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Heruntergeladen am 04.07.2025

<https://fimportal.de/xzufi-services/76509/L100042>

| Modul                            | Sachverhalt  |
|----------------------------------|--|
| Leistungsschlüssel               | 99400027017000   |
| Leistungsbezeichnung I           |  |
| Leistungsbezeichnung II          | Municipal road and bridge construction projects;<br>application for compensation for special burdens from<br>the hardship fund |
| 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<br>Ansprechpartner |  |

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| Fachlich freigegeben am    | 01.07.2025  |
| Fachlich freigegeben durch | Bayerisches Staatsministerium der Finanzen und für Heimat (Bavarian State Ministry of Finance and Regional Identity)  |
| Handlungsgrundlage         | <a href="https://www.gesetze-bayern.de/Content/Document/BayHO-44">https://www.gesetze-bayern.de/Content/Document/BayHO-44</a><br><a href="https://www.gesetze-bayern.de/Content/Document/BayHO-44">https://www.gesetze-bayern.de/Content/Document/BayHO-44</a><br><a href="https://www.gesetze-bayern.de/Content/Document/BayFAG&gt;true">https://www.gesetze-bayern.de/Content/Document/BayFAG&gt;true</a><br><a href="https://www.gesetze-bayern.de/Content/Document/BayFAG&gt;true">https://www.gesetze-bayern.de/Content/Document/BayFAG&gt;true</a><br><a href="https://www.gesetze-bayern.de/Content/Document/BayVV_605_B_14508">https://www.gesetze-bayern.de/Content/Document/BayVV_605_B_14508</a><br><a href="https://www.gesetze-bayern.de/Content/Document/BayVV_605_B_14508">https://www.gesetze-bayern.de/Content/Document/BayVV_605_B_14508</a><br><a href="https://www.gesetze-bayern.de/Content/Document/BayFAGDV02">https://www.gesetze-bayern.de/Content/Document/BayFAGDV02</a><br><a href="https://www.gesetze-bayern.de/Content/Document/BayFAGDV02">https://www.gesetze-bayern.de/Content/Document/BayFAGDV02</a><br><a href="https://www.gesetze-bayern.de/Content/Document/BayStrWG">https://www.gesetze-bayern.de/Content/Document/BayStrWG</a><br><a href="https://www.gesetze-bayern.de/Content/Document/BayStrWG">https://www.gesetze-bayern.de/Content/Document/BayStrWG</a><br><a href="http://bundesrecht.juris.de/fstrg/">http://bundesrecht.juris.de/fstrg/</a><br><a href="http://bundesrecht.juris.de/fstrg/">http://bundesrecht.juris.de/fstrg/</a><br><a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN122">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN122</a><br><a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN122">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN122</a><br><a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN123">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN123</a><br><a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN123">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN123</a><br><a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN124">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN124</a><br><a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN124">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN124</a><br><a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN125">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN125</a><br><a href="https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN125">https://www.gesetze-bayern.de/Content/Document/VVBayHO-NN125</a><br><a href="https://www.gesetze-bayern.de/Content/Resource?pat">https://www.gesetze-bayern.de/Content/Resource?pat</a> |

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|          | <p>h=resources%2fBayVV_605_B_14508_BayVV605-B-14508-Anhang-001.pdf<br/> <a href="https://www.gesetze-bayern.de/Content/Resource?path=resources%2fBayVV_605_B_14508_BayVV605-B-14508-Anhang-001.pdf">https://www.gesetze-bayern.de/Content/Resource?path=resources%2fBayVV_605_B_14508_BayVV605-B-14508-Anhang-001.pdf</a></p>   |
| Teaser   | <p>The Free State of Bavaria grants subsidies in accordance with Art. 13c Para. 1 BayFAG for the construction or expansion of municipal roads if the construction measure is urgently needed to improve traffic conditions and represents a particular burden or hardship for the municipality.</p>   |
| Volltext | <p>Individual road construction measures in rural districts or municipalities are funded if this compensates for a particular burden or reduces hardship.</p> <p>The following projects can be funded from the Bavarian Financial Equalization Act (Art. 13c Para. 1 Bavarian Financial Equalization Act - BayFAG):</p> <ul style="list-style-type: none"> <li>• Construction or expansion of District and municipal roads, Local thoroughfares in the course of federal, state and district roads for which municipalities are responsible, as well as footpaths and/or cycle paths if the municipality is responsible for their construction in accordance with Section 5 (3) of the Federal Trunk Roads Act (FStrG) or Article 42 (3) of the Bavarian Roads and Paths Act (BayStrWG), dependent footpaths and cycle paths on federal, state and district roads that are urgently required for reasons of road safety, insofar as the costs are borne by municipalities because the party responsible for road construction refuses to carry them out at its own expense, independent footpaths and cycle paths within the meaning of Art. 53 No. 2 BayStrWG, which are urgently required in particular for reasons of road safety, Crossing measures in accordance with the Railway Crossing Act (EKrG) and the Federal Waterways Act (WaStrG), insofar as the aforementioned eligible projects are involved, public transfer parking spaces on roads to reduce motorized individual traffic, provided they are made available to the user free of charge or the fees charged only cover the operating costs. Transfer parking spaces with local public transport are funded in accordance with the</li> </ul> |

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guidelines for the granting of grants by the Free State of Bavaria for local public transport (RZÖPNV).

- Expansion of public field and forest roads under municipal responsibility in accordance with Art. 53 No. 1 BayStrWG in the width and surfacing necessary for mixed use of agricultural and forestry traffic with pedestrian and bicycle traffic, insofar as this makes the construction of a pedestrian and bicycle path necessary for traffic purposes unnecessary.

Construction is the same as new construction. Expansion means a structural change to existing traffic routes in terms of location, cross-section or load-bearing capacity that is urgently required to improve traffic conditions. This also includes the construction of traffic lights at junctions and an increase in the load-bearing capacity ("substance increase") of engineering structures.

If construction projects are development projects in accordance with Sections 127 et seq. of the German Building Code (BauGB), only those costs that are not attributable to development costs can be funded.

### Recipients of grants

Grants can be awarded to administrative districts, municipalities and legally responsible municipal associations, provided that they

- are responsible for the construction of the eligible roads, independent footpaths and cycle paths, public field and forest paths or transfer parking spaces or
- bear the costs for the construction or expansion of dependent footpaths and cycle paths on federal, state and district roads that are urgently required for reasons of road safety.

### Eligible costs

Please refer to No. 6 of the Guidelines for Grants of the Free State of Bavaria for Road and Bridge Construction Projects of Local Authorities (RZStra).

### Type and amount

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In relation to the eligible costs, proportional funding with a maximum amount or - if appropriate - fixed-amount funding will be granted. The amount of funding is determined in accordance with No. 7 RZStra.

## Erforderliche Unterlagen

### Voraussetzungen

The project must

- be urgently required in terms of type and scope to improve traffic conditions
- can only be realized with the help of government grants due to the applicant's financial resources,
- otherwise be able to be financed by the applicant; this also applies to the financing of a construction phase with its own traffic significance,
- take into account the requirements of regional and state planning and fulfill the other legal requirements,
- be structurally and traffic-technically sound, protect the ecosystem, the landscape and land as far as possible and be planned in accordance with the principle of economic efficiency and economy,
- take into account the needs of people with disabilities or restricted mobility and meet accessibility requirements as far as possible,
- enable the use of recycled and secondary building materials in accordance with the Closed Substance Cycle Waste Management Act (KrWG) and the Bavarian Waste Management Act (BayABfG),
- be coordinated in advance with urban development plans and related measures.

A particular hardship exists in particular if

- the costs of a road construction project are particularly high per kilometer of road length, or
- a major stretch of road is to be upgraded in a relatively short period of time because extending the timeframe would lead to unjustifiable additional expenditure, would be uneconomical or cannot be accepted for other reasons, or
- a project must be carried out immediately despite the project sponsor's tight financial situation, or
- a construction project serves to repair damage

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caused by natural disasters. Funding is provided for the restoration of the original condition, taking into account the current traffic and technical requirements. Funding is not available for other measures that are classified as maintenance or renovation.

## Kosten

## Verfahrensablauf

Applications for initial approval of grants in accordance with Art. 13c Para. 1 BayFAG must be submitted to the responsible district government by September 1 of the year preceding the planned start of construction at the latest. Applications received later may still be considered, provided sufficient funding is available. Only one application is required for joint applications for BayFAG and BayGVFG funding.

An application can only be submitted once the project has been prepared to such an extent that construction work can be expected to begin as soon as possible after the grant notification has been issued and unhindered execution of the construction work (building rights and land acquisition secured) is guaranteed. The remaining financing must be secured.

Applications are submitted electronically to the respective government using the form in accordance with template 1a of Art. 44 BayHO with the required documents.

The application must be accompanied by

- a design based on the guidelines for the design of road construction (RE), which also includes all ancillary work,
- the calculation of the eligible costs according to form Annex 3 (sample 1),
- a verifiable calculation and/or explanation of the cost contributions by third parties for the approval authority and
- information on the financial circumstances in accordance with Model 2a or 2b of Art. 44 BayHO for all parties involved in the planned construction project.

The government informs the applicants whether

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funding in accordance with Art. 13c Para. 1 BayFAG is generally possible in the year of the planned start of construction. This notification is the basis for the invitation to tender for the measure.

After the invitation to tender, the government must be informed of the tender results.

The audited tender results are the basis for the initial decisions. In the case of fixed-amount funding in accordance with Art. 13c Para. 1 BayFAG, the first grant notification will only be issued after the tender results for the main construction work have been submitted.

Applications for approval of a further installment of a total grant that has already been promised must be submitted by January 15 of the funding year using template 1b of Art. 44 BayHO.

**Bearbeitungsdauer**
**Frist**

The project must not have been started yet. Applications for initial approval of grants in accordance with Art. 13c Para. 1 BayFAG must be submitted to the responsible district government by September 1 of the year preceding the planned start of construction at the latest. Applications for approval of a further grant installment for construction measures for which a total grant in accordance with Art. 13c Para. 1 BayFAG has already been promised must be submitted to the responsible government by January 15 of the funding year.

**weiterführende Informationen**

<http://www.bestellen.bayern.de/shoplink/06006002.htm>  
<http://www.bestellen.bayern.de/shoplink/06006002.htm>  
<https://www.stmfh.bayern.de/haushalt/zuwendungsrecht/Brosch%C3%BCre%20Zuwendungsrecht%2010.%20Auflage%202025.pdf>  
<https://www.stmfh.bayern.de/haushalt/zuwendungsrecht/Brosch%C3%BCre%20Zuwendungsrecht%2010.%20Auflage%202025.pdf>  
<https://www.radverkehr.bayern.de/foerderung/index.php>

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|                   | <a href="https://www.radverkehr.bayern.de/foerderung/index.php">https://www.radverkehr.bayern.de/foerderung/index.php</a> |
| Hinweise          |   |
| Rechtsbehelf      |   |
| Kurztext          |   |
| Ansprechpunkt     |   |
| Zuständige Stelle |   |
| Formulare         |   |
| Ursprungsportal   | BayernPortal, BayernPortal  |