

Memorandum

SENT VIA ELECTRONIC MAIL

Subject: INFORMATION: Further Guidance Regarding Use of Funding Flexibility in Highway Safety Improvement Program (HSIP)

Date: December 26, 2006



From: Jeffrey A. Lindley
Associate Administrator for Safety

Reply to
Attn. of: HSSP

To: Division Administrators

SAFETEA-LU amended Section 148 of Title 23 USC to create a new Highway Safety Improvement Program (HSIP). One benefit of this new program is the provision that allows States to annually use up to 10 percent of its HSIP funds to fund other safety projects under title 23, as long as the State meets certain specific conditions.

On August 8, 2006, the Office of Safety issued a memorandum providing guidance interpreting the 10 percent flexibility provision. At that time, we indicated that further guidance on the implementation of this flexibility provision would be developed. The attached guidance expands on the previous memorandum and provides details on the process that should be followed for flexible funds eligibility, implementation and project eligibility, financing reporting, and subsequent fiscal year approvals.

This guidance provides division offices flexibility with the certification approval process and further allows division offices to choose the level of detail needed for eligibility determinations. In the interest of developing a process that is easy to implement and administratively sound, the Office of Safety consulted with various division office safety engineers, the Office of Chief Counsel, the Office of Legislation and Governmental Affairs, and the Office of the Chief Financial Officer.

The Office of Safety is collecting basic information and frequently asked questions regarding the 10 percent flexibility provision. If your State is planning to exercise this provision please contact Ms. Erin Kenley at (202) 366-8556.

Attachment

cc: Associate Administrators
Director of Field Services
Safety Field
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Ms. Donna Jones, HCF-20
Ms. Elissa Konove, HCF-10
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