

FHWA Guidance - (February 24, 1999) Bicycle and Pedestrian Provisions of Federal Transportation Legislation

Entire document at: <http://www.fhwa.dot.gov/environment/bikeped/bp-guid.htm#bp3>

Summary of General Funding Requirements

a) Flexibility.

TEA-21 provides tremendous flexibility to States and MPOs to fund bicycle and pedestrian improvements from a wide variety of programs. Indeed, virtually all the major transportation funding programs can be used for bicycle and pedestrian-related projects. When considering ways to improve conditions for bicycling and walking, States and MPOs are specifically encouraged to:

- i. include bicycle and pedestrian improvements as an incidental part of larger projects, as described above, and
- ii. to review and use the most appropriate funding source for a particular project and not rely primarily on the Transportation Enhancements program. Many bicycle and pedestrian projects are more suitable for funding under the Congestion Mitigation and Air Quality Improvement program, Surface Transportation Program, or one of the other programs listed in Appendix 2.

b) Transportation Purpose.

TEA-21 retains the requirement that bicycle projects be "principally for transportation rather than recreation purposes", with the exception of the Recreational Trails Program under which projects should be for recreational use. FHWA has determined that to meet the "transportation purpose" requirement, a bicycle facility must be more than a closed loop trail within a park that can *only* be used for recreational purposes - users must be able to get somewhere other than back to their starting point. Beyond this, any bicycle facility providing access from one point to another can and will be used for transportation purposes and is therefore eligible for funding under TEA-21.

c) Motorized Vehicle Use.

Motorized vehicles are not permitted on trails and pedestrian walkways funded under the Surface Transportation Program, Congestion Mitigation and Air Quality Improvement Program, National Highway System, and Federal Lands Highway programs. Exceptions to this general rule exist for maintenance vehicles, motorized wheelchairs, and when State or local regulations permit, snowmobiles and electric bicycles (weighing under 100 pounds and a top speed of less than 20 miles per hour). The Recreational Trails Program specifically provides funds for motorized trails.

Figure 1 provides an overview of the availability of TEA-21 funds for a wide variety of bicycle and pedestrian projects and offers guidance as to the most appropriate potential funding category for a range of typical projects and programs. For a detailed description of the eligibility requirements and other factors related to each funding program, please refer to Appendix 2.

Fig. 1 TEA-21 Bicycle/Pedestrian Funding Opportunities																
	NHS	STP	HEP	RHC	TEA	CMAQ	RTP	FTA	TE	BRI	402	PLA	TCSP	JOBS	FLH	BYW
Bicycle and pedestrian plan		*				*						*	*			
Bicycle lanes on roadway	*	*	*	*	*	*		*	*	*					*	*
Paved Shoulders	*	*	*	*	*	*				*					*	*
Signed bike route	*	*			*	*									*	*
Shared-use path/trail	*	*			*	*	*			*					*	*
Single track hike/bike trail							*									
Spot improvement program		*	*		*	*										
Maps		*				*					*					
Bike racks on buses		*			*	*		*	*							
Bicycle parking facilities		*			*	*		*	*							*
Trail/highway intersection	*	*	*		*	*	*								*	*
Bicycle storage/service center		*			*	*		*	*				*	*		
Sidewalks, new or retrofit	*	*	*	*	*	*		*	*	*					*	*
Crosswalks, new or retrofit	*	*	*	*	*	*		*	*						*	*
Signal improvements	*	*	*	*	*	*										
Curb cuts and ramps	*	*	*	*	*	*										
Traffic calming		*	*	*	*	*							*			
Coordinator position		*				*							*			
Safety/education position		*				*					*					
Police Patrol		*				*					*					
Helmet Promotion											*					
Safety brochure/book						*					*					
Training						*					*					

KEY

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| NHS | National Highway System | BRI | Bridge |
| STP | Surface Transportation Program | 402 | State and Community Traffic Safety Program |
| HEP | Hazard Elimination | PLA | State/Metropolitan Planning Funds |

	Program		
RHC	Railway-Highway Crossing Program	TCSP	Transportation and Community and System Preservation Pilot Program
TEA	Transportation Enhancement Activities	JOBS	Access to Jobs/Reverse Commute Program
CMAQ	Congestion Mitigation/Air Quality Program	RTP	Recreational Trails Program
FLH	Federal Lands Highways Program	FTA	Federal Transit Capital, Urban & Rural Funds
BYW	Scenic Byways	TE	Transit Enhancements