



STATEWIDE & NONMETROPOLITAN & METROPOLITAN TRANSPORTATION PLANNING

FINAL RULE: NARC Conference

Salt Lake City, UT

June 27, 2016



At Last....a Final Rule

SAFETEA-LU (Aug. 10, 2005)

- Previous Final Planning Rule (Feb. 14, 2007)

MAP-21 (July 6, 2012)

- Planning NPRM (June 2 – Oct. 2, 2014)
- PEL NPRM (Sept. 10 – Nov. 10, 2014)

FAST (Dec. 4, 2015)

- Final Planning Rule (May 27, 2016)



FHWA TPM Rulemaking Schedule

Performance Area	NPRM	Comments Due	Final Rule
Safety Performance Measures	March 11, 2014	<u>Closed</u> June 30, 2014	Published March 15, 2016
Highway Safety Improvement Program	March 28, 2014	<u>Closed</u> June 30, 2014	Published March 15, 2016
Statewide and Metro Planning; Non-Metro Planning	June 2, 2014	<u>Closed</u> October 2, 2014	Published May 27, 2016
Pavement and Bridge Performance Measures	January 5, 2015	<u>Closed</u> May 8, 2015	Anticipated November 2016
Highway Asset Management Plan	February 20, 2015	<u>Closed</u> May 29, 2015	Anticipated November 2016
Performance of the NHS, Freight, and CMAQ Measures	April 22, 2016	<u>Open</u> until August 2016 120 days	TBD

FTA Performance Management Rulemaking Schedule

Performance Area	NPRM	Comments Due	Final Rule
Statewide and Metro Planning; Non-Metro Planning	June 2, 2014	<u>Closed</u> October 2, 2014	Published May 27, 2016
Public Transportation Safety Program	August 14, 2015	<u>Closed</u> October 13, 2015	Under Development
National Public Transportation Safety Plan	February 5, 2016	<u>Closed</u> April 5, 2016	Under Development
Public Transportation Agency Safety Plan	February 5, 2016	<u>Closed</u> April 5, 2016	Under Development
Transit Asset Management Plan	September 30, 2015	<u>Closed</u> November 30, 2015	Under Development



Roles and Responsibilities - Performance Management Framework

MAP-21 and FAST Act

- Establishes National Performance Goal Areas (Public Law)

USDOT

- Establishes National Performance Measures (Final Rules)

State DOTs, MPOs, Providers of Public Transportation

- Establish performance targets

State DOTs and MPOs

- Include performance targets in their plans
- Link investment priorities to performance targets
- Report on progress



Establishment of Performance Targets

States shall:

- set performance targets ***within 1-year*** of the effective date of the DOT final rule on performance measures for the performance areas described in 23 U.S.C. 150(c) and 23 CFR part 490. (450.206(c)(2))

Each MPO shall:

- set performance targets ***not later than 180-days after*** the State or public transportation provider establishes performance targets. (450.306(d)(3))



Coordination on Performance Targets

States and MPOS shall coordinate:

- when selecting targets addressing the performance areas under 23 U.S.C. 150(b) and 23 CFR 490 **to ensure consistency** to the maximum extent practicable. (450.206(c)(2), 450.306(d)(2)(ii))

MPOs shall coordinate:

- to the maximum extent practicable with public transportation providers when setting performance targets required under 49 U.S.C. 5326(c) and 5329(d). (450.306(d)(3)(iii))



Integration

States and MPOs shall *integrate* into the statewide and the metropolitan transportation planning processes, directly or by reference:

- the goals,
- objectives,
- performance measures, and targets

...described in other State transportation plans and processes as well as any plans developed under 49 U.S.C. chapter 53 by providers of public transportation.
(450.206(c)(4), 450.306(d)(4))



MPO MTP and SLRTP shall include:

A description of the (Federally required) performance measures and performance targets used in assessing the performance of the transportation system.

(450.324(f)(3))

A system performance report evaluating the condition and performance of the transportation system with respect to the (Federally required) performance targets including progress achieved by the MPO and State on performance targets. (450.324(f)(4))



TIP/STIPs

STIP/TIPs shall:

- include (to the maximum extent practicable) a description of the anticipated effect of the STIP and TIP toward achieving the performance targets identified by the State in the long-range statewide transportation plan and by the MPO in the MTP (450.218(q), 450.326(d))
- link investment priorities in the TIP/STIP to achievement of performance targets in the plans (450.218(q), 450.326(d))



MPO Structure

MPO Structure (450.310)

- **Within two years of enactment of MAP-21, (by Oct. 1, 2014) MPOs serving TMA areas *shall* consist of:**
 - Local elected officials
 - Officials of public agencies that operate major modes of transportation ***including representation by providers of public transportation***
 - Appropriate State officials
 - MPO does not need to re-designate to meet this provision



TMA MPO Structure (FAST Act) (23 CFR 450.310(d)(3))

- Designation or selection of officials or representatives shall be determined by the MPO according to the bylaws or enabling statute of the organization.
- Subject to the bylaws or enabling statute of the MPO, a representative of a provider of public transportation may also serve as a representative of a local municipality.
- An official shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials.



Scenario Planning

- An MPO may voluntarily elect to develop multiple scenarios for consideration as part of the development of the MTP. (450.324(i))
- Section 450.324(i) contains an optional framework for MPO's to consider when conducting scenario planning.
- MPOs that voluntarily elect to conduct scenario planning shall describe how the preferred scenario has improved performance of the transportation system. (450.324(f)(4)(ii))



Metropolitan Planning Agreements

(450.314(h))

The MPO(s), State(s), and the providers of public transportation *shall jointly agree upon and develop* specific written provisions for cooperatively developing and sharing information related to:

- transportation performance data,
- the selection of performance targets,
- the reporting of performance targets,
- the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO (see § 450.306(d)), & the collection of data for the State asset management plan for the NHS



Metropolitan Planning Agreements (cont.)

Such agreements shall be documented as part of the metropolitan planning agreement **or in some other form jointly agreed to by the MPO(s), State(s), and provider(s) of public transportation.**

(450.314(h))



Planning and Environmental Linkages (450.212(d), 450.318(e))

The Final Rule includes a new optional authority for PEL at 23 CFR 450.212(d) and 450.318(e) by incorporating 23 U.S.C. 168 by reference while retaining existing authorities for PEL.



Programmatic Mitigation Plans

- A State or MPO, in consultation with agencies with jurisdiction over protected environmental resources, may develop programmatic mitigation plan(s) as part of its planning process.
- The programmatic mitigation plan(s) may inventory existing or planned environmental resource mitigation and identify potential environmental impacts and potential avoidance or mitigation opportunities.

(450.214, 450.320)



Planning Factors

- **Two new planning factors** (450.206(a)(9 & 10) and 450.306(b)(9 & 10))
 - Improve the ***resiliency and reliability*** of the transportation system and ***reduce or mitigate stormwater*** impacts of surface transportation
 - Enhance ***travel and tourism***



Other Provisions

- Adds ***public ports and intercity bus operators*** to the list of interested parties that States and MPOs shall provide early and continuous public involvement opportunities as part of the transportation planning process. (450.210(a)(1)(i), 450.316(a))
- MPOs should consult with ***agencies and officials responsible for tourism and natural disaster risk reduction*** in developing plans and TIPs. (450.316(b))
- Adds ***“takes into consideration resiliency needs”*** to the purposes of statewide and metropolitan planning. (450.200 and 450.300(a))



Congestion Management Process (CMP)

- Requirement for the CMP for TMA's is retained and largely unchanged (450.322)
- Requirement for CMP analysis of new SOV capacity in non-attainment areas in TMA's is retained (450.322(f))
- An MPO serving a TMA **may develop a congestion management plan** (450.322(h)).
- Provides examples of employer-based travel demand reduction strategies: **intercity bus, employer based programs - carpool, vanpool, transit benefits, parking cash-out, telework** (450.322(a)).
- Add **job access projects** as a CMP strategy (450.322(a))





Metropolitan and Statewide Plans

- MTP shall include and assessment of capital investment and other strategies to preserve the existing and future transportation system and ***reduce the vulnerability of the existing transportation infrastructure to natural disasters*** (450.324(f)(7))
- Metro (shall) and Statewide Plans (should) – ***include consideration of intercity buses*** (450.216(b), 450.324(f)(2))



RTPOs

- A Governor **may** establish and designate RTPOs to enhance statewide (nonmetropolitan) planning. (450.210(d))
- States without RTPOs **shall cooperate** with the affected nonmetropolitan officials when conducting statewide planning. (450.210(b))
- States with RTPOs **shall cooperate** with the RTPO when conducting statewide planning. (450.216(h), 450.218(c))



Phase-In Requirements

Changes unrelated to performance management

- Updates or amendments to TIPS, STIPs, and plans adopted on or after 2 years after the date of the final planning rule must reflect the new emphasis.

Changes related to performance management

- Updates or amendments to TIPS, STIPs, and plans adopted or amended two years after the effective date of the performance management rules must comply.
- States have 1 year from the effective date of the PM rule(s) to establish targets.
- MPOs have 180 days to set targets after the State sets targets.

(450.226, 450.340, 450.206(c)(2), (450.306(d)(3))



What Should I Do Now?

- **Download and become familiar with the new Planning Rule**
 - Planning Final Rule
 - <https://www.federalregister.gov/articles/2016/05/27/2016-11964/statewide-and-nonmetropolitan-transportation-planning-metropolitan-transportation-planning>
- **New rule effective: June 27, 2016**



What Should I Do Now?

Start and facilitate conversations with/between:

- FHWA Division Office(s)
- FTA Regional Office
- State DOT(s)
- MPO(s)
- Providers of Public Transportation



What Should I Do Now?

- Review your (State and MPO) transportation planning processes
- Assess needs for improvements/enhancements
- Develop a strategy for implementation



What Should I Do Now?

Become familiar with available resources

Training

- NHI/NTI Federal Transportation Planning (Late Summer)
- NHI/NTI Performance Based Planning/Programming (Late Fall)
- NHI Target Setting (Late Fall)
- NHI Data Management for TPM (Winter 2017)
- TPM Implementation/Corporate Maturity Model (Organizational Assessment) Workshop (Early Fall)
- FHWA PEL Workshop (Being Updated; Late Fall)



What Should I Do Now?

Utilize and Participate in DOT resources and communication venues

- PBPP Guidebook Series
- Capacity Building Peer Exchanges
- Transportation Planning Information Exchange (TPIE) Webinar Series



For more information

DOT Websites:

- FHWA/FTA Capacity Building Program
<http://www.planning.dot.gov/>
- FHWA Transportation Performance Management
<http://www.fhwa.dot.gov/TPM/>



Contact Information

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MPO Coordination NPRM

- NPRM Published June 27, 2016
- www.federalregister.gov/articles/2016/06/27/2016-14854/metropolitan-planning-organization-coordination-and-planning-area-reform
- Comment period June 27 – August 26, 2016 (60 days)
- Docket No. FHWA-2016-0016
- FHWA RIN 2125-AF68
- FTA RIN 2132-AB28



Purpose

- Promote effective regional planning by States and MPOs
- Expand coordination for MPOs located in the same urbanized areas.
 - Enhanced efficiency
 - Comprehensible to stakeholders and the public
 - Greater focus on projects that address critical regional needs.



Purpose - Continued

- Help MPOs respond to:
 - Growing trend of urbanization
 - Aligning the planning processes with the regional scale envisioned by the performance-based planning framework



Impact

- This rule is anticipated to affect approximately 142 MPOs (out of the 409 total MPOs in the nation), which are designated in the same planning area as another MPO.
- Those MPOs would be required to either:
 - merge with adjacent MPOs
 - adjust their boundaries if applicable so that they are the only MPO in the planning area
 - Coordinate with other MPOs in the planning area to jointly develop unified planning products.



Key Changes

- Revised definition of “Metropolitan Planning Area” (MPA) to better align with the statutory definition that it include the **entire** urbanized area, and to emphasize that this larger area must be the basic geographic unit for planning products.



Key Changes - Continued

- Where multiple MPOs are designated within a MPA, the rule would require that the Governor and MPOs affirmatively determine if the size and complexity of the planning area warrant multiple MPOs.
- Where warranted, those multiple MPOs would be required to jointly develop unified planning products for the entire MPA, including:
 - One metropolitan transportation plan
 - One transportation improvement program (TIP),
 - Jointly established set of performance targets,
 - If the Governor and MPOs determine that multiple MPOs are not warranted, the MPOs would be required to merge.



Key Changes - Continued

The rule would also improve State-MPO coordination, by requiring the States and MPOs to

- maintain a current planning agreement
- a process for resolving disputes
- coordinate on any information or analyses on areas within the MPA



Phase In Requirements

The rule provides for a two year phase-in period from the effective date of the final rule.

