

Implementation of MAP-21 Uniform Act Benefit and Eligibility Change (August 2014)

The purpose of the following information is to provide guidance concerning the October 1, 2014 effective date for several of the amendments to the Uniform Act in Section 1521 of the Moving Ahead for Progress in the 21st Century Act (MAP-21). The following changes will be effective on October 1, 2014:

- Amend the maximum statutory benefit for replacement housing payments for displaced homeowners to \$31,000 and the replacement housing payment for displaced tenants to \$7,200
- Reduce the length of occupancy requirement for homeowners from 180 days to 90 days in occupancy from the initiation of negotiations
- Amend the maximum statutory benefit for business reestablishment to \$25,000 (not applicable since Washington state's statutory limit is already \$50,000) and the fixed payment for nonresidential moves to \$40,000

The changes will be implemented in the following manner:

- 90 Day eligibility standard – will apply whenever the initiation of negotiations with a homeowner occurs on or after October 1, 2014
- New benefit amounts application - on and after October 1, 2014, the higher benefit limits apply to an individual who qualifies as a displaced person.
 - Projects that straddle October 1, 2014 where negotiations have occurred for some parcels before the October 1st date but relocation assistance activities may not be completed until sometime after October 1st –
 - Residential Homeowners – on or after October 1, 2014, the displaced person hold title to the real property to be acquired
 - Residential Tenants and Non-Residential Occupants – individual is not required to move from the acquired property before October 1, 2014, and has not moved before that date

It is important to understand that displaced persons on a project will not all be paid the new benefit amounts as there is no flexibility to go back and apply the new benefit levels to the entire project that was started prior to the effective date of October 1, 2014 unless it fits the criteria stated above. This is because the federal changes are statutory requirements. Back in 2005 the changes were regulatory so when implementing we had to be consistent with the entire project.

FHWA is in the process of issuing a Notice of Proposed Rulemaking that will incorporate the MAP-21 statutory changes into 49 CFR Part 24. They are hoping to have it published and ready for comment in the next few months. In the interim, the official [FHWA Guidance Implementation of MAP 21](#) and PowerPoint presentation [Guidance on October 1, 2014 Effective Date](#) are available.

Note: When you open the PowerPoint Presentation, starting the slide show will allow you to use the “Guidance and FHWA Contacts” active links on the last slide.

Chapter 12 of the ROW Manual will reflect the new benefit limits and eligibility standard in our October 2014 update. WSDOT is moving forward with changes to state law (RCW 8.26) this upcoming legislative session and we are currently working through revisions to WAC 468-100.

Additional FHWA MAP-21 Resources:

- MAP21 Main page - <http://www.fhwa.dot.gov/map21/>
- Guidance Page - <http://www.fhwa.dot.gov/map21/guidance/>
- Questions & Answers Page <http://www.fhwa.dot.gov/map21/qandas/qauniformact.cfm>

Thanks and please let your Local Agency Coordinator know if you have any questions.