

H.R. 3999, National Highway Bridge Reconstruction and Inspection Act of 2008

H.R. 3999, the “National Highway Bridge Reconstruction and Inspection Act of 2008”, amends the Highway Bridge Program and the National Bridge Inspection Program to improve the safety of Federal-aid highway bridges, strengthens bridge inspection standards and processes; and increases investment in the reconstruction of structurally deficient bridges on the National Highway System.

Improves the Safety of Federal-aid Highway Bridges:

- **Risk-Based Prioritization of Reconstruction of Deficient Bridges.** Requires the Secretary to develop a system to assign a risk-based priority to repair, rehabilitate, or replace each structurally deficient or functionally obsolete bridge, establishing a new level of accountability in bridge repair and replacement by ensuring that States are investing in upgrading those bridges that are most critical to safety, as well as freight and passenger mobility.
- **Independent Review.** Requires the National Academy of Sciences to conduct an independent review of the Department of Transportation’s process for assigning risk-based priorities under the Highway Bridge Program;
- **Institutes Bridge Management Systems.** Requires Federal Highway Administration (“FHWA” and States to establish bridge management systems designed to improve bridge management and targeting of limited bridge resources, as well as upgrading the inspection process and quality of data collected and reported to the National Bridge Inventory; and
- **Performance Plan.** Requires States to develop a five-year performance plan for the inspection of highway bridges and the reconstruction of structurally deficient and functionally obsolete Federal-aid highway bridges. Requires the FHWA to approve each State’s performance plan and the State to update the plan annually.

Strengthens Bridge Inspection Standards and Processes:

- **Requires Immediate Update of Bridge Inspection Standards.** Requires FHWA to immediately update National Bridge Inspection Standards and requires uniformity among States in conducting inspections and evaluations;
- **Requires Immediate Inspection of all Structurally Deficient Bridges.** Requires States to inspect structurally deficient bridges each year using the best practicable technologies and methods. Requires States to inspect all other bridges every two years. Authorizes FHWA to approve an extension of the biennial inspection requirement if granting the extension will increase the overall safety of the State’s bridge inventory;

- **Requires States to Calculate the Load Rating for Structurally Deficient Bridges to Ensure that Maximum Weight Limits are Properly Posted.**
Requires States to calculate the load rating for highway bridges and ensure that the safe load-carrying capacity for bridges is properly posted based on most recent inspection information;
- **Strengthens Training, Certification, and Qualification Requirements.**
Strengthens inspector training by requiring that all highway bridge inspectors be trained and certified. Increases qualification requirements to ensure that licensed professional engineers approve inspections of highway bridges; and
- **Strengthens Annual FHWA Compliance Reviews.** Requires FHWA to strengthen its procedures for conducting annual compliance reviews of state inspections, state quality control and quality assurance procedures, load ratings, and weight limit postings of structurally deficient highway bridges.

Increases Investment for the Reconstruction of Structurally Deficient Bridges on the National Highway System:

- **Authorizes an Additional \$1 billion for Reconstruction of Structurally Deficient Bridges on the National Highway System.** Authorizes \$1 billion in FY2009 to reconstruct structurally deficient bridges on the NHS. These funds are in addition to funds authorized for the Highway Bridge Program under the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users;
- **Funds are Distributed by Formula** pursuant to Federal-aid Highway apportionments under the Highway Bridge Program targeted to Federal-aid highway bridges. **No Congressional or Administration earmarks are allowed under the program;** and
- **Limits Transferability of Highway Bridge Funds.** The funds authorized by H.R. 3999, the National Highway Bridge Reconstruction and Inspection Act of 2007, are not transferable to other Federal-aid highway programs. In addition, the bill provides that a State may transfer Highway Bridge Program funds to other Federal-aid Highway programs **only if** the State demonstrates to the satisfaction of the Secretary that it has no bridges on the National Highway System eligible for replacement.