

## Chapter Trans 213

### LOCAL BRIDGE PROGRAM

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**Trans 213.01 Purpose.** The purpose of this chapter is to interpret and implement s. 84.18, Stats., relating to the method of determining eligibility for funding the acceleration of the reconstruction or rehabilitation of seriously deteriorating local bridges.

**History:** Cr. Register, February, 1982, No. 314, eff. 3-1-82.

**Trans 213.02 Definitions.** (1) "Bridge" means a structure, including supports, erected over a depression or an obstruction, such as water, a highway, or a railway, having a track or passageway for carrying traffic or other moving loads, and having an opening measured along the center of the roadway of more than 20 feet between the undercoping of abutments or spring lines of arches, or extreme ends of the openings for multiple boxes. It may include multiple pipes where the clear distance between openings is less than half of the smaller contiguous opening.

(2) "Coordinating agency" means the county which coordinates the submission of applications from eligible applicants within the county to the department.

(2m) "Deficient bridge" is a bridge that is "structurally deficient" or "functionally obsolete" as defined in the federal highway administration's federal-aid policy guide, part NS 23 CFR 650D, par. 9, dated September 30, 1992, attached as appendix 1.

(3) "Eligible applicant" means county, city, village, town or combination thereof.

(4) "Entitlement" means the amount of aids a coordinating agency will be eligible to receive under this section as determined under s. 84.18 (5), Stats.

(5) "Fiscal period" means the period of time for which the program is being planned, normally 3 years.

(6) "Local bridge" means a bridge which is not on the state trunk highway system or on marked routes of the state trunk highway system designated as connecting highways, and is under the jurisdiction of and maintained by an eligible applicant.

(7) "Local bridge project" means a project for the design and construction or rehabilitation of a seriously deteriorating local bridge and minimum approaches.

(8) "Seriously deteriorating local bridge" means a local bridge which is a deficient bridge.

(9) "Sufficiency rating" means a relative rating of the condition of a bridge as determined by the department from inventory and inspection data, as defined in the *Recording and Coding Guide for the Structure Inventory and Appraisal of the Nation's Bridges, December 1995*, Report No. FHWA-PD-96-001, prepared by the U.S. department of transportation, federal highway administration, office of engineering, bridge division, bridge management branch, Washington, D.C. 20590.

**Note:** This manual is on file at the offices of the Division of Transportation Infrastructure Development, Wisconsin Department of Transportation, the Secretary of State, and the Revisor of Statutes.

**History:** Cr. Register, February, 1982, No. 314, eff. 3-1-82; renum. (1) to (8) to be (2) to (4), (1) and (6) to (9) and am. (9), cr. (5), Register, July, 1992, No. 439, eff. 8-1-92; cr. (2m), am. (5), (6), (8) and (9), Register, December, 1999, No. 528, eff. 1-1-00.

**Trans 213.03 Administration.** (1) DETERMINATION OF ELIGIBILITY. A local bridge project is eligible for funds under s. 84.18, Stats., if it meets the following criteria:

(a) The bridge has been determined by the department to be a deficient bridge.

(b) The bridge has a sufficiency rating of 80 or less.

(c) The bridge has not been constructed or reconstructed in the last 10 years regardless of the source of funding for the construction or reconstruction.

(d) The bridge has not been programmed for construction under an order by the department under s. 84.11 (4), Stats.

(2) REPLACEMENT AND REHABILITATION. (a) An eligible local bridge project under sub. (1) may be for replacement of the bridge if the bridge has a current sufficiency rating of less than 50.

(b) An eligible local bridge project under sub. (1) may be for rehabilitation of the bridge if the bridge has a sufficiency rating of 80 or less. An engineering study shall be undertaken and funded independently by the eligible applicant that indicates that any rehabilitation would be cost effective, would extend the life of the bridge by at least 10 years, and would correct all deficiencies. If conditions exist that would prevent the completed improvement from correcting all deficiencies, the department may determine if the proposed project is eligible based on safety and the public interest.

(3) APPLICATION. Application for replacement or rehabilitation funds may be made by any eligible applicant to the county in which it is located. Each county shall establish priorities for proposed projects in the county. Applications for proposed projects shall be submitted to the department by each county, upon notification by the department.

(4) DETERMINATION OF ENTITLEMENT. (a) The proportionate share of the funds available to each county shall be the ratio of the estimated cost of replacing those eligible local bridges in the county with sufficiency ratings of less than 50 to the estimated cost of replacing all eligible local bridges in the state with sufficiency ratings of less than 50.

(b) Each county's entitlement shall be computed by adding the positive or negative balance of unused funds from previous years to the proportionate share for the fiscal period under consideration.

(c) The proposed projects shall be ranked according to the ratio of the funds requested for the proposed project to the entitlement of the county. Projects within each county shall be listed in priority order as submitted by the coordinating agency. The projects shall then be ranked on a statewide basis such that the proposed projects using the least percentage of a county's entitlement shall be ranked first and progressing to the proposed projects using the greatest percentage of a county's entitlement. Funds requested for multiple projects in a county shall be accumulated in priority order for ranking purposes.

**Note:** The statewide project ranking and calculation methodology is explained in the Program Management Manual, Chapter 06-02-08, June 10, 1988. Copies of this document may be obtained from the Division of Transportation Investment Management, P. O. Box 7913, Madison, WI 53707-7913, or by calling (608) 266-5408.

(d) A bridge which crosses a county line shall be treated as being 50% in each county unless another percentage figure is determined by the department to be more equitable.

(e) Funds shall be assigned to projects in order of rank, starting with rank #1 to the limit of available funds in each fiscal period.

The department shall notify the counties of the assigned funding to approved projects.

(f) Assigned funds shall be available for projects for the duration of the fiscal period in which they are assigned. Any project not authorized in the fiscal period for which funds are assigned shall lose approved status and shall be requested in a subsequent period if the county wishes to pursue the project.

(g) The department may make adjustments to the assigned funds for a project and to the schedule of approved projects within a fiscal period to assure the efficient management of the program.

**(5) FINANCIAL PARTICIPATION.** The department shall provide the percentage of the cost of a local bridge project, which is applicable under the federal bridge program administered under 23 USC 144 (f). The remainder of the cost shall be provided by the applicant.

**(6) PROJECT AGREEMENTS.** Each project which is assigned funds under this chapter shall be the subject of a formal agreement between the state and the applicant.

**History:** Cr. Register, February, 1982, No. 314, eff. 3-1-82; am. (1) (b), (2), (3) (a) to (c), (e) and (f) and (4), cr. (1) (c) and (3) (g), Register, July, 1992, No. 439, eff. 8-1-92; r. and recr. (1), renum. (2) to (5) to be (3) to (6) and am. (3), (4) (a), (b) and (e), cr. (2), Register, December, 1999, No. 528, eff. 1-1-00.