



U.S. Department of Transportation
Federal Highway Administration

Periodic Evaluation of **NHS & Non-NHS Facilities** Repeatedly Requiring Repairs and Reconstruction Due to Emergency Events (23 CFR Part 667)

Except for the statutes and regulations cited, the contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity regarding existing requirements under the law or agency policies.

Periodic Evaluation of NHS Facilities Repeatedly Requiring Repairs and Reconstruction Due to Emergency Events (23 CFR Part 667)

NOTES

States do not have to submit the evaluations to FHWA for review or approval, but States must provide the evaluations to FHWA on request (23 CFR 667.9(b)).

States must complete Part 667 evaluations of all roads, highways, and bridges (excluding tribally owned and Federally owned highways). Part 667 has different requirements for non-NHS facilities (see Non-NHS Flowchart), and delayed implementation of the requirements for non-NHS facilities until November 23, 2020 (23 CFR 667.7(b)).

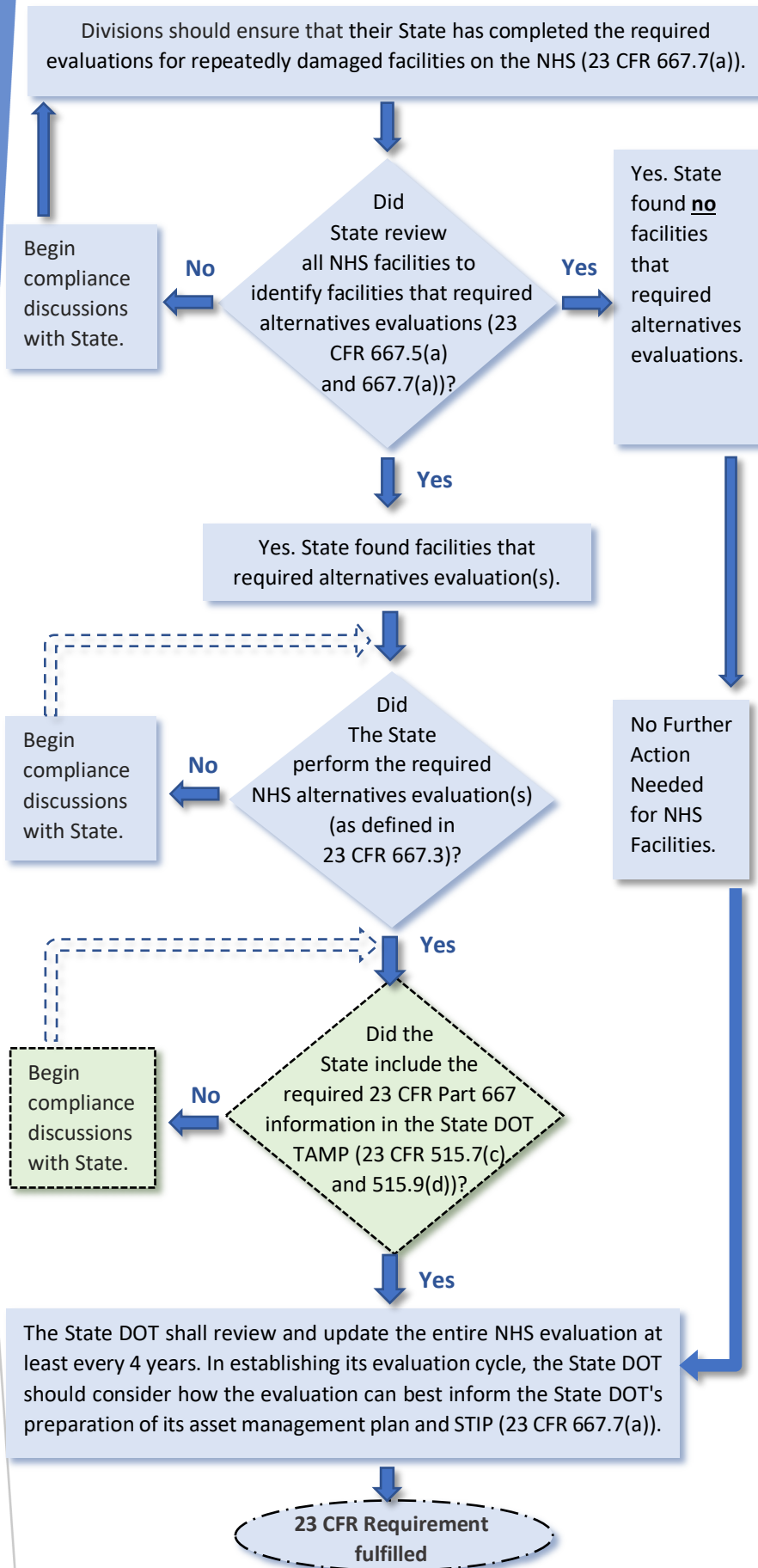
The FHWA will periodically review the State DOT's compliance under this part, including evaluation performance, consideration of evaluation results during project development, and overall results achieved. Nothing in this paragraph limits FHWA's ability to consider the results of the evaluations when relevant to an FHWA decision, including when making a planning finding under 23 U.S.C. 134(g)(8), making decisions during the environmental review process under 23 CFR Part 771, or when approving funding.

Use of Emergency Repair (non-programmed) funds: The State should consider the result of the Part 667 evaluation and potential alternatives when a facility is subsequently damaged by another natural disaster, and repairs or reconstruction is proposed using ER funds. Periodic review of the evaluations should also account for repairs, reconstruction, or resilience improvement of facilities using allocated funding under the Emergency Relief program.

When NHS facilities are damaged by an emergency event, States should update any existing Part 667 evaluation. If the damage is to an NHS facility not previously included in an evaluation, the State should determine whether that facility now must have a Part 667 alternatives evaluation. This is in addition to the requirement for periodic assessment package (23 CFR 667.7(a)).

OTHER CONSIDERATIONS

State DOTs and metropolitan planning organizations are encouraged to include consideration of the evaluations during the development of transportation plans and programs, including TIPs and STIPs, and during the environmental review process under 23 CFR Part 771 (23 CFR 667.9(a)). In establishing its evaluation cycle, the State DOT should consider how the evaluation can best inform the State DOT's preparation of its asset management plan and STIP (23 CFR 667.7(a)).



Responsibilities: Division assigned lead on Part 667.
Might be **Asset manager**, **Planning specialist** or **ER Coordinator**.



Periodic Evaluation of Non-NHS Facilities Repeatedly Requiring Repairs and Reconstruction Due to Emergency Events (23 CFR Part 667)

NOTES

States do not have to submit the evaluations to FHWA for review or approval, but States must provide the evaluations to FHWA on request (23 CFR 667.9(b)).

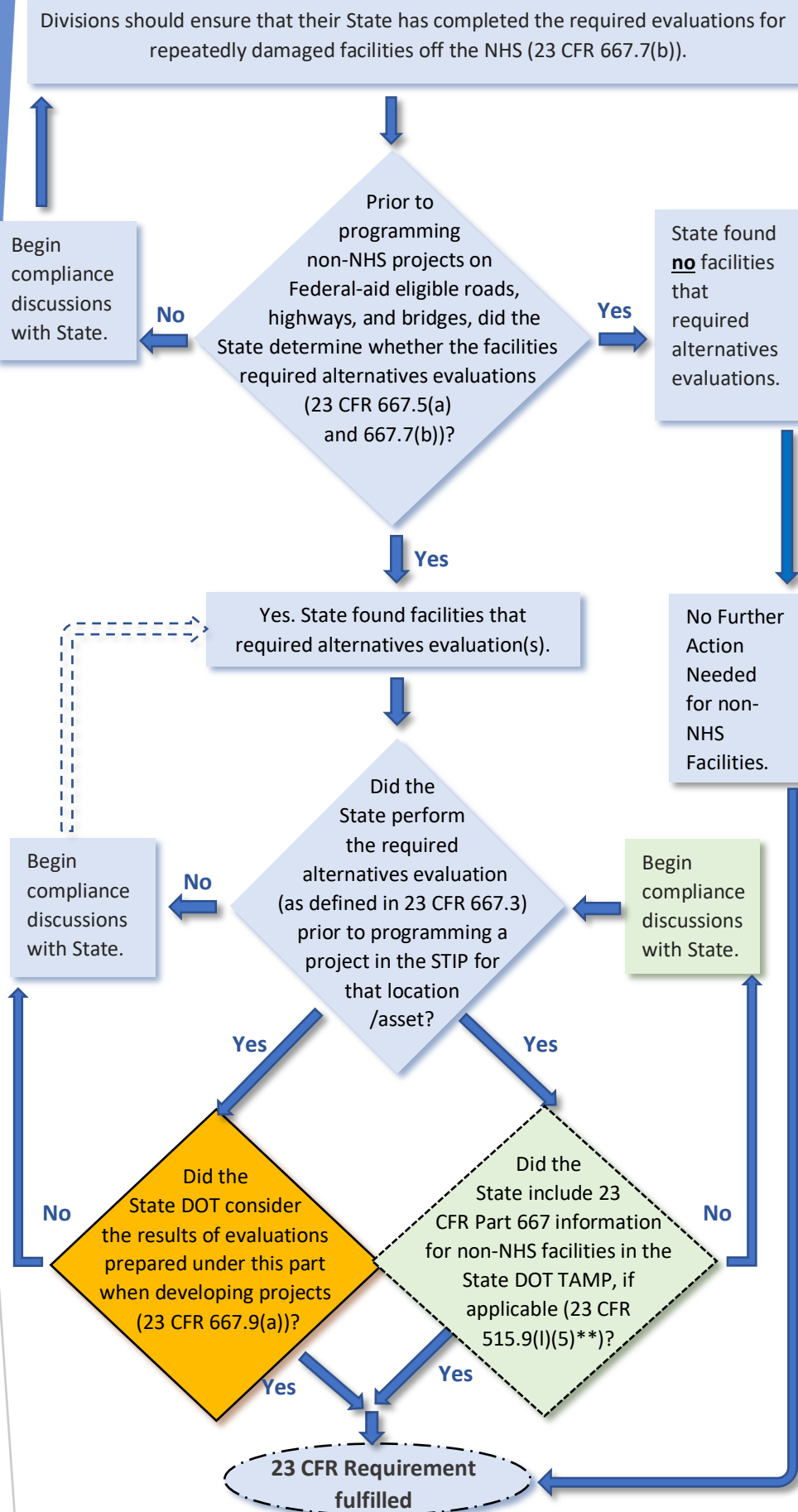
States must complete Part 667 evaluations of all roads, highways, and bridges (excluding tribally owned and Federally owned highways). Part 667 has different requirements for non-NHS facilities, and delayed implementation of the requirements for non-NHS facilities until November 23, 2020 (23 CFR 667.7(b)). Part 667 evaluations for facilities on the NHS are covered in an NHS Flowchart.

The FHWA will periodically review the State DOT's compliance under this part, including evaluation performance, consideration of evaluation results during project development, and overall results achieved. Nothing in this paragraph limits FHWA's ability to consider the results of the evaluations when relevant to an FHWA decision, including when making a planning finding under 23 U.S.C. 134(g)(8), making decisions during the environmental review process under 23 CFR Part 771, or when approving funding.

Use of Emergency Repair (non-programmed) funds: The State should consider the result of the Part 667 evaluation and potential alternatives when a facility is subsequently damaged by another natural disaster, and repairs or reconstruction is proposed using ER funds. Periodic review of the evaluations should also account for repairs, reconstruction, or resilience improvement of facilities using allocated funding under the Emergency Relief program.

***If the State DOT elects to include other NHS infrastructure assets or other public roads assets in its federally-required asset management plan, the State at a minimum shall address the summaries of evaluations carried out under Part 667 for the assets, if available, and consideration of those evaluation in its asset management plan (23 CFR 515.9(l)(5)).*

When reviewing a State DOT's authorization requests for projects not on the NHS, Division Offices should check whether the facility is subject to the evaluation requirement before the project can go in the STIP.



Responsibilities: Division assigned lead on Part 667. Might be **Asset manager**, **Planning specialist** or **ER Coordinator**.

Division Lead	Division Asset Management Specialist	Division Planning Specialist	ER Coordinator
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