

Transportation Enhancement Program

Public Art Funding Policy

Public Art is defined as works of art that have been planned and executed with the specific intention of being sited or staged in the physical public domain and accessible to all. Public art is designed for a specific site and includes community involvement and collaboration. Public art can be free-standing or part of a structure and includes, but is not limited to: sculptures, murals, lighting effects, landscaping, street furniture, paving, railings and signs, in any media.

Public Art funded by the Transportation Enhancement Program (TEP) in Maryland must be:

- Eligible for TEP funding under the FHWA guidance for the TEP, usually the Landscaping and Other Scenic Beautification category. This includes being a portion of an approved TEP project that qualifies under one of the twelve categories,
- Located on a public roadway functionally classified as a collector or higher or within a structure or site that is eligible for TEP funding in Maryland. This would include, but not be limited to, transit stations, historic train stations and Transit Oriented Development areas.
- Reviewed and approved by the State Highway Administration's (SHA) Office of Traffic and Safety for surface and other details, supports, electrical details for lighting or retro-reflectivity, landscaping, irrigation, and other pertinent design elements.
- Reviewed and approved by the Maryland Public Art Commission (MPAC) for aesthetic value.
- Reviewed and approved by a qualified materials conservator or object conservator to ensure construction utilizes long lasting and compatible materials. Conservation professionals may be found on the Maryland Historical Trust website at http://mht.maryland.gov/consultant_directory.html. Look for an Object Conservator or Materials Conservator who has included sculpture conservation in the SPECIALTIES/PRODUCTS/SERVICES section of the directory. Conservation professionals also may be found on the website for the American Institute for Conservation: <http://www.conservation-us.org/>. Select "Find a Conservator." Please submit credentials of the conservator who reviews the application with your application.

General provisions

- All TEP project requests, including those that include public art, must adhere to the same federal and state rules, regulations, and policies required of all TEP projects. Some of these include:
 - A minimum estimated total project cost of \$100,000. Funding smaller projects is not cost effective for the sponsor or the state due to increased costs and added time required for compliance with federal and state procedures.
 - Public advertisement of project activities, including the design and execution of public art. Artists or art work hired or designed without SHA written approval to proceed are not eligible for reimbursement.
- Projects that improve existing transportation facilities by retrofitting aesthetic improvements such as landscaping, which may include public art, will be considered.
- Projects funded by the TEP that include public art may include landscaping and lighting.
- Requests must include a maintenance plan from the project sponsor with the application. The plan must include details on how the public art will be maintained in good condition and address potential removal and restoration of the original facility.

SHA and MPAC will not maintain TEP projects. This includes any associated public art.

- Locations along a state highway must be approved by SHA's Office of Traffic and Safety, and the Maryland Transit Administration where applicable, prior to requesting funding. These approvals must be included as part of the submitted application.
- If the funded public art is removed or substantially modified in less than twenty-five years, a portion of the federal funds may need to be reimbursed to FHWA.

Some important considerations for projects that include public art

- Public participation in designer and/or design selection should be included.
- Design selected should be sensitive to the concerns of the community.
- Public participation in the execution/construction of the work should be strongly considered. This results in a greater sense of community ownership.