

These criteria also will be used to guide the selection of individual projects to serve the growth centers.

APPENDIX A

CRITERIA FOR SELECTION AND APPROVAL OF ECONOMIC GROWTH CENTER HIGHWAYS AND DEVELOPMENT HIGHWAY PROJECTS

I. *Requirements for Governors' submittal to the Regional Federal Highway Administrators.* In order to meet the requirements of section 143, the Secretary has established through the Federal Highway Administration and in consultation with the Secretary of Commerce and the regional commissions,¹ the following criteria that must be considered by the Governors in recommending growth centers and in establishing a priority listing:

A. *Legislative criteria for Economic Growth Center selection.* 1. Growth centers shall be geographically and economically capable of contributing significantly to the development of the surrounding areas;

2. Growth centers shall have a population not in excess of 100,000 according to the 1970 Federal Census of Population; and

3. The selection of growth centers within the Appalachian region and in the economic development region, shall take into account the purposes of the Appalachian Regional Development Act of 1965 and the Public Works and Economic Development Act of 1965.

B. *Administrative criteria for Economic Growth Center selection.* Listed below are additional criteria or guidelines to which Governors, in consultation with the State highway departments, and regional development commissions and development or planning agencies, when appropriate, shall direct their attention when recommending economic growth centers for selection. Because of the many objectives of section 143 recommended centers need not be related necessarily to any single administrative criterion. Centers could include communities with either demonstrated or potential viability.

1. In order to accomplish an effective use of the modest funds available for this program, it is suggested that State highway departments may wish to concentrate on additional projects serving centers already approved under the 1970 Act.

a. When development projects serving one or more approved growth centers are complete or nearing completion, and no further development projects to serve those centers are in progress or contemplated, the Governor may wish to recommend additional growth centers and his order of their priority.

b. If the State believes that a selected approved Economic Growth Center is to be omitted from the program, the Governor may wish to recommend a substitution center to the Regional Federal Highway Administrator.

2. In recommending additional or substitute economic growth centers, Governors shall give top priority to areas included in existing regional development programs. Consideration shall also be given to local development districts established by State and local action under the Appalachian Regional Commission.

By giving special consideration in the selection process to growth centers designated under programs which have already received or which are stated to receive additional amounts of public and private capital investments, a leverage effect on development potential will be exerted.

¹ Regional commissions refer to the Appalachian Regional Commission and the commissions established under Title V of the Public Works and Economic Development Act of 1965.

3. Communities or centers also may be recommended for selection even though they are not included in ongoing regional development programs if they offer possibilities for growth through natural resource development or other industrial or commercial activities. Prospective growth centers possessing the following attributes will merit special consideration because of demonstrated viability:

a. Centers, which provided during the past decade, or in a more recent period, significant employment and residence opportunity for residents from nearby or surrounding rural counties.

b. Centers or communities which have been growing in a relative sense to the surrounding area or region; i.e., centers which, in a more recent period, evidenced high average wage levels, faster population and/or employment growth relative to surrounding rural counties and/or the region.

c. Communities which evidence potential viability based on private and public plans and data submitted, also may be recommended. It is conceivable that some communities may have shown little or even no growth over the past decade, but have definitely served an important function as a service and employment center for the surrounding rural areas and have inherent but untapped growth potential. Had this role not been played by the recommended center, the surrounding counties, though possibly stagnant during recent decades, might have suffered even further decline in economic performance. If such a role will likely continue into the future, or if prospects are favorable for future growth because of industry location plans and governmental investment, such communities may be recommended as economic growth centers. Data on such further prospects should be forwarded by the respective Governors in conjunction with data on boundaries of operationally defined service or trade areas, measured, perhaps, by newspaper routes, commuting patterns, or labor market boundaries.

Selection of centers of demonstrated viability and others of potential viability is not inconsistent. Section 143 has established a development program with many differing objectives. Therefore, various mixes or types of projects must be developed to determine what the incremental impacts of highway investments on development are under differing circumstances.

d. The amount of industry diversification in the community is an important factor. The diversification of the economic base of an area as measured by the proportion of the work force employed in manufacturing and service industries relative to total employment may be integrally related to the ability to support future growth. This can include also communities which are viable because of health, tourist, and environment activities.

e. The availability of alternative transportation systems including publicly owned airport and waterport facilities in existence or which might be established to service the center.

f. Other indicators of the capability of proposed growth centers include, but are not limited to:

- (1) Availability of adjacent land suitable for industrial commercial development;
- (2) Adequate water resources for human, industrial, and commercial consumption;
- (3) Utilities, schools, and other public services adequate to meet the community's current and future needs.

4. Consideration should be given to new towns or communities in rural settings. Such communities may also be eligible for financial and other assistance for highway projects the Department of Housing and Urban

Development under section 710 of the Housing and Urban Development Act of 1970. Additionally, newly developed communities may be used for the testing and development of technological, physical, and institutional innovation applicable to other communities and areas. New towns which are satellite or bedroom communities of metropolitan areas are not the types of communities to which this legislation is addressed.

C. *Other requirements.* 1. Those centers with 50,000 or more population proposed as growth centers under provisions of this legislation shall meet the requirements for urban transportation planning specified in section 134, Title 23, U.S. Code.

2. When recommending centers for approval, Governors should submit summaries of any formal private or public plans related to the economic and social development of a proposed growth center and surrounding areas, if these have been developed. The availability of such a plan is not mandatory, although existence of a formal economic development planning process indicates the extent of the community's and regional interest in development.

When such plans are unavailable, Governors shall submit relevant social and economic data to support their rationale for selection. Such data should illustrate the present condition of the center and target areas, major impediments to development; present intermodal transportation facilities and their linkages to the growth center, markets, the rural hinterland, and the overall transportation network; and the possible impact upon the area and region resulting from more adequate transportation connections. Estimates of the expected impact of the highway program in conjunction with public and private programs are important in determining priorities for growth center selection, and in approval of such centers by the Secretary for highway projects.

II. *Approval of Economic Growth Centers.* The Regional Federal Highway Administrator will approve economic development growth centers. However, highway projects to serve these centers shall be approved by the division engineer, in consultation with the regional planning engineer, as is the case with other Federal Highway Administration highway programs.

[FR Doc. 74-22585 Filed 9-27-74; 8:45 am]

SUBCHAPTER G—ENGINEERING AND TRAFFIC OPERATIONS

PART 620—ENGINEERING

Highway Improvements in the Vicinity of Airports

Chapter I of Title 23, Code of Federal Regulations is amended by adding a new subpart A—*Highway Improvements in the Vicinity of Airports* to Part 620—*Engineering*.

Policy and Procedure Memorandum 20-13, which contains FHWA requirements for highway improvements in the vicinity of airports, has been incorporated in the Federal-Aid Highway Program Manual. Regulatory portions of this directive are hereby published.

General notice of proposed rulemaking is not required since the material published relates to grants, benefits or contracts pursuant to 5 U.S.C. 553(a)(2). The regulations will become effective on the date of issuance.

Issued on September 23, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

Subpart A—Highway Improvements in the Vicinity of Airports

Sec.	
620.101	Purpose.
620.102	Applicability.
620.103	Policy.
620.104	Standards.

AUTHORITY: 23 U.S.C. 315 and 318; 49 CFR 1.48; 23 CFR 1.32.

Subpart A—Highway Improvements in the Vicinity of Airports

§ 620.101 Purpose.

The purpose of this section is to implement Title 23 United States Code, section 318 which requires coordination of airport and highway developments to insure (a) that airway-highway clearances are adequate for the safe movement of air and highway traffic, and (b) that the expenditure of public funds for airport and highway improvements is in the public interest.

§ 620.102 Applicability.

The requirements of this section apply to all projects on which Federal-aid highway funds are to be expended and to both civil and military airports.

§ 620.103 Policy.

(a) Federal-aid highway funds shall not participate in the costs of reconstruction or relocation of any highway to which this section applies unless the Federal Highway Administration (FHWA) and State officials, in cooperation with the Federal Aviation Administration (FAA) or appropriate military authority, or in the case of privately owned airports, the owner of that airport, determine that the location or extension of the airport in question and the consequent relocation or reconstruction of the highway is in the public interest.

(b) In addition to complying with 23 U.S.C. 318 and insuring the prudent use of public funds, it is the policy of FHWA to provide a high degree of safety in the location, design, construction and operation of highways and airports.

(c) Federal-aid funds shall not participate in projects where substandard clearances are created or will continue to exist.

§ 620.104 Standards.

A finding of public interest by FHWA will be based on compliance with airway-highway clearances which conform to FAA standards for aeronautical safety.

[FR Doc.74-22587 Filed 9-27-74; 8:45 am]

PART 625—DESIGN STANDARDS FOR FEDERAL-AID HIGHWAYS

Specifications, Policies and Guides

A Federal-aid to Highways directive of long-standing (PPM 40-2) has set forth standards, specifications, policies, and guides that are acceptable to the Federal Highway Administration for application in the geometric and structural design and traffic control features of Federal-aid highway projects. The directive has been revised for inclusion in the Federal-Aid Highway Program Manual. Inasmuch as portions of the Manual addition impose an obligation on States which

must be complied with to obtain Federal assistance, those portions are hereby published.

This regulation converts Policy and Procedure Memorandum 40-2 on Design Standards for Federal-aid Projects to Part 625 of 23 CFR Chapter 1.

Since the matters affected relate to grants, benefits, or contracts within the purview of 5 U.S.C. 553(a)(2), general notice of proposed rulemaking is not required.

This regulation will be effective on the date of issuance as set forth below.

Sec.	
625.1	Purpose.
625.2	Definitions.
625.3	Standards, Specifications, Policies, and Guides.
625.4	Approvals.

APPENDIX A—DOCUMENTS CITED IN PART 625

AUTHORITY: 23 U.S.C. 109 (a) through (e).

§ 625.1 Purpose.

This part designates those standards, specifications, policies, and guides that are acceptable to the Federal Highway Administration (FHWA) for application in the geometric and structural design and traffic control features of Federal-aid highway projects.

§ 625.2 Definitions.

(a) Highway design standards and specifications are those design principles and dimensions derived from basic engineering knowledge, experience, research, and judgment that are officially designated and adopted by highway authorities as the specific controls for design of highways.

(b) Highway design policies are general procedures and controls which are less specific than design standards, often with a range of acceptable values, and which are officially adopted or accepted for application in the design of highways.

(c) Highway design guides include information and general controls that are more flexible and indefinite than policies but which are valuable in attaining good design and in promoting uniformity.

§ 625.3 Standards, specifications, policies and guides.

The following standards and specifications, policies and guides are approved by the FHWA for application on Federal-aid projects.¹

(a) *Standards and specifications.* (1) Geometric Design Standards for Highways Other than Freeways, AASHTO 1969.²

(2) Geometric Design Standards for the National System of Interstate and Defense Highways, AASHTO 1967.²

(3) Geometric Design Guide for Local Roads and Streets, AASHTO 1970.² The minimum values therein will be applied to determine the acceptability of low volume roads and streets except that approval is not to be given for design speeds less than 30 mph or for retention of bridges having less than approach-traveled way width.

(4) Manual on Uniform Traffic Control Devices for Streets and Highways, FHWA 1971.³

(5) Recommended Practices for Railroad-Highway Grade Crossing Warning Systems, Bulletin No. 7. Association of American Railroads, 1974.⁴

(6) Standard Specifications for Highway Bridges, Eleventh Edition, AASHTO 1973, as amended.²

(7) Standard Specifications for Movable Highway Bridges, AASHTO 1970.²

(8) Specifications for Design and Construction of Structural Supports for Highway Signs, AASHTO 1968.²

(9) Specifications for the Design and Construction of Structural Supports for Highway Luminaires, AASHTO 1970, as amended.²

(10) Standard Specifications for Welding of Structural Steel Highway Bridges, AASHTO 1974.²

(b) *Policies.* (1) A Policy on Geometric Design of Rural Highways, AASHTO 1965.²

(2) A Policy on Design of Urban Highways and Arterial Streets, AASHTO 1973.²

(3) A Policy on Locating Police Stations and Maintenance Yards Serving Interstate Highways, AASHTO 1959.²

(4) A Policy on the Accommodation of Utilities on Freeway Rights-of-Way, AASHTO 1969.²

(5) A Policy on U-Turn Median Openings on Freeways, AASHTO 1960.²

(6) A Policy on Access Between Adjacent Railroads and Interstate Highways, AASHTO 1960.²

(7) A Policy on Design Standards for Stopping Sight Distances, AASHTO 1971.²

(c) *Guides.* (1) Highway Definitions, AASHTO 1968.²

(2) Highway Design and Operational Practices Related to Highway Safety, Report of the Special AASHTO Traffic Safety Committee, AASHTO 1974.²

(3) A Guide for Bicycle Routes, AASHTO 1974.²

(4) Guide Specifications for Highway Construction, AASHTO 1972.²

(5) Highway Drainage Guidelines, Volumes I, II, and III, AASHTO 1973.²

(6) Highway Barriers, NCHRP Report 118—Location Selection and Maintenance of Highway Traffic Barriers, Highway Research Board (HRB) 1971.⁵

(7) Interim Guide for Design of Pavement Structures, AASHTO 1972.² Pavement design may be based upon procedures and practices of individual agencies that by past performance have proved satisfactory for the pertinent conditions; however, the Federal Highway Administration will use this guide to evaluate the adequacy of the design proposed.

(8) A Guide for Highway Landscape and Environmental Design, AASHTO 1970.²

(9) A Guide on Safety Rest Areas for the National System of Interstate and Defense Highways, AASHTO 1968.²

(10) An Informational Guide for Roadway Lighting, AASHTO 1969.²

(11) A Guide for Accommodating Utilities of Highway Rights-of-Way, AASHTO 1969.²

See footnotes on p. 33146.

(12) A Guide for Erecting Mailboxes on Highways, AASHO 1969.²

(13) A Guide for Protective Screening of Overpass Structures, AASHO 1969.²

(14) An Informational Guide on Fencing Controlled Access Highways, AASHO 1967.²

(15) An Information Guide for Preparing Private Driveway Regulations for Major Highways, AASHO 1960.²

(16) Highway Capacity, Special Report 87, Highway Capacity Manual, HRB 1965.²

(17) Handbook of Highway Safety Design and Operating Practices, FHWA 1973.²

§ 625.4 Approvals.

(a) Approval may be given to project plans, specifications and estimates that are found to be in conformance with the standards and specifications, policies and guides as enumerated in § 625.3.

(b) Exceptions. Approval may be given to designs on a project basis which do not conform to the minimum criteria set forth in the standards and policies listed in § 625.3 (a) and (b) under the following conditions:

(1) Projects for the highway safety improvement program;

(2) Projects involving experimental features; and

(3) Other projects where unusual conditions warrant that exception be made.

The determination to approve a project design that does not conform to the minimum criteria is to be made only after due consideration is given to all project conditions such as maximum service and safety benefits for the dollar invested, compatibility with remaining sections of unimproved roadway, and the probable time before reconstruction of the section due to increased traffic demands. Projects which include provisions to retain angle parking may be approved if an engineering analysis shows that such parking will not create a hazardous condition and restrict the usable roadway section so as to impede traffic flow.

(c) The Guides are not project requirements and no specific approval for deviations from the guides is required.

Issued on: September 23, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

[FR Doc. 74-22671 Filed 9-27-74; 8:45 am]

APPENDIX A—DOCUMENTS CITED IN PART 625

¹ These documents may be reviewed at the Department of Transportation Library, Room 2200, DOT Headquarters Building, 400-7th Street SW., Washington, D.C. 20590.

² American Association of State Highway and Transportation Officials, 341 National Press Building, Washington, D.C. 20045.

³ Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402.

⁴ Association of American Railroads, American Railroads Building, Washington, D.C. 20036.

⁵ Transportation Research Board, National Academy of Sciences, 2101 Constitution Avenue NW., Washington, D.C. 20418.

PART 633—REQUIRED CONTRACT PROVISIONS

A Federal-aid to highways directive (PPM 23-3) has heretofore set forth the provisions which must be included in Federal-aid contracts for Appalachian projects in order that such projects would be eligible for Federal-aid pursuant to the Appalachian Regional Development Act of 1965, as amended, and Title 23, United States Code. The directive has been revised for addition to the Federal-Aid Highway Program Manual. Inasmuch as portions of the Manual addition impose an obligation on States which must be complied with to obtain Federal assistance, those portions are hereby published.

The matters affected relate to grants, benefits, or contracts within the purview of 5 U.S.C. 553(a) (2), therefore, general notice of proposed rulemaking is not required.

Issued on September 23, 1974.

NORBERT T. TIEMANN,
Federal Highway Administrator.

Part 633 of Title 23 is amended by adding Subpart B as follows:

Subpart B—Federal-Aid Contracts (Appalachian Contracts)

Sec.	Purpose.
633.201	Definitions.
633.202	Applicability of existing laws, regulations, and directives.
633.203	Fiscal allocation and obligations.
633.204	Prefinancing.
633.205	Project agreements.
633.206	Construction labor and materials.
633.207	Maintenance.
633.208	Notices to prospective Federal-aid construction contractors.
633.209	Termination of contract.
633.210	Implementation of Clean Air Act.

Appendix A—Types of contracts to which the Civil Rights Act of 1964 is applicable.

Appendix B—Required contract provisions, Appalachian Development Highway System and local access road construction contracts.

Appendix C—Additional required contract provisions, Appalachian Development Highway System and local access roads contracts other than construction contracts.

Appendix D—Notices to prospective Federal-aid construction contractors.

AUTHORITY: 40 U.S.C. App. 201, 402; 23 U.S.C. 315; 49 CFR 1.48(b) (35).

Subpart B—Federal-Aid Contracts (Appalachian Contracts)

§ 633.201 Purpose.

The purpose of the regulations in this subpart is to establish policies and outline procedures for administering projects and funds for the Appalachian Development Highway System and Appalachian local access roads.

§ 633.202 Definitions.

(a) The word "Commission" means the Appalachian Regional Commission (ARC) established by the Appalachian Regional Development Act of 1965, as amended (Act).

(b) The term "division engineer" means the chief Federal Highway Administration (FHWA) official assigned to conduct FHWA business in a particular State.

(c) The term "Stage 2 project" means a project for which a State highway department has requested approval by FHWA, and reservation of available Federal-aid funds.

§ 633.203 Applicability of existing laws, regulations, and directives.

The provisions of Title 23, United States Code, that are applicable to the construction and maintenance of Federal-aid primary and secondary highways, and which the Secretary of Transportation determines are not inconsistent with the Act, shall apply, respectively, to the development highway system and the local access roads. In addition, the Regulations for the Administration of Federal-aid for Highways (Title 23, Code of Federal Regulations) and directives implementing applicable provisions of Title 23, United States Code, where not inconsistent with the Act, shall be applicable to such projects.

§ 633.204 Fiscal allocation and obligations.

(a) Federal assistance to any project under the Act shall be as determined by the Commission, but in no event shall such Federal assistance exceed 70 per centum of the cost of such a project.

(b) The division engineer's authorization to proceed with the proposed work under a stage 2 project shall establish obligation of Federal funds with regard to a particular project.

§ 633.205 Prefinancing.

(a) Under the provisions of subsection 201(h) of the Act, projects located on the Appalachian Development Highway System including preliminary engineering, right-of-way, and/or construction may be programed and advanced with interim State financing.

(b) Program approvals, plans, specifications, and estimates (PS&E) approval, authorizations to proceed, concurrence in award of contracts, and all other notifications to the State of advancement of a project shall include the statement, "There is no commitment or obligation on the part of the United States to provide funds for this highway improvement. However, this project is eligible for Federal reimbursement when sufficient funds are available from the amounts allocated by the Appalachian Regional Commission."

§ 633.206 Project agreements.

(a) Project agreements executed for projects under the Appalachian program shall contain the following paragraphs:

(1) "For projects constructed under section 201 of the Appalachian Regional Development Act of 1965, as amended, the State highway department agrees to comply with all applicable provisions of said Act, regulations issued thereunder, and policies and procedures promulgated