



1.0 Authority

Under federal law, the state is responsible for the maintenance of completed highway projects constructed under the federal aid highway program. This requirement is set forth in section 116 of Title 23 of the United States Code and continues as long as the project constitutes part of the federal aid system. In the event of persistent unsatisfactory maintenance, the FHWA has the authority to withhold approval of further federal aid projects.

The Department shall monitor the maintenance conducted by local units of government on federal aid, as well as state aid projects off the STH system.

2.0 Agreements with Local Units of Government

When a state aid and/or federal aid highway project is established with a local unit of government, the local unit of government must sign a State/Municipal Agreement (SMA) with the state. The local unit agrees therein to maintain, at its own expense, all portions of the project that lie within its jurisdiction, to provide for such maintenance each year, and to keep the right of way provided for the project as public highway thereafter.

3.0 Maintenance Monitoring Responsibilities

The department is responsible for overseeing maintenance done by the local units of government as part of State/Municipal Agreements. Therefore, maintenance done as part of projects off the STH system must be monitored.

1. Each region shall be aware of the state and/or federal aid projects off the STH system where monitoring will be necessary.
2. The region should review some of these projects randomly to determine the quality of the maintenance done.

If the maintenance is of high quality, then the number of projects reviewed to make this determination will be sufficient. If, however, the maintenance is unsatisfactory or poor, a larger number of projects shall be reviewed.

3. All highway elements should be reviewed, including the pavement, shoulders and roadsides. Bridges are not to be reviewed as they fall under the influence of the National Bridge Inspection Standards (NBIS).
4. The reviews should cover winter maintenance as well as surface maintenance. Local units of government do not have to follow the department's winter maintenance policy or guidelines.

4.0 Review Standards

There are no specific maintenance standards for state or federal aid projects. Review standards should generally be based on the professional judgment of the reviewer. The reviewer should insure that the following are done.

1. Applicable state statutes are being followed.
2. Dangerous conditions are promptly corrected.
3. Maintenance strategies and work standards are such that the highway is safe at the posted speeds.
4. The highway is generally maintained to the standards current at the time the project was built. If newer standards supersede older ones for reasons of safety, the new standards should be applied whenever

extensive maintenance is required.

5.0 Resolution of Problems

1. The local unit of government must be informed of any problems the reviews uncover. Furthermore, the local unit of government should be informed by letter of their responsibilities under the project agreement, the state's review findings, and any action the must be undertaken.
2. If after being contacted twice the local unit of government does not respond appropriately to the needed maintenance, the State Maintenance Engineer should be contacted and informed of any problems.

6.0 Record Keeping

Each region shall keep accurate records of state and federal aid project monitoring. The records shall be kept available for FHWA inspection and include, as a minimum, the name of the local unit of government, the highway and its location and the name of the reviewer. The records shall also document any contact with the local unit of government concerning deficiencies or problems and any follow up findings.