Questions and Answers Regarding Implementation of 23 CFR 667: Periodic Evaluation of Facilities Repeatedly Requiring Repair and Reconstruction Due to Emergency Events.

**Q: What qualifies as a “repeatedly damaged facilities”?**

A: roads, highways, and bridges that have required repair and reconstruction activities on two or more occasions due to natural disasters or catastrophic failures resulting in emergencies declared by the Governor of the State or the President (23 CFR 667.1). For purposes of 23 CFR part 667 evaluations, a catastrophic failure is a sudden failure of a major element or segment of a road, highway, or bridge due to an external cause (23 CFR 667.3). The failure must not be primarily attributable to gradual and progressive deterioration or lack of proper maintenance (23 CFR 667.3).

**Q: Is there a maximum time gap between two disasters/catastrophic events that can be used? For example, an event in 1920 and 2020 qualify?**

A: The assessment shall include data from disaster events beginning Jan. 1st, 1997, to today.

**Q: Are any funds involved/exchanged in this program?**

A: No. Only documentation of repeatedly damaged facilities.

**Q: Who signs the compliance forms?**

A: Local Agency

**Q: Where can additional information be found about this program?**

A: DLA Program website and website links. (Coming Soon – Q4 2022 or Q1 2023)

**Q: Where can all the mentioned forms to be filled out be found?**

A: DLA Program website. (Coming Soon –Q1 2023 or Q2 2023)

**Q: Is the policy the same if a facility has been damaged multiple times by the same disaster or disasters different in nature?**

A: Yes

**Q: Is there a minimum length of roadway to use in qualifying repeatedly damaged facilities subject to the evaluation? For example, how close do two repeatedly damaged locations need to be to each other to be considered recurring damage?**

A: There is no minimum or maximum length of roadway specified. The regulation requires an identification of a reasonable alternative that will mitigate, or partially or fully resolve, the cause of the repeated damage (23 CFR 667.1 and 667.3). If two or more repeatedly damaged facilities in close proximity experience damage that is caused by a similar disaster pattern and the locations can be effectively addressed with a single reasonable alternative, then they can be considered together in the same evaluation. The decision to consider multiple repeatedly damaged facilities as a single repeatedly damaged facility can be made on a case-by-case basis. The decision should focus on an effective reasonable alternative, not simply the distance between the damaged sites.

**Q: How long after a natural disaster does 23 CFR 667 need to be followed?**

A: Table is updated after every disaster and whole table updated once every 4 years.

**Q: The root cause of the damage at a repeated disaster location has been mitigated, resolved, or partially resolved. Can I be removed off the list?**

A: Locations that have subsequent projects that are considered to have resolved the root cause of the damage may be removed from the assessment. If two or more additional occasions due to natural disasters or catastrophic failures result, the location would need to be added to the list again.