and serious injuries and prioritize projects to maximize HSIP performance.

In addition, [Executive Order 13985](#) on “Advancing Racial Equity and Support for Underserved Communities through the Federal Government” (86 FR 7009, Jan. 25, 2021) requires a systematic approach to embedding fairness in decision-making processes. Accordingly, States should incorporate demographic information into their safety data collection and analysis procedures to ensure that the needs of underserved communities are taken into account in their State HSIPs. FHWA also encourages States to consider equity in project prioritization through the HSIP.

### ***Focusing on Safety Performance***

Funds apportioned to a State to carry out the HSIP shall be obligated for highway safety improvement projects that reduce fatalities and serious injuries, consistent with the purpose of the program. (23 U.S.C. 148(b)). In addition, projects, activities, and strategies funded under the State’s HSIP should support progress toward achieving the safety performance targets of the State for the performance measures described in 23 U.S.C. 150(c) and (d). As provided in FHWA Guidance issued in 2017, if a State does not meet or make significant progress towards meeting its annual safety performance targets, the State must comply with the provisions set forth in 23 U.S.C. 148(i) for the subsequent fiscal year which includes using obligation authority equal to the HSIP apportionment for the year prior to the year for which the targets were not met or significant progress was not made only for HSIP projects and developing an HSIP implementation plan.<sup>16</sup> FHWA will continue to work with those States who have not met or made significant progress towards meeting annual safety performance targets to develop strategies for achieving those targets in the future.

### ***Investing in All Eligible Roads and Trails***

HSIP funds can be used for any highway safety improvement project on any public road or publicly owned bicycle or pedestrian pathway or trail. (23 U.S.C. 148(e)(1)(A)). To achieve the vision of zero deaths on the Nation’s roads and Building a Better America, and to build on a data-driven Safe System approach, States shall consider which types of public roads are most associated with fatal and serious injury crashes in their State. (23 U.S.C. 148(c)(2))

As emphasized in the Safer Roads section of the NRSS, many of our Nation’s roads do not adequately incorporate infrastructure design elements that are conducive to the safe travel of all road users.<sup>17</sup> The NRSS notes that safety risk differs depending on the type of road and how it is

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<sup>16</sup> [https://safety.fhwa.dot.gov/legislationandpolicy/fast/hsip\\_implementation\\_plan\\_guidance.cfm](https://safety.fhwa.dot.gov/legislationandpolicy/fast/hsip_implementation_plan_guidance.cfm).

<sup>17</sup> USDOT National Roadway Safety Strategy



used, with arterial roads comprising over half of all traffic deaths in 2020 despite constituting approximately 10% of the Nation’s road mileage.<sup>18</sup> The NRSS also cites recent research on the top pedestrian fatality hotspots which found that 90 percent of these locations are on roadways with three or more lanes and 70 percent have five or more lanes of traffic that pedestrians had to cross.<sup>19</sup>

States should leverage HSIP funds to address the full scope of safety needs on all public roads, regardless of whether the road (or trail) is owned by the State or by a Tribe, County, city or other public entity. FHWA also encourages States to partner with regional, local, and Tribal agencies to identify, select, develop, and deploy highway safety improvement projects on local and Tribal roads. States can use HSIP funds to provide engineering assistance programs for local roads (e.g., safety circuit rider) via the State Local Technical Assistance Program or some other means. HSIP funds can also be used to develop [local road safety plans](#) (LRSP). LRSPs provide a framework for identifying, analyzing, and prioritizing roadway safety improvements on local roads and are an FHWA proven safety countermeasure.

### ***Additional Considerations***

Several types of HSIP projects may warrant additional consideration, such as:

#### *Vulnerable road user projects:*

The BIL emphasizes the importance of vulnerable road user safety in the HSIP by adding a definition for vulnerable road users (23 U.S.C. 148(a)(15)), creating a vulnerable road user special rule (23 U.S.C. 148(g)(3)), and requiring States to develop and update a vulnerable road user safety assessment (23 U.S.C. 148(l)). All of these provisions address the increasing number of fatalities involving vulnerable road users on U.S. roads. It is imperative that States consider the needs of all road users as part of the HSIP. Investment in highway safety improvement projects that promote and improve safety for all road users, particularly vulnerable road users, aligns with the BIL and will help Build a Better America. States and other funding recipients should prioritize projects that maximize the existing right-of-way for accommodation of non-motorized modes and transit options that increase safety, equity, accessibility, and connectivity. Projects that separate users in time and space, match vehicle speeds to the built environment, and increase visibility (e.g., lighting) advance implementation of a Safe System approach and improve safety for vulnerable road users.

#### *Specified safety projects:*

While the HSIP is targeted primarily toward infrastructure solutions, the BIL allows States to spend up to 10 percent of their HSIP apportionment each fiscal year for specified safety projects to advance implementation of the SHSP. (23 U.S.C. 148(e)(3)). The 10 percent limit does not apply to non-infrastructure highway safety improvement projects specifically listed in 23 U.S.C. 148(a)(4)(B), such as collection, analysis and improvement of safety data; road safety audits; and

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<sup>18</sup> USDOT National Roadway Safety Strategy

<sup>19</sup> USDOT National Roadway Safety Strategy



transportation safety planning. Specified safety projects will be authorized in FHWA's Financial Management Information System (FMIS) with a separate program code to track and monitor implementation of this provision.

Per 23 U.S.C. 148(a)(11), a specified safety project includes a project that:

- promotes public awareness and informs the public regarding highway safety matters (including safety for motorcyclists, bicyclists, pedestrians, individuals with disabilities, and other road users);
- facilitates enforcement of traffic safety laws;
- provides infrastructure and infrastructure-related equipment to support emergency services;
- conducts safety-related research to evaluate experimental safety countermeasures or equipment; or
- supports safe routes to school non-infrastructure-related activities described in [23 U.S.C.] 208(g)(2).

Automated traffic enforcement systems (or safety camera systems) are a key strategy to advance implementation of the Safe System approach, and FHWA identified [speed safety cameras](#) as a proven safety countermeasure in its 2021 update. The BIL does not continue the FAST Act provision that prohibited the use of HSIP funds to purchase, operate, or maintain an automated traffic enforcement system. Therefore, safety camera systems may be eligible for HSIP funds under 23 U.S.C. 148(a)(11)(B)(ii) or other Federal-aid highway funding, subject to the individual program's eligibility criteria. If States use Federal-aid highway funding for safety camera systems, those systems are subject to general Federal-aid requirements, including Buy America (23 U.S.C. 313, 23 CFR 635.410, and Section 70914 of the BIL, as applicable), as well as the requirements in 2 CFR Part 200, such as 2 CFR 200.307 related to program income, 2 CFR 200.430 related to employee compensation, and 2 CFR 200.439 related to equipment.

Per 23 U.S.C. 148(a)(11)(B)(v), HSIP funds used to carry out specified safety projects may be spent on projects that support safe routes to school non-infrastructure-related activities described in 23 U.S.C. 208(g)(2). These activities include public awareness campaigns and outreach to press and community leaders; traffic education and enforcement in the vicinity of schools; student sessions on bicycle and pedestrian safety, health, and environment; and funding for training, volunteers, and managers of safe routes to school programs.

All specified safety projects must meet all requirements as described in 23 U.S.C. 148 that apply to highway safety improvement projects. (23 U.S.C. 148(e)(3)(C)(i)). All non-infrastructure projects eligible under HSIP, including specified safety projects, must meet all applicable title 23 requirements. This includes the requirement in 23 CFR 924.9(c) that the projects be identified in the Statewide and Metropolitan Transportation Improvement Program (STIP/TIP) and be consistent with the Statewide Long Range Transportation Plan and the Metropolitan Transportation Plan(s), in addition to the State SHSP.

*Projects to maintain minimum levels of retroreflectivity:*

Under 23 U.S.C. 148(e)(1)(C), HSIP funds may be obligated for any project to maintain minimum levels of retroreflectivity of traffic signs and pavement markings, without regard to whether that project is included in an applicable SHSP. However, in keeping with general HSIP eligibility requirements, highway safety improvement projects, including the maintenance of minimum levels of retroreflectivity, should correct or improve a hazardous road location or feature or address a highway safety problem in accordance with the data-driven process described above.

Under 23 U.S.C.148(a)(6), the term "project to maintain minimum levels of retroreflectivity" means a project designed to maintain a highway sign or pavement marking at or above the minimum levels prescribed in the Manual on Uniform Traffic Control Devices (MUTCD), pursuant to 23 CFR Part 655.

*Workforce development:*

Under 23 U.S.C. 504(e), HSIP funds continue to be eligible for workforce development, training, and education activities that are directly related to and support HSIP implementation efforts.

**Federal Share and Exceptions**

In general, the Federal share for highway safety improvement projects funded through HSIP is 90 percent. Focusing on certain types of safety investments can, however, help States maximize the benefit of their HSIP funding.

The BIL amended 23 U.S.C. 133(h)(7)(B) to allow HSIP funds to be credited toward the non-Federal share of a transportation alternatives project described in 23 U.S.C. 133(h) if that project is an eligible project described in 23 U.S.C. 148(e)(1) and is consistent with the State's SHSP (subject to the requirements in 23 U.S.C. 133(h)(7)(A) and (C)). Using this provision, States can work with local governments to combine HSIP and funds that are set-aside for transportation alternatives projects to cover 100% of these projects, including projects that address bicycle and pedestrian safety on public roads or publicly owned bicycle or pedestrian pathways or trails.

There are other exceptions to the 23 U.S.C. 148(j) federal share requirement for HSIP that are provided in 23 U.S.C. 120 and 130 and that allow for a Federal share for highway safety improvement projects funded via HSIP to be greater than 90 percent. For example, certain safety projects, such as roundabouts, pavement markings, centerline and shoulder rumble strips and stripes, and installation of traffic signs, are eligible for 100% Federal share, whether funded with HSIP or other core Federal-aid highway programs except that a State may apply this increased Federal share on no more than 10% of its combined apportionment under 23 U.S.C. 104. (23 U.S.C. 120(c)(1)).

## **Streamlining Project Delivery**

States should consider the timeline for delivering highway safety improvement projects as they are programming HSIP funding. It is imperative that highway safety improvement projects be completed in a timely manner to realize the full extent of their benefits and Building a Better America faster. Many highway safety improvement projects will qualify for Categorical Exclusions under NEPA (23 CFR 771.117(c)) and may be grouped by function, work type, or geographic area in the Statewide Transportation Improvement Program (23 CFR 450.218(j)). States and other Federal funding recipients should also consider selection of projects that improve the safety of existing transportation infrastructure within the existing right-of-way first. In addition, States can and should use timesaving procedures, such as [project bundling, indefinite delivery/indefinite quantity contracting](#) (23 CFR Part 635, Subpart F), and other methods approved by FHWA to streamline HSIP project delivery. States and other Federal funding recipients can also use [agency force account procedures](#) (23 CFR Part 635, Subpart B) if they can demonstrate it is more cost effective than competitive bidding. States should partner with regional, local, and Tribal agencies to determine how they can also leverage and make use of these time and cost saving procedures.

## **General Federal-aid Requirements**

Highway safety improvement projects are subject to the same general Federal-aid highway eligibility provisions contained in title 23 and other applicable laws, similar to the projects funded under other Federal-aid highway programs. Divisions and States should review these provisions to ensure their proper application to highway safety improvement projects. Additional information on general Federal-aid highway eligibility provisions is available in the Federal-aid Highway Program Policy Guidance Center at <https://www.fhwa.dot.gov/pgc/>.

## **Questions**

If you have any questions or need additional information, please contact Kelly Morton (202-366-8090 or [kelly.morton@dot.gov](mailto:kelly.morton@dot.gov)) or Karen Scurry (202-897-7168 or [karen.scurry@dot.gov](mailto:karen.scurry@dot.gov)).

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