

***Highway Safety Improvement Program (HSIP)***  
***Updated December 17, 2012***

**STATUS: ACTIVE**

**PROGRAM CODE:**

- LS30 – Highway Safety Improvement Program (HSIP) – SAFETEA-LU
- LS3E - HSIP – SAFETEA-LU (SAFETEA-LU Extension – P.L. 111-068)
- LS3R - HSIP – SAFETEA-LU (SAFETEA-LU Restored - P.L. 111-147 Sec. 413)
- LS10 – HSIP 10% limit tracking (see discussion in Background)
- LS1E – HSIP 10% limit tracking (SAFETEA-LU Extension – P.L. 111-068) (see discussion in Background)
- MS30 - MAP-21(P.L. 112-141, Section 1101(a)(1))

**FEDERAL SHARE:** 90 percent, subject to the sliding scale adjustment. Certain safety improvements are eligible for 100 percent Federal funding under 23 U.S.C. 120(c).

**PERIOD AVAILABLE:** FY + 3 years

**FUND:** Highway account of the Highway Trust Fund

**FUND DISTRIBUTION METHOD:** Apportionment

**AUTHORITY:** Contract

**SUBJECT TO OBLIGATION LIMITATION:** Yes

**STATUTORY REFERENCE:** 23 U.S.C. §148 and 23 USC 104(b)(3), as amended by MAP-21

**CFR REFERENCE:** 23 CFR 924

**ELIGIBILITY:** HSIP funds may be obligated to carry out; (A) any highway safety improvement project on any public road or publicly owned bicycle or pedestrian pathway or trail; (B) as provided in subsection 23 U.S.C. 148(g)(special rules for High-Risk Rural Road Safety and Older Drivers); or (C) any project to maintain minimum levels of retroreflectivity with respect to a public road without regard to whether the project is included in an applicable State strategic highway safety plan.

**BACKGROUND:** The HSIP funds highway safety improvements. The Highway Safety Program began with the Highway Safety Act of 1973 (Title 23 of Public Law No. 93-87) and was later consolidated into the Railway-Highway Crossings Program (23 U.S.C. 130) and the Hazard Elimination Program (23 U.S.C. 152). The Intermodal Surface Transportation Efficiency Act of 1991 (Public Law No. 102-240) later funded these programs as part of the Surface Transportation Program (STP), under which 10% of the States' STP funds were set aside for these programs.

The program continued with set-aside funding from the STP through FY 2005 until the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Public Law 109-59, established the HSIP as a new core Federal-aid funding program. SAFETEA-LU authorized \$5.06 billion to carry out this program over four years through FY 2009 and expanded the types of projects that can be defined as highway safety improvement projects. If a State met certification and followed implementation requirements, a State could use up to ten percent of its HSIP funding for non-infrastructure safety activities. These activities were tracked using the LS10 funding code which was set up as a draw down from the general HSIP funding code LS30 and limited the state to the ten percent amount.

The purpose of the HSIP is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads. The HSIP emphasizes a data-driven, strategic approach to improving highway safety that focuses on results. To obligate funds under the HSIP, a state must develop and implement a Strategic

Highway Safety Plan (SHSP), produce a program of projects or strategies based on data analysis, evaluate the SHSP on a regular basis, and submit annual reports such as the HSIP report, which includes reporting on the high risk rural roads program. In addition, as part of the new HSIP States are required to submit an annual report describing not less than 5 percent of their highway locations exhibiting the most severe safety needs.

The pre-MAP-21 HSIP contained the following set-asides:

- \$220 million per year for railway-highway crossing improvements (See separate write-up for the railway-highway crossing improvement program)
- \$90 million per year for construction and operational improvements on high-risk rural roads (See separate write-up for the High-Risk Rural Roads Program)

Section 1112 of the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21, P.L. 112-141) amends 23 U.S.C. 148. Sec 148 continues the HSIP as a core program and continues the 23 U.S.C. 130 set-aside for railway-highway crossing improvements. While the SAFETEA-LU specific set-aside for high risk rural roads (HRRRP) was not continued, MAP-21 does contain a special rule requiring additional obligation of funds for high risk rural road projects if the fatality rate on rural roads in a State increases over the most recent 2-year period for which data are available.

**ADDITIONAL INFORMATION:** Contact the Office of Safety Programs (HSSP)