

Interstate System Reconstruction and Rehabilitation Pilot Program (ISRRPP)

The FAST Act Section 1411(c) amends the ISRRPP authorized under Section 1216(b) of the Transportation Equity Act for the 21st Century (TEA-21). The ISRRPP allows a State to collect tolls on a facility on the Interstate System in order to reconstruct or rehabilitate an Interstate highway corridor that could not otherwise be adequately maintained or functionally improved without the collection of tolls. Up to three facilities may participate in the ISRRPP, and each must be geographically located in a different State.

Any State receiving a provisional approval has 3 years from the date of the approval to fully satisfy the program criteria, complete environmental review and permitting, and execute a toll agreement with FHWA. A one year extension is allowed if the State demonstrates material progress toward implementation of its pilot project.

This program does not offer additional Federal funds for these projects.

Requirements

To be selected for provisional approval in the ISRRPP, an applicant must meet the following requirements.

1. Interstate Facility

A facility on the Interstate System is considered to be a route on the Dwight D. Eisenhower National System of Interstate and Defense Highways as described in 23 U.S.C. 103(c).

2. Toll Revenue Uses

Toll revenues collected under the ISRRPP can be used only to support the rehabilitation or reconstruction of the candidate project. The program does not allow for “surplus” revenues to support other projects. The State must execute an agreement with FHWA specifying that toll revenues be used only for the purposes set forth in Section 1216(b)(5) of TEA-21. Additionally, the toll agreement must include a provision that the State will conduct regular (e.g., annual) audits to ensure compliance with the provisions regarding use of toll revenues

3. Federal-aid Requirements

Each ISRRPP project must satisfy the applicable Federal laws, rules and regulations set forth in title 23 U.S.C. and title 23 Code of Federal Regulations, regardless of the sources of funds that finance the project’s construction.

OFFICE OF INNOVATIVE
PROGRAM DELIVERY



**For further information,
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U.S. Department
of Transportation

**Federal Highway
Administration**

ISRRPP Eligibility and Selection Criteria:

A State that seeks to participate in the pilot program must submit an application that addresses the program's statutory eligibility and selection criteria as described below.

- i. *Project Description:* An identification of the facility on the Interstate System proposed to become a toll facility, including the age, condition, and intensity of use of the facility.
- ii. *MPO Consultation:* In the case of a facility that affects a metropolitan area, a description of the State's current consultations regarding the candidate project with that area's metropolitan planning organization (MPO) established under 23 U.S.C. 134. Full satisfaction of this eligibility criterion requires an assurance that the MPO for the area has been consulted concerning the placement and amount of tolls on the facility.
- iii. *Financial Analysis:* An analysis demonstrating that the facility could not be maintained or improved to meet current or future needs from the State's Federal-aid apportionments and allocations and from revenues for highways from any other source without toll revenues.
- iv. *Facility Management Plan:*
 - a) A plan for implementing tolls on the facility. Note that an approved plan must take into account the interests of local, regional, and interstate travelers.
 - b) A proposed schedule and finance plan for the reconstruction or rehabilitation of the facility using toll revenues. The plan should give extensive focus to the development phase requirements, including among its milestones the completion of NEPA, the acquisition of tolling authority from the legislature, and the issuance of any debt backed by toll revenues.
 - c) A description of the public transportation agency that will be responsible for implementation and administration of the candidate project.
 - d) A description of whether consideration will be given to privatizing the maintenance and operational aspects of the facility, while retaining legal and administrative control of the portion of the Interstate route. Note that the ISRRPP selection criteria require the State to give preference to the use of a public toll agency with demonstrated capability to build, operate and maintain a toll expressway system meeting criteria for the Interstate System.
 - e) A statement as to whether the State currently has the authority required for the toll project to proceed and, if not, a plan and timetable for when such authority will be obtained.

Selection Criteria

- A. The State is unable to reconstruct or rehabilitate the proposed toll facility using existing apportionments.
- B. The facility has a sufficient intensity of use, age, or condition to warrant the collection of tolls
- C. The State plan for implementing tolls on the facility takes into account the interests of local, regional, and interstate travelers.
- D. The State plan for reconstruction or rehabilitation of the facility using toll revenues is reasonable.
- E. The State has given preference to the use of a public toll agency with demonstrated capability to build, operate, and maintain a toll expressway system meeting criteria for the Interstate System.
- F. The State has the authority required for the project to proceed.