

## **Applicable Regulations**

### **Code of Federal Regulations (annual edition)**

Title 23 - Highways

Chapter I - FEDERAL HIGHWAY ADMINISTRATION, DEPARTMENT OF TRANSPORTATION

Subchapter G - ENGINEERING AND TRAFFIC OPERATIONS

Part 630 - PRECONSTRUCTION PROCEDURES

Subpart A - Project Authorization and Agreements

Section 630.112 - Agreement provisions.

### **Federal Highway Administration, DOT § 630.203**

(2) *Preliminary engineering project.* In the event that right-of-way acquisition for, or actual construction of, the road for which this preliminary engineering is undertaken is not started by the close of the tenth fiscal year following the fiscal year in which the project is authorized, the STD will repay to the FHWA the sum or sums of Federal funds paid to the transportation department under the terms of the agreement. The State may request a time extension for any preliminary engineering project beyond the 10-year limit with no repayment of Federal funds, and the FHWA may approve this request if it is considered reasonable.

### **Title 23, United States Code**

#### **CHAPTER 1-FEDERAL-AID HIGHWAYS**

Sec. 102. Program efficiencies.

**(b) Engineering Cost Reimbursement.**— If on-site construction of, or acquisition of right-of-way for, a highway project is not commenced within 10 years (or such longer period as the State requests and the Secretary determines to be reasonable) after the date on which Federal funds are first made available, out of the Highway Trust Fund (other than Mass Transit Account), for preliminary engineering of such project, the State shall pay an amount equal to the amount of Federal funds reimbursed for the preliminary engineering. The Secretary shall deposit in such Fund all amounts paid to the Secretary under this section.