

**Federal Highway Administration, DOT**

**§ 668.103**

**§ 661.47 In the event of project cost over runs, how would they be funded?**

(a) Because of the critical nature of this program, BIA area road engineer (ARE) approved costs in excess of the project estimate could be funded out of this program depending on the availability of funds and subject to BIADOT/FLH project approval procedures. The ARE would request additional IRRBP funding for a specific bridge project and submit a request with appropriate justification along with an explanation as to why this additional IRRBP funding is necessary.

(b) In addition, project cost over runs may be funded out of regular IRR program funds.

**§ 661.49 Could regular IRR funds be used to fund a bridge project?**

Yes. Regular IRR construction funds can be used to fund a bridge project with the concurrence of the FHWA, BIADOT and the BIA ARE.

**§ 661.51 Could bridge maintenance be performed with these funds?**

No. Bridge maintenance repairs would not be within the scope of funding, e.g., guard rail repair, deck repairs, repair of traffic control devices, striping, cleaning scuppers, deck sweeping, snow and debris removal, etc. There are maintenance funds available through annual Department of the Interior appropriations for use on BIA owned bridges. The Department of the Interior maintenance funds would be the appropriate funding source for bridge maintenance.

**PART 667 [RESERVED]**

**PART 668—EMERGENCY RELIEF PROGRAM**

**Subpart A—Procedures for Federal-Aid Highways**

- Sec.
- 668.101 Purpose.
- 668.103 Definitions.
- 668.105 Policy.
- 668.107 Federal share payable.
- 668.109 Eligibility.
- 668.111 Application procedures.
- 668.113 Program and project procedures.

**Subpart B—Procedures for Federal Agencies for Federal Roads**

- 668.201 Purpose.
- 668.203 Definitions.
- 668.205 Policy.
- 668.207 Federal share payable from emergency fund.
- 668.209 Eligibility of work.
- 668.211 Notification, damage assessment, and finding.
- 668.213 Application procedures.
- 668.215 Programming and project procedures.

AUTHORITY: 23 U.S.C. 101, 120(e), 125 and 315; 49 CFR 1.48(b).

**Subpart A—Procedures for Federal-Aid Highways**

SOURCE: 52 FR 21948, June 10, 1987, unless otherwise noted.

**§ 668.101 Purpose.**

To establish policy and provide program guidance for the administration of emergency funds for the repair or reconstruction of Federal-aid highways, which are found to have suffered serious damage by natural disasters over a wide area or serious damage from catastrophic failures. Guidance for application by Federal agencies for reconstruction of Federal roads that are not part of the Federal-aid highways is contained in 23 CFR part 668, subpart B.

[52 FR 21948, June 10, 1987, as amended at 61 FR 67212, Dec. 20, 1996]

**§ 668.103 Definitions.**

In addition to others contained in 23 U.S.C. 101(a), the following definitions shall apply as used in this regulation:

*Applicant.* The State highway agency is the applicant for Federal assistance under 23 U.S.C. 125 for State highways and local roads and streets which are a part of the Federal-aid highways.

*Betterments.* Added protective features, such as rebuilding of roadways at a higher elevation or the lengthening of bridges, or changes which modify the function or character of a highway facility from what existed prior to the disaster or catastrophic failure, such as additional lanes or added access control.

*Catastrophic failure.* The sudden failure of a major element or segment of