

## Chapter Trans 215

### LOCAL HIGH-COST BRIDGE PROJECTS

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**Trans 215.01 Purpose.** In accordance with s. 84.11, Stats., this chapter sets forth the methods used by the department of transportation for determining the eligibility of evaluating and administering local high-cost bridge construction projects.

**Note:** This chapter is so closely associated with Wisconsin Statutes, and makes such extensive reference to s. 84.11, Stats., that it is essential to refer to both this chapter and the law in order to develop a project. This chapter does not cover the selection of local bridge projects which can be financed with entitlement provided through ch. Trans 213.

**History:** Cr. Register, May, 1990, No. 413, eff. 6-1-90.

**Trans 215.02 Definitions.** In this chapter:

(1) "Construction" includes reconstruction or new construction.

(2) "Department" means the Wisconsin department of transportation.

(3) "Bridge" means a structure erected over a depression or an obstruction, such as water, a highway, or a railway, and having an opening measured along the center of the roadway of more than 20 feet between the end supports.

(4) "Local high-cost bridge" means a bridge which is not on the state trunk highway system or on marked routes of the state trunk highway system designated as connecting highways, and is estimated to cost in excess of \$5 million to construct.

(5) "Sufficiency rating" means a rating of the condition of a bridge as determined by the department from inventory and inspection data, as set forth in the "Manual for Maintenance Inspection of Bridges."

**Note:** The manual is published by the American association of state highway and transportation officials. This manual is on file in the offices of the division of transportation system development, Wisconsin department of transportation.

(6) "Rate score" means a numerical rating of a bridge in which the lower the number, the greater is the need for replacement. In addition to the structural elements of the sufficiency rating, rate score is weighted for average daily traffic (ADT), functional classification and inventory rating.

**History:** Cr. Register, May, 1990, No. 413, eff. 6-1-90.

**Trans 215.03 Eligibility and project extent.** (1) Projects which are eligible for financing under this chapter include:

(a) Local high-cost bridges which have a sufficiency rating of less than 20.

(b) New local high-cost bridges at a new location which satisfy the criteria established in s. Trans 215.07 (2) (b).

(2) "Project extent." Each project may include necessary approach roadways, necessary lands for right-of-way or other purposes, preliminary engineering, and all other appurtenances necessary to complete the bridge.

**History:** Cr. Register, May, 1990, No. 413, eff. 6-1-90.

**Trans 215.04 Administration.** The department shall administer the local high-cost bridge construction program and have all powers necessary to implement the program. The department's policies and procedural manuals for project development and subsequent stages will apply.

**Note:** The facilities development manual, the real estate manual, the bridge manual and the construction manual are available for use in the region and central offices of the division of transportation system development of the department.

**History:** Cr. Register, May, 1990, No. 413, eff. 6-1-90.

**Trans 215.05 Initiation of proceedings.** Proceedings for the construction of a bridge under the program may be initiated by a petition filed with the department. Petitions shall be submitted in accordance with the provisions of s. 84.11 (2), Stats.

**History:** Cr. Register, May, 1990, No. 413, eff. 6-1-90.

**Trans 215.06 Hearing.** Within 60 days of the receipt of a petition, the department shall provide for a hearing in accordance with the provisions of s. 84.11 (3), Stats.

**History:** Cr. Register, May, 1990, No. 413, eff. 6-1-90.

**Trans 215.07 Finding, determination and order.**

(1) After the hearing specified in s. Trans 215.06, the department shall make such investigation as it considers necessary in order to make a decision. The investigation shall be conducted in accordance with the provisions of s. 84.11 (4), Stats.

(2) (a) The department shall evaluate and select each proposed replacement project based on a weighted ranking of the following elements:

1. Sufficiency rating
2. Rate score
3. Estimated remaining life
4. Hearing results and
5. Any other items determined to be significant.

(b) The department shall evaluate and measure the eligibility of each proposed new bridge at a new location in the following manner:

1. Initially, in order to be considered for financing under ch. Trans 215, the length must exceed 475 feet and the estimated cost must exceed \$5 million.

2. An economic analysis must result in measurable benefits that exceed costs.

(c) Any project determined to qualify under all requirements for a finding, determination and order will be scheduled for preliminary engineering and construction within limits of available funding.

**Note:** State funding requirements over and above available dollars will be requested of the legislature with the department's biennial budget recommendation under appropriation s. 20.395 (2) (aq), Stats.

(d) Projects funded by the legislature and the local units of government as set forth in s. 84.11 (5), Stats., to June 30, 1993, or s. 84.11 (5m), Stats., after June 30, 1993, will proceed to construction.

**Note:** 1997 Wis. Act 252 repealed s. 84.11 (5), Stats.

**History:** Cr. Register, May, 1990, No. 413, eff. 6-1-90.

**Trans 215.08 Apportionment of cost.** (1) Costs shall be apportioned in accordance with the provisions of s. 84.11 (5), Stats., until June 30, 1993. Thereafter costs shall be apportioned in accordance with the provisions of s. 84.11 (5m), Stats.

**Note:** 1997 Wis. Act 252 repealed s. 84.11 (5), Stats.

(2) An agreement executed by all participating agencies prior to July 1, 1993, shall establish the apportionment of cost for the life of any project created under this chapter.

**History:** Cr. Register, May, 1990, No. 413, eff. 6-1-90.

**Trans 215.09 Local costs.** Local costs shall be established in accordance with the provisions of s. 84.11 (6), Stats.

**History:** Cr. Register, May, 1990, No. 413, eff. 6-1-90.

**Trans 215.10 Execution and control of work.** Execution and control of work shall be in accordance with the provisions of s. 84.11 (7), Stats., until June 30, 1993. Thereafter execution and control shall be in accordance with the provisions of s. 84.11 (7m), Stats.

**Note:** 1997 Wis. Act 252 repealed s. 84.11 (7), Stats.

**History:** Cr. Register, May, 1990, No. 413, eff. 6-1-90.

**Trans 215.11 Maintenance and operation.** Maintenance and operation shall be in accordance with the provisions of s. 84.11 (8), Stats.

**History:** Cr. Register, May, 1990, No. 413, eff. 6-1-90.

**Trans 215.12 Exceptions. (1)** Nothing in this section prevents construction of a local bridge under other applicable programs.

(2) Any high cost bridge project that has been approved under this chapter will cause the local entitlement under the local bridge program in ch. Trans 213 to be modified to reflect the change in status.

**History:** Cr. Register, May, 1990, No. 413, eff. 6-1-90.