

99400029017000

Heruntergeladen am 04.07.2025

<https://fimportal.de/xzufi-services/2719/L100042>

Modul	Sachverhalt
Leistungsschlüssel	99400029017000
Leistungsbezeichnung I	
Leistungsbezeichnung II	Municipal road construction and road maintenance; approval and payment of lump-sum allocations
Typisierung	4 - Land: Regelung
Quellredaktion	Bayern
Freigabestatus Katalog	unbestimmter Freigabestatus
Freigabestatus Bibliothek	unbestimmter Freigabestatus
Begriffe im Kontext	
Leistungstyp	
Leistungsgruppierung	
Verrichtungskennung	
SDG-Informationsbereich	
Lagen Portalverbund	
Einheitlicher Ansprechpartner	
Fachlich freigegeben am	19.03.2025

Modul	Sachverhalt
Fachlich freigegeben durch	Bayerisches Staatsministerium der Finanzen und für Heimat (Bavarian State Ministry of Finance and Regional Identity)
Handlungsgrundlage	https://www.gesetze-bayern.de/Content/Document/BayFAG https://www.gesetze-bayern.de/Content/Document/BayFAG https://www.gesetze-bayern.de/Content/Document/BayFAGDV02 https://www.gesetze-bayern.de/Content/Document/BayFAGDV02 https://www.gesetze-bayern.de/Content/Document/BayStrWG https://www.gesetze-bayern.de/Content/Document/BayStrWG http://bundesrecht.juris.de/fstrg/ http://bundesrecht.juris.de/fstrg/
Teaser	The Free State of Bavaria supports the Bavarian cities, municipalities and districts in financing the construction and maintenance of their roads by granting lump-sum road maintenance grants.
Volltext	<p>The maintenance of municipal and district roads, which also includes winter road maintenance, is fundamentally a municipal task. The Free State of Bavaria supports the district municipalities, independent cities and districts in financing the costs of maintaining the municipal roads under their road construction responsibility by granting lump-sum allocations in accordance with the Bavarian Financial Equalization Act (BayFAG - Act on Financial Equalization between the State, Municipalities and Associations of Municipalities). These can also be used to finance the construction or expansion of these municipal roads. Since 2011, the maintenance allowances have been granted as fixed amounts regardless of revenue and road length, as the source of funding has also been structured as a non-dynamized fixed amount since the transfer of revenue sovereignty for motor vehicle tax from the federal states to the federal government on 1 July 2009 (motor vehicle tax replacement association). On January 1, 2015, the amount of all fixed amounts was reviewed (revision) and the road maintenance flat</p>

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rates were updated taking into account the results of this revision. The amount of the annual lump-sum allocations is also based on the funds made available for this purpose in the budget.

A distinction is made between the following annual road maintenance lump sums:

1. benefits in accordance with Art. 13a BayFAG

These are paid to municipalities that

a) are responsible for road construction in accordance with the provisions of the Federal Trunk Roads Act or the Bavarian Roads and Paths Act for local thoroughfares in the course of federal or state roads and therefore also have increased maintenance costs or

b) had more than 5,000 inhabitants on June 30, 2009 and had not chosen any allocations in accordance with Art. 13b Para. 2 Sentence 1 in the version valid until December 31, 2010 by June 30, 2011.

With the abolition of the revenue sovereignty for motor vehicle tax with the federal states in 2009, the previous link to the local motor vehicle tax revenue of the municipality concerned was no longer possible for allocations under Art. 13a BayFAG. Since 2011, the recipients of benefits under Art. 13a BayFAG have therefore received lump-sum allocations in the form of a fixed amount based on the average of the benefits received in the years 2008 to 2010 under Art. 13a BayFAG and taking into account the result of the revision carried out on January 1, 2015 and the funds made available in the state budget. The fixed amounts can therefore be continued at the previous year's level in 2025.

2. district road lump sums in accordance with Art. 13b Para. 1 Sentence 1 BayFAG

The districts receive lump-sum allocations for the construction or expansion and maintenance of their district roads based on the allocations granted to them

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in 2016 for the year 2016. The amount of these lump-sum fixed amounts takes into account both the result of the revision carried out on January 1, 2015 and the amount of funds made available in the state budget. The fixed amounts can therefore be continued at the previous year's level in 2025.

3. Road maintenance grants in accordance with Art. 13b Para. 2 BayFAG

These are lump-sum state payments for the maintenance of municipal roads (municipal link roads and local roads). The funds may also be used for the construction or expansion of these municipal roads. Recipients are municipalities that do not meet the requirements of Art. 13a BayFAG. The result of the revision carried out on January 1, 2015 and the amount of funds made available in the state budget also form the basis for determining the amount of these road maintenance lump sums. The fixed amounts can therefore be continued at the previous year's level in 2025.

4. winter road maintenance lump sums from funds under Art. 13c Para. 1 BayFAG

Since 2008, towns, municipalities and rural districts that are subject to above-average winter road maintenance costs due to climatic conditions have received lump-sum supplements to their road maintenance lump sums in accordance with Art. 13a and Art. 13b BayFAG from funds under Art. 13c Para. 1 BayFAG. Further details and the group of recipients can be found on the website of the State Ministry of Finance and Home Affairs (see "Further links"). The road maintenance lump sums in accordance with Art. 13a and Art. 13b BayFAG were structured as fixed amounts with the Bavarian Financial Equalization Amendment Act 2011. In order to achieve equal treatment with the handling of these road maintenance lump sums, the amount of the winter maintenance lump sums in the years 2012 ff. was based on the amount of the lump sum granted in 2011.

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In 2015, the winter road maintenance lump sums, which are designed as fixed amounts, were adjusted in accordance with the result of the review of the fixed amounts carried out on January 1, 2015 for the road maintenance lump sums in accordance with Art. 13a and Art. 13b BayFAG. In 2025, the winter road maintenance lump sums can be continued at the level of the previous year.

Erforderliche Unterlagen

Voraussetzungen

If a Bavarian local authority fulfills the requirement stated in the description, it will receive the applicable benefit ex officio in accordance with Art. 13a, 13b Para. 1 or 2 BayFAG and, if applicable, lump-sum winter road clearance costs from funds under Art. 13c Para. 1 BayFAG.

Kosten

Verfahrensablauf

It is not necessary to apply for benefits in accordance with Art. 13a, 13b Para. 1 and 2 BayFAG or winter road maintenance allowances from funds under Art. 13c Para. 1 BayFAG.

Due to an amendment to Section 22 of the Bavarian Financial Equalization Act Implementation Ordinance (FAGDV), the annual road maintenance and winter road clearance lump sums to be granted in accordance with Art. 13a, 13b Para. 1 and 2 BayFAG and Art. 13c Para. 1 BayFAG have been determined and approved ex officio by the State Statistical Office since the beginning of 2025.

Payment by the Free State is made for

- benefits pursuant to Art. 13a and Art. 13b Para. 1 BayFAG, including any winter road maintenance allowances granted as supplements thereto, on March 15, June 15, September 15 and December 15 in quarterly installments and
- in the case of road maintenance grants pursuant to Art. 13b Para. 2 BayFAG, including any lump-sum winter maintenance allowances granted as supplements thereto, in one amount on June 15.

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Bearbeitungsdauer	
Frist	
weiterführende Informationen	http://www.bestellen.bayern.de/shoplink/06006002.htm http://www.bestellen.bayern.de/shoplink/06006002.htm https://www.stmfh.bayern.de/kommunaler_finanzausgleich/strassen_oepnv/Winterdienstkostenpauschalen_nach_Art_13c_Abs_1_BayFAG_F%C3%B6_nach_Art_13ff_BayFAG.pdf https://www.stmfh.bayern.de/kommunaler_finanzausgleich/strassen_oepnv/Winterdienstkostenpauschalen_nach_Art_13c_Abs_1_BayFAG_F%C3%B6_nach_Art_13ff_BayFAG.pdf
Hinweise	
Rechtsbehelf	
Kurztext	
Ansprechpunkt	
Zuständige Stelle	
Formulare	
Ursprungsportal	BayernPortal, BayernPortal