



U.S. Department  
of Transportation  
Federal Highway  
Administration

# Memorandum

SENT VIA ELECTRONIC MAIL

Subject: INFORMATION: Eligibility of 23 USC 120(c) for Highway Lighting

Date: DEC - 1 2005

From: Elizabeth Alicandri   
Director, Office of Safety Programs

Reply to  
Attn. of: HSA-70

To: Mr. William A. Sussmann  
Division Administrator (HDA-LA)

We recently received an inquiry from your office concerning the eligibility of highway lighting for 100 percent Federal funding under 23 USC 120(c) [Increased Federal Share for Certain Safety Projects].

Although Section 120(c) does not list "highway lighting," per se, we believe that "highway lighting" is covered under "traffic lights," which is eligible for 100 percent Federal funding, as indicated in an interpretation on "the Safety Exchange" from September 10, 2001.

Prior to the ISTEA of 1991, Section 120(d) of Title 23 included "traffic control signalization" and "highway lighting" as eligible for 100 percent Federal funding. Section 120(d) was eliminated under Section 1021 of ISTEA, and a new paragraph 120(c) listed those projects eligible for 100 percent Federal funding. Included in this new Section 120(c) were "traffic control signalization" and "traffic lights." It appears that the intent was that "traffic lights" referred to "highway lighting," and that traffic signals would be under "traffic control signalization."

If your State plans to use funds available under the HSIP (23 USC 148) for highway lighting and for other improvements eligible under Section 120(c), it is important that these funds be spent in line with the purpose of the program: "to achieve a significant reduction in traffic fatalities and serious injuries on public roads".

