

## 23 CFR Part 490 - Subpart D—National Performance Management Measures for Assessing Bridge Condition

For Full Version of the Rule, See:

<https://www.federalregister.gov/documents/2017/01/18/2017-00550/national-performance-management-measures-assessing-pavement-condition-for-the-national-highway>

SECTION	REGULATION	KEY COMPONENT SYNOPSIS	KEY DATE
§ 490.401 Purpose	The <u>purpose</u> of this subpart is to implement the requirements of 23 U.S.C. 150(c)(3)(A)(ii)(III), which requires the Secretary of Transportation to establish performance measures for the purpose of carrying out the NHPP and for State DOTs and MPOs to use in assessing the condition of bridges carrying the NHS which includes on and off-ramps connected to the NHS.		Effective Date: May 20, 2017
§ 490.403 Applicability	The section is only applicable to bridges carrying the NHS, which includes on- and off-ramps connected to the NHS.		
§ 490.405 Definitions.	The following definitions are only applicable to this subpart, unless otherwise provided: Structurally deficient as used in §§ 490.411 and 490.413 is a classification given to a bridge which has any component in Poor or worse condition or the adequacy of the waterway opening provided by the bridge is determined to be insufficient to the point of causing overtopping with intolerable traffic interruptions. Beginning with calendar year 2018 and thereafter, structurally deficient as used in §§ 490.411 and 490.413 is a classification given to a bridge which has any component in Poor or worse condition.	Current Structurally Deficient (SD) definition takes into consideration items 58, 59, 60, 62, 67 and 71. New definition consider only items 58, 59, 60 and 62.	Becomes effective January 1, 2018.
§ 490.101 Definitions	<u>Performance period</u> means a determined time period during which condition/performance is measured and evaluated to: Assess condition/performance with respect to baseline condition/performance; and track progress toward the achievement of the targets that represent the intended condition/performance level at the midpoint and at the end of that time period. The term “performance period” applies to all proposed measures in this part, except the measures proposed for the Highway Safety Improvement Program (HSIP) in subpart B of this part. Each performance period covers a 4-year duration beginning on a specified date (provided in § 490.105). <u>Target</u> means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the Federal Highway Administration (FHWA).	All performance periods have a 4 year duration starting on January 1 and finishing in December 31.	First Performance Period: Begins: January 1, 2018 Ends: December 31, 2021
§ 490.407 National performance management measures for assessing bridge condition	(a) There are three classifications for the purpose of assessing bridge condition. They are: (1) Percentage of NHS bridges classified as in Good condition; (2) Percentage of NHS bridges classified as in Fair condition; and (3) Percentage of NHS bridges classified as in Poor condition. (b) [Reserved] (c) To carry out the NHPP, two of the three classifications are performance measures for State DOTs to use to assess bridge condition on the NHS. They are: (1) Percentage of NHS bridges classified as in Good condition; and (2) Percentage of NHS bridges classified as in Poor condition. (d) Determination of Good and Poor conditions are described in § 490.409. See full version of the rule for section § 490.409.	1. State DOTs and MPOs shall establish a minimum of two condition performance measures: good condition & poor condition performance measures. 2. Calculation of measure must also include on-and-off ramps connected to the NHS within a State; and bridges carrying the NHS that cross State borders (border bridges count toward both States DOTs calculations)	

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SECTION	REGULATION	KEY COMPONENT SYNOPSIS	KEY DATE
<p>§ 490.409 Calculation of National performance management measures for assessing bridge condition</p>	<p>(a) The bridge measures in § 490.407 shall be calculated in accordance with this section and used by State DOTs and MPOs to carry out the bridge condition related requirements of this part and by FHWA to make the significant progress determination specified in § 490.109.</p> <p>(b) The condition of bridges carrying the NHS, which includes on- and off-ramps connected to the NHS, shall be classified as Good, Fair, or Poor following the criteria specified in this paragraph. The assignment of a classification of Good, Fair, or Poor shall be based on the bridge's condition ratings for NBI Items 58—Deck, 59—Superstructure, 60—Substructure, and 62—Culverts. For the purposes of national performance measures under the NHPP, the method of assessment to determine the classification of a bridge will be the minimum of condition rating method (i.e., the condition ratings for lowest rating of a bridge's 3 NBI Items, 58—Deck, 59—Superstructure, and 60—Substructure). For culverts, the rating of its NBI Item, 62—Culverts, will determine its classification. The bridges carrying the NHS which includes on and off-ramps connected to the NHS will be classified as Good, Fair, or Poor based on the following criteria:</p> <p>(1) Good: When the lowest rating of the 3 NBI items for a bridge (Items 58—Deck, 59—Superstructure, 60—Substructure) is 7, 8, or 9, the bridge will be classified as Good. When the rating of NBI item for a culvert (Item 62—Culverts) is 7, 8, or 9, the culvert will be classified as Good.</p> <p>(2) Fair: When the lowest rating of the 3 NBI items for a bridge is 5 or 6, the bridge will be classified as Fair. When the rating of NBI item for a culvert is 5 or 6, the culvert will be classified as Fair.</p> <p>(3) Poor: When the lowest rating of the 3 NBI items for a bridge is 4, 3, 2, 1, or 0, the bridge will be classified as Poor. When the rating of NBI item for a culvert is 4, 3, 2, 1, or 0, the culvert will be classified as Poor.</p> <p>(c) The bridge measures specified in § 490.407(c) shall be calculated for the applicable bridges per paragraph (a) that pertain to each target established by the State DOT or MPO in §§ 490.105(e) and 490.105(f), respectively, as follows:</p> <p>(1) For § 490.407(c)(1), the measure for the percentage of bridges classified as in Good condition shall be computed and reported to the one tenth of a percent as follows: See full version of the rule - section § 490.409 for formula.</p> <p>(2) For § 490.407(c)(2), the measure for the percentage of bridges classified as in Poor condition shall be computed and reported to the one tenth of a percent as follows: See full version of the rule - section § 490.409 for formula.</p>	<p>1. The condition classification of Good, Fair, or Poor shall be based on the bridge's condition ratings for NBI Items 58—Deck, 59—Superstructure, 60—Substructure, and 62—Culverts.</p> <p>2. Performance measures are to be calculated only for:</p> <p style="margin-left: 20px;">a. % bridges in Good condition</p> <p style="margin-left: 20px;">b. % bridges in Poor condition</p> $100 \times \frac{\sum_{p=1}^{POOR} [Length \times Width]_{Bridge\ p}}{\sum_{s=1}^{TOTAL} [Length \times Width]_{Bridge\ s}}$ $100 \times \frac{\sum_{g=1}^{GOOD} [Length \times Width]_{Bridge\ g}}{\sum_{s=1}^{TOTAL} [Length \times Width]_{Bridge\ s}}$	

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SECTION	REGULATION	KEY COMPONENT SYNOPSIS	KEY DATE
<p>§ 490.105 Establishment of performance targets</p>	<p>(a) In general. State departments of transportation (State DOT) shall establish performance targets for all measures specified in paragraph (c) of this section for the respective target scope identified in paragraph (d) of this section with the requirements specified in paragraph (e) of this section, and the Metropolitan Planning Organizations (MPO) shall establish performance targets for all measures specified in paragraph (c) of this section for respective target scope identified in paragraph (d) of this section with the requirements specified in paragraph (f) of this section.</p> <p>(c) Applicable measures. State DOTs and MPOs that include, within their respective geographic boundaries, any portion of the applicable transportation network shall establish performance targets for the performance measures identified in 23 CFR sections—</p> <p>(3) 490.407(c)(1) and 490.407(c)(2) for the condition of bridges on the NHS.</p> <p>(d) Target scope. Targets established by the State DOT and MPO shall, regardless of ownership, represent the transportation network, including bridges that cross State borders, that are applicable to the measures as specified in paragraphs (d)(1) and (2) of this section.</p> <p>(1) State DOTs and MPOs shall establish Statewide and metropolitan planning area wide targets, respectively, that represent the condition/performance of the transportation network that is applicable to the measures, as specified in 23 CFR sections—</p> <p>(i) 490.303 for the condition of pavements on the Interstate System measures specified in §§ 490.307(a)(1) and (a)(2);</p> <p>(ii) 490.303 for the condition of pavements on the National Highway System (NHS) (excluding the Interstate) measures specified in §§ 490.307(a)(3) and (a)(4); and</p> <p>(iii) 490.403 for the condition of bridges on the NHS measures specified in §§ 490.407(c)(1) and (c)(2).</p> <p>(2) [Reserved]</p> <p>(3) For the purpose of target establishment in this section, reporting targets and progress evaluation in § 490.107 and significant progress determination in § 490.109, State DOTs shall declare and describe the urbanized area boundaries within the State boundary in the Baseline Performance Period Report required by § 490.107(b)(1). Any changes in urbanized area boundaries during a performance period would not be accounted for until the following performance period.</p>	<p>1. Applicable Measures. State DOTs and MPOs respective geographic boundaries.</p> <p>2. State DOTs and MPOs shall establish Statewide and metropolitan planning area wide targets, respectively.</p>	

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<p>§ 490.105(f) Establishment of performance targets (MPOs)</p>	<p>(f) The MPOs shall establish targets for each of the performance measures identified in paragraph (c) of this section for the respective target scope identified in paragraph (d) of this section as follows:</p> <p>(1) Schedule. The MPOs shall establish targets no later than 180 days after the respective State DOT(s) establishes their targets, described in paragraph (e)(1) of this section.</p> <p>(i) The MPOs shall establish 4-year targets, described in paragraph (e)(4)(iv) of this section, for all applicable measures, described in paragraphs (c) and (d) of this section.</p> <p>(ii) [Reserved.]</p> <p>(2) Coordination. The MPOs shall coordinate with relevant State DOT(s) on the selection of targets in accordance with 23 U.S.C. 134(h)(2)(B)(i)(II) to ensure consistency, to the maximum extent practicable.</p> <p>(3) Target establishment options. For each performance measure identified in paragraph (c) of this section, MPOs shall establish a target by either:</p> <p>(i) Agreeing to plan and program projects so that they contribute toward the accomplishment of the relevant State DOT target for that performance measure; or</p> <p>(ii) Committing to a quantifiable target for that performance measure for their metropolitan planning area.</p> <p>(4) MPOs serving a multistate metropolitan planning area.—For each performance measure identified in paragraph (c)(1) through (c)(3) of this section, MPOs, with metropolitan planning areas extending across multiple State boundaries shall follow these requirements:</p> <p>(i) For each measure, MPOs may choose different target establishment options, provided in paragraph (3) of this section, for each portion of the metropolitan area within each State.</p> <p>(ii) If MPOs choose the option to agree to plan and program projects to contribute toward State DOT targets, in accordance with paragraph (3)(i) of this section, for a measure, then they shall plan and program projects in support of State DOT targets for each portion of the metropolitan area within each State.</p>	<p>1. MPO shall establish 4-year targets by either adopting a State's performance targets and supporting the State's effort at achieving those targets, or establishing its own quantifiable performance targets.</p> <p>2. MPO shall coordinate with relevant State DOT(s) on the selection of targets.</p> <p>3. If the State DOT adjusts a 4-year target in the State DOT's Mid Performance Period Progress Report, MPO can decide to contribute to the adjusted target or commit to a new quantifiable target.</p>	<p>MPOs to establish targets within 180 days of relevant State DOT establishing targets.</p>

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<p>§ 490.105(f) Establishment of performance targets (MPOs)</p>	<p>(5)–(6) [Reserved]</p> <p>(7) MPO response to State DOT target adjustment.—For the established targets in paragraph (3) of this section, if the State DOT adjusts a 4-year target in the State DOT’s Mid Performance Period Progress Report and if, for that respective target, the MPO established a target by supporting the State DOT target as allowed under paragraph (f)(3)(i) of this section, then the MPO shall, within 180 days, report to the State DOT whether they will either:</p> <p>(i) Agree to plan a program of projects so that they contribute to the adjusted State DOT target for that performance measure; or</p> <p>(ii) Commit to a new quantifiable target for that performance measure for its metropolitan planning area.</p> <p>(8) Target adjustment. If the MPO establishes its target by committing to a quantifiable target, described in paragraph (f)(3)(ii) of this section, then the MPOs may adjust its target(s) in a manner that is mutually agreed upon by the State DOT and MPO.</p> <p>(9) Reporting. The MPOs shall report targets and progress toward the achievement of their targets as specified in § 490.107(c). After the MPOs establish or adjust their targets, the relevant State DOT(s) must be able to provide these targets to FHWA, upon request.</p>		
<p>§ 490.107 Reporting on performance targets</p>	<p>(c) MPO Report. The MPOs shall establish targets in accordance with § 490.105 and report targets and progress toward the achievement of their targets in a manner that is consistent with the following:</p> <p>(1) The MPOs shall report their established targets to their respective State DOT in a manner that is documented and mutually agreed upon by both parties.</p> <p>(2) The MPOs shall report baseline condition/performance and progress toward the achievement of their targets in the system performance report in the metropolitan transportation plan in accordance with Part 450 of this chapter.</p>		