



U.S. Department
of Transportation

Federal Highway
Administration

Memorandum

Subject: **INFORMATION**: Inspection of Bridges and
Tunnels on Transit Highways

Date: August 23, 2016

From: /Original signed by/
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Director, Office of Bridges and Structures

In Reply Refer To: HIBS-30

To: Division Administrators
Federal Lands Highway Division Directors

The purpose of this memo is to clarify the applicability of the National Bridge and Tunnel Inspection Standards (23 CFR 650) to bridges and tunnels on highways dedicated to publically accessible transit buses, described herein as a 'transit highway'. A transit highway, often called a transitway, is a dedicated right-of-way or roadway used by transit vehicles, usually buses. This guidance is in response to inconsistent application by States and other bridge and tunnel owners of these National Bridge and Tunnel Inspection Standards to transit highways. The FHWA has determined that the law requires all highway bridges and tunnels on transit highways carrying public riders in buses must be inspected to these standards to ensure public safety.

The National Bridge Inspection Standards (NBIS) apply "...to all structures defined as highway bridges located on all public roads." Similarly, the National Tunnel Inspection Standards (NTIS) apply "...to all structures defined as highway tunnels on all public roads..."

The terms "highway" and "public road" are defined in 23 U.S.C. 101. The definitions have changed little in twenty years and are widely accepted terms in the Federal-Aid Highway program. The definition of public road uses two key terms: "public authority" and "open to public travel." The term "public authority" means a Federal, State, county, town or township, Indian tribe, municipal or other local government or instrumentality with authority to finance, build, operate, or maintain toll or toll-free facilities.

A transit highway is considered a limited access road used by publicly accessible buses carrying the general public. A typical transit highway carries buses with passengers from one public facility to another. Any person from the general public may use the transit highway, although only in the vehicles (buses) that operate on the system. The FHWA's position is transit highways are public roads if they are owned by and maintained by a public authority. They are open to public travel, albeit in vehicles prescribed by the public authority. Therefore, highway bridges and tunnels on transit highways are subject to the NBIS and NTIS and shall be inventoried and inspected in accordance with these standards.

We request that you share this memorandum with appropriate staff and with all State DOT, Federal agency, and tribal government officials. Please direct questions to John Thiel at (202) 366-8795 or e-mail at John.Thiel@dot.gov or to Shay Burrows at (202) 366-4675 or e-mail at Shay.Burrows@dot.gov.

Attachment

cc:

Directors of Field Services

HIBS-30

Questions and Answers: Inspection of Bridges and Tunnels on Transit Highways

- 1. Do the NBIS and NTIS apply to bridges and tunnels on transit highways in which the public pays for use of the buses via trip passes or fees?**

Yes, the NBIS and NTIS apply to bridges and tunnels on transit highways in which the public pays for use of the buses.

- 2. Do the NBIS and NTIS apply to bridges and tunnels on roads carrying buses to move only employees from one location, such as an employee parking lot to another location?**

No, the NBIS and NTIS do not apply to bridges and tunnels on roads carrying buses dedicated to moving only employees, as this situation is not considered “open to the public.” The FHWA strongly encourages the owners to follow the applicable standard for inspecting these types of bridges and tunnels even if they are not open to the public.

- 3. Do the NBIS and NTIS apply to rail bridges and tunnels?**

No, rail bridges and tunnels are not highways.

- 4. Do the NBIS and NTIS apply to bridges and tunnels on transit highways that connect one public transit facility to another, such as from a metro station to an airport?**

Yes, the NBIS and NTIS apply to bridges and tunnels on transit highways that connect one public transit facility to another.

- 5. Do the NBIS and NTIS apply to bridges and tunnels on transit highways that connect one public transit facility to another, such as from a metro station to an airport, carrying a combination of buses with public riders and public vehicles such as automobiles?**

Yes, the NBIS and NTIS apply to bridges and tunnels on transit highways that connect one public transit facility to another and carry a combination of vehicle types.

- 6. Where can I find more information on bridge and tunnel inspection?**

The Office of Bridge and Structures has websites dedicated to these programs. You can find the bridge inspection information at <http://www.fhwa.dot.gov/bridge/inspection/> and the tunnel inspection information at <http://www.fhwa.dot.gov/bridge/inspection/tunnel/>.