



U.S. Department
of Transportation
**Federal Highway
Administration**

Notice

Subject:

**APPORTIONMENT OF FISCAL YEAR 2023 HIGHWAY
INFRASTRUCTURE PROGRAM FUNDS FOR THE BRIDGE FORMULA
PROGRAM PURSUANT TO THE INFRASTRUCTURE INVESTMENT
AND JOBS ACT**

Classification Code	Date	Office of Primary Interest
N4510.872	October 6, 2022	HCFB-10

- 1. What is the purpose of this Notice?** Title VIII of division J of the Infrastructure Investment and Jobs Act (Bipartisan Infrastructure Law), Public Law (Pub. L.) 117-58, appropriated \$9,454,400,000 from the General Fund for Highway Infrastructure Programs (HIP) for Fiscal Year (FY) 2023. Of such amount, \$5,500,000,000 shall be set aside for a bridge replacement, rehabilitation, preservation, protection, and construction program (hereafter, Bridge Formula Program (BFP)). This Notice transmits the certificate of apportionment for the BFP. The apportionment is effective immediately.

The remainder of the funding shall be set aside for other activities that are not the subject of this Notice. This includes \$1,000,000,000 set aside for the National Electric Vehicle Infrastructure Formula Program; \$250,000,000 set aside for construction of the Appalachian Development Highway System as authorized under section 1069(y) of Pub. L. 102-240; \$640,000,000 set aside for the Nationally Significant Freight and Highway Projects Program under section 117 of Title 23, United States Code (U.S.C.); \$1,847,000,000 set aside for the Bridge Investment Program under section 124 of Title 23, U.S.C.; \$30,000,000 set aside for the Reduction of Truck Emissions at Port Facilities Program under section 11402 of division A of the Bipartisan Infrastructure Law; \$19,000,000 set aside for the University Transportation Centers Program under section 5505 of Title 49, U.S.C.; \$100,000,000 set aside for the Reconnecting Communities Pilot Program under section 11509 of division A of the Bipartisan Infrastructure Law; and \$68,400,000 set aside for the Construction of Ferry Boats and Ferry Terminal Facilities Program under section 147 of Title 23, U.S.C.

- 2. What amount is available for distribution under this Notice?**
 - a. The Bipartisan Infrastructure Law authorizes the Federal Highway Administration (FHWA) to retain, for operations and administration of FHWA, up to 0.5 percent of the amounts appropriated for the BFP.
 - b. The applied administrative takedown from funds appropriated for the BFP is \$27,500,000.
 - c. In addition, FHWA shall set aside 3 percent (\$165,000,000) from funds

appropriated for the BFP, to carry out section 202(d) of Title 23, U.S.C. (Tribal Transportation Facility Bridges).

- d. Therefore, the amount of funds available for distribution to the States under this Notice is \$5,307,500,000 after the application of an administrative takedown of \$27,500,000 and a set-aside of \$165,000,000.

3. What is the availability of these funds?

- a. The funds resulting from this apportionment for the BFP are available for obligation until September 30, 2026. Any amounts not obligated by a State, as defined in 23 U.S.C. 101, on or before September 30, 2026, shall lapse.
- b. The funds resulting from this apportionment are available for obligation immediately and are not subject to any limitation on obligations.
- c. The program codes to be used when obligating these funds for FY 2023 are as follows:

Program Code	Program Description	CFDA Number
Y113	Bridge Formula Program – Main Code	20.205
Y123	Bridge Formula Program – Off-System Bridges Set-aside	20.205

4. What is the background information for the Bridge Formula Program?

- a. The funds resulting from this apportionment are eligible to be obligated on highway bridge replacement, rehabilitation, preservation, protection, or construction projects on public roads. Such projects shall be treated as projects on a Federal-aid highway.
- b. After reserving the applicable administrative takedown and set-aside described in paragraph (2), the funds available for distribution to the States, as defined in 23 U.S.C. 101, have been apportioned to the States as follows:
- (i) Seventy-five percent by the proportion that the total cost of replacing all bridges classified in poor condition in such State bears to the sum of the total cost to replace all bridges classified in poor condition in all States; and

- (ii) Twenty-five percent by the proportion that the total cost of rehabilitating all bridges classified in fair condition in such State bears to the sum of the total cost to rehabilitate all bridges classified in fair condition in all States.
 - c. The amounts shall be adjusted such that each State receives at least \$45,000,000.
 - d. After making the distribution in subparagraph (b) and any necessary adjustments in subparagraph (c), 15 percent shall be set aside for each State for use on off-system bridges¹ for the same purposes described in subparagraph (a).
 - e. Except as otherwise provided, the funds shall be administered as if apportioned under chapter 1 of Title 23, U.S.C.
 - f. The Federal share payable for the BFP (except for off-system bridges as described below) shall be determined in accordance with section 120 of Title 23, U.S.C. However, the application of the increased Federal share under 23 U.S.C. 120(c)(1) to funds from this apportionment is not subject to the cap on such uses that applies to funds apportioned under 23 U.S.C. 104.
 - (i) The Federal share for costs reimbursed with funds under the BFP for an off-system highway bridge owned by a county, town, township, city, municipality or other local agency, or federally-recognized Tribe shall be 100 percent.
 - g. The funds are not transferable under section 126 of Title 23, U.S.C.
5. **What is the distribution of funds for the Bridge Formula Program?**
- a. The Bipartisan Infrastructure Law appropriates a total of \$5,500,000,000 in HIP funds for bridge replacement, rehabilitation, preservation, protection, and construction.
 - b. The amount of funds available for distribution to the States is \$5,307,500,000 after the application of an administrative takedown of \$27,500,000 and a set-aside of \$165,000,000 to carry out section 202(d) of Title 23, U.S.C. (Tribal Transportation Facility Bridges). The attached Table 1 shows the State-by-State distribution of funds.

¹ The term “off-system bridge” means a highway bridge located on a public road, other than a bridge on a Federal-aid highway.

6. **What action is required?** Division Administrators should ensure that copies of this Notice are provided to the State departments of transportation.



Stephanie Pollack
Acting Administrator

Attachments

**CERTIFICATE OF APPORTIONMENT FROM
THE SUM OF \$5,307,500,000 APPROPRIATED
FOR THE HIGHWAY INFRASTRUCTURE PROGRAMS BRIDGE REPLACEMENT,
REHABILITATION, PRESERVATION, PROTECTION, AND CONSTRUCTION
PROGRAM**

TO—

The Secretary of the Treasury of the United States and the State departments of transportation:

Pursuant to the Infrastructure Investment and Jobs Act, Title VIII of division J, Public Law 117-58, and the delegation of authority from the Secretary of Transportation to the Federal Highway Administration (FHWA) Acting Administrator, section 1.85 of title 49, Code of Federal Regulations, I certify—

First, that pursuant to the Infrastructure Investment and Jobs Act, Title VIII of division J, Public Law 117-58, the amount appropriated for the Highway Infrastructure Program (HIP) bridge replacement, rehabilitation, preservation, protection, and construction program, for the fiscal year ending September 30, 2023, is \$5,500,000,000.

Second, that pursuant to the Infrastructure Investment and Jobs Act, Title VIII of division J, Public Law 117-58, of the amount appropriated for the HIP bridge replacement, rehabilitation, preservation, protection, and construction program, FHWA will retain \$27,500,000 for operations and administration of FHWA.

Third, that pursuant to the Infrastructure Investment and Jobs Act, Title VIII of division J, Public Law 117-58, of the amount appropriated for the HIP bridge replacement, rehabilitation, preservation, protection, and construction program, FHWA has set aside \$165,000,000 to carry out section 202(d) of Title 23, United States Code (Tribal Transportation Facility Bridges).

Fourth, that after the application of the administrative takedown and set-aside, the amount of funds available for distribution to the States, the District of Columbia, and Puerto Rico for the HIP bridge replacement, rehabilitation, preservation, protection, and construction program is \$5,307,500,000.

Fifth, that I have computed the apportionment to each State, the District of Columbia, and Puerto Rico of the amounts appropriated for the HIP bridge replacement, rehabilitation, preservation, protection, and construction program in the manner provided by law.

Sixth, that the sums that are hereby apportioned to each State, the District of Columbia, and Puerto Rico effective immediately, are respectively as follows:

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL HIGHWAY ADMINISTRATION

N4510.872 - TABLE 1

FY 2023 APPORTIONMENT OF HIGHWAY INFRASTRUCTURE PROGRAM FUNDS
FOR THE BRIDGE FORMULA PROGRAM PURSUANT TO THE BIPARTISAN
INFRASTRUCTURE LAW, TITLE VIII OF DIVISION J, PUBLIC LAW 117-58

State	Bridge Formula Program		
	Bridge (Main)	Off-System Bridges	Total
Alabama	38,250,000	6,750,000	45,000,000
Alaska	38,250,000	6,750,000	45,000,000
Arizona	38,250,000	6,750,000	45,000,000
Arkansas	51,137,381	9,024,244	60,161,625
California	488,567,652	86,217,821	574,785,473
Colorado	38,250,000	6,750,000	45,000,000
Connecticut	102,990,424	18,174,781	121,165,205
Delaware	38,250,000	6,750,000	45,000,000
Dist. of Col.	38,250,000	6,750,000	45,000,000
Florida	44,772,107	7,900,960	52,673,067
Georgia	38,250,000	6,750,000	45,000,000
Hawaii	61,922,724	10,927,540	72,850,264
Idaho	38,250,000	6,750,000	45,000,000
Illinois	252,678,280	44,590,285	297,268,565
Indiana	63,361,353	11,181,415	74,542,768
Iowa	79,398,653	14,011,527	93,410,180
Kansas	38,250,000	6,750,000	45,000,000
Kentucky	80,367,406	14,182,484	94,549,890
Louisiana	186,214,294	32,861,346	219,075,640
Maine	38,250,000	6,750,000	45,000,000
Maryland	74,911,138	13,219,613	88,130,751
Massachusetts	206,998,770	36,529,195	243,527,965
Michigan	103,388,157	18,244,969	121,633,126
Minnesota	55,391,557	9,774,981	65,166,538
Mississippi	38,250,000	6,750,000	45,000,000
Missouri	88,982,221	15,702,745	104,684,966
Montana	38,250,000	6,750,000	45,000,000
Nebraska	38,250,000	6,750,000	45,000,000
Nevada	38,250,000	6,750,000	45,000,000
New Hampshire	38,250,000	6,750,000	45,000,000
New Jersey	209,199,776	36,917,608	246,117,384
New Mexico	38,250,000	6,750,000	45,000,000
New York	347,626,950	61,345,932	408,972,882
North Carolina	83,888,881	14,803,920	98,692,801
North Dakota	38,250,000	6,750,000	45,000,000
Ohio	88,646,875	15,643,566	104,290,441
Oklahoma	48,959,111	8,639,843	57,598,954
Oregon	49,033,120	8,652,904	57,686,024
Pennsylvania	300,371,235	53,006,688	353,377,923
Puerto Rico	38,250,000	6,750,000	45,000,000
Rhode Island	43,341,710	7,648,537	50,990,247
South Carolina	50,357,611	8,886,637	59,244,248
South Dakota	38,250,000	6,750,000	45,000,000
Tennessee	68,556,517	12,098,209	80,654,726
Texas	98,056,920	17,304,162	115,361,082
Utah	38,250,000	6,750,000	45,000,000
Vermont	38,250,000	6,750,000	45,000,000
Virginia	98,252,567	17,338,688	115,591,255
Washington	111,077,373	19,601,889	130,679,262
West Virginia	93,174,236	16,442,512	109,616,748
Wisconsin	38,250,000	6,750,000	45,000,000
Wyoming	38,250,000	6,750,000	45,000,000
Total	4,511,374,999	796,125,001	5,307,500,000
Program Code	Y113	Y123	

APPROVED EFFECTIVE: October 6, 2022



FEDERAL HIGHWAY ACTING ADMINISTRATOR