



Jul 15, 2025

Categories:

[Publications](#)

Authors:

[Daniel T. Shackle](#)

Changes in Indiana's Road and Bridge Maintenance Allocations

On May 1, 2025, Indiana Governor Mike Braun signed into law House Enrolled Act 1461-2025 ("HEA 1461"). Sections 8-11 of HEA 1461 introduce new requirements for expending funds on road maintenance, effective after June 30, 2026. This includes a new calculation to determine if a unit is required to perform road maintenance. Also, Sections 20-22 of HEA 1461 redefine the units responsible for the construction, reconstruction, maintenance, and inspection of bridges.

Road Maintenance Funding Requirements

Who Is Impacted?

This new law applies to:

- **Counties:** All counties, excluding those containing a consolidated city, which use the pavement surface evaluation and rating system (PASER)^[1]; and
- **Municipalities:** All municipalities, excluding consolidated cities, which use the PASER rating system.

Funding Allocation Requirements

- **Counties**
 - Beginning after June 30, 2026, counties with an average PASER rating of at least 6 and no more than 15% of highways in failed condition (PASER rating of 1 or 2) shall use at least 40% of the money distributed from the motor vehicle highway account for highway construction, reconstruction, and preservation, instead of the previous allocation found in Indiana Code (I.C.) 8-14-1-4.
- **Municipalities**

- Beginning after June 30, 2026, municipalities with an average PASER rating of at least 6 and no more than 15% of highways in failed condition (PASER rating of 1 or 2) shall use at least 40% of the money distributed from the motor vehicle highway account for highway construction, reconstruction, and preservation, instead of the usual allocation found in I.C. 8-14-1-5.

- **Statewide Asset Management Database**

- - \$250,000 will be allocated annually from the motor vehicle highway account to develop and maintain the centralized electronic statewide asset management database for local road conditions.
 - The Indiana Department of Transportation, in coordination with Purdue University, will administer a PASER certification program and a quality assurance program for PASER data.

Bridge Responsibility Changes

Who Is Impacted?

This new law applies to:

- All counties who are not “eligible counties” under I.C. 8-16-3.1-1^[2] and have not adopted a major bridge fund under I.C. 8-16-3.1-4; and
- Municipalities.

Responsibility Allocation

- Applicable counties are responsible for the construction, reconstruction, maintenance, and inspection of bridges that:
 - Are located in the county;
 - Have a span length greater than 20 feet;
 - Are not part of the state highway system; and

- Were either inspected by the county before Jan. 1, 2024, or added to the county inventory after Dec. 31, 2024.
- Municipalities are responsible for the construction, reconstruction, and maintenance of bridges that:
 - Are located within the corporate limits of the municipality;
 - Have a span length equal to or less than 20 feet; and
 - Are not part of the state highway system.

What the New Law Means

HEA 1461 imposes new responsibilities on counties, cities, and towns regarding allocations for road and bridge maintenance. Starting July 1, 2025, all impacted entities must begin collecting this information and ensure compliance with the new funding allocation requirements.

For more information on these new requirements, please contact the author or any attorney with Frost Brown Todd's [Government Services Practice Group](#).

****[Lauren Kirchner](#), a first-year law student at Indiana University Robert H. McKinney School of Law, contributed to this article while working as a summer associate at Frost Brown Todd.***

[\[1\]](#) PASER refers to the pavement surface evaluation and rating system used as a part of a transportation asset management plan submitted to the local technical assistance program at Purdue University.

[\[2\]](#) Eligible counties include counties that have a population between 100,000 and 700,000 and have a major obstruction between commercial or population centers that is capable of causing an economic hardship because of excess travel required to conduct a normal level of commerce between the two centers. The major obstruction cannot be part of a county or state boundary.

© 2026 FBT Gibbons LLP. May be considered attorney advertising in some jurisdictions.