

I-95 Overpass Collapse in Philadelphia and the Federal Response

June 12, 2023

On June 11, 2023, a tanker truck, reportedly carrying a petroleum-based product, crashed and burned under an Interstate 95 (I-95) overpass in Philadelphia. The [crash and resulting fire](#) caused a segment of the northbound lanes to collapse and the adjacent southbound lanes to be weakened to the point that they are considered structurally unsound. Travel on the route has been shut down, and the damaged area is expected to be out of service for months. The I-95 overpass collapse and the availability of federal funding for both emergency and permanent repairs may be of interest to Congress.

The Expected Impacts on Travel

The fire damaged I-95 between exits 30 and 32 in Philadelphia, with the highway closed to traffic in both directions. According to officials of the Pennsylvania Department of Transportation (PennDOT), the damaged part of I-95 is one of the most heavily traveled routes in the state, with around [160,000 vehicles per day](#). Other roads near the incident site may also be affected to facilitate emergency response and reconstruction activities. [Detours for local and long-distance travelers have been established](#) by PennDOT in cooperation with the City of Philadelphia. The Southeastern Pennsylvania Transportation Authority (SEPTA) has added [extra service on several rail lines](#) to mitigate travel problems to and through the city, and complimentary parking has been made available at [three extra stations](#). SEPTA has also rerouted several bus lines because of the road closures.

The Federal Highway Administration's Emergency Relief Program

The U.S. Department of Transportation (DOT) provides federal assistance for disaster-damaged roads or catastrophic road or bridge failures due to an external cause through the [Emergency Relief \(ER\) Program \(23 U.S.C. §125\)](#) administered by the Federal Highway Administration (FHWA). Because the I-95 overpass collapse was a catastrophic failure from an external source, the ER program is the likely source of federal funding. Although the ER program receives a \$100 million permanent annual authorization

Congressional Research Service

<https://crsreports.congress.gov>

IN12175

from the Highway Trust Fund, most of its funding is provided via supplemental appropriations, the most recent being the \$803 million provided in the Consolidated Appropriations Act of 2023 (P.L. 117-328).

As is true with most federally funded highway projects, although most of the funding is federal, the projects are administered by state departments of transportation. This federal-state partnership facilitates a close working relationship between state officials and the FHWA field office (there is one in every state). Following a [disaster declaration](#) by either the governor or the President, the state files a letter of intent to apply for ER funding with FHWA. Only repairs on federal-aid highways, such as I-95, that have suffered damage during a declared disaster or catastrophic failure are eligible for ER assistance. Local governments seeking aid may not apply directly to FHWA for ER funds and must apply through PennDOT.

The [ER program](#) divides all repair work into two categories: emergency repairs and permanent repairs. ER funds can also be used for the costs of public transportation providing temporary substitute highway traffic service.

State transportation officials can begin emergency repairs during or immediately after a disaster or catastrophic failure to meet the program goals to “[restore essential traffic, to minimize the extent of damage, or to protect the remaining facilities](#).” If the work is done within 270 days of the disaster or catastrophic failure, then the emergency repair work is eligible for a 100% federal share. Immediately after a disaster event, FHWA uses “quick release” allocations, which are intended as a “down payment” to immediately provide funds for emergency operations based on preliminary assessments of damage until the standard application may be submitted and approved.

Permanent repairs go beyond the restoration of essential traffic and are intended to restore damaged bridges and roads to conditions and capabilities comparable to those before the event. Current law generally limits the total cost of an ER project to the cost of repair or reconstruction of a comparable facility, but there are exceptions for resilience features. Permanent repairs must meet bidding requirements, although the program has a number of techniques it uses to accelerate project completion. Permanent repairs are generally funded through periodic nationwide ER allocations. Generally the federal share for permanent repairs is 90% for Interstate highways and 80% for other federal-aid highways.

In addition to ER spending, the state may spend from other federal funds for further improvements or capacity enhancements beyond reconstruction of a comparable facility.

A number of actions could be of interest to Congress. If the cost of the reconstruction of I-95 is estimated to be extraordinarily expensive, Congress might consider providing additional funds directed to the repairs. Congress can do this through annual appropriations legislation or via a stand-alone bill, as was done for the [Minneapolis I-35W bridge](#) reconstruction. Congress might also consider raising the federal share for the I-95 permanent repairs to 100%. Congress will have oversight of the federal response to the I-95 overpass collapse as it unfolds.

Author Information

Robert S. Kirk
Specialist in Transportation Policy

William J. Mallett
Specialist in Transportation Policy

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.