

# STATEWIDE & NONMETROPOLITAN & METROPOLITAN TRANSPORTATION PLANNING

**July 13, 2016**



# At Last...a Final Rule

## **SAFETEA-LU (Aug. 10, 2005)**

- Previous Final 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

# Planning NPRM

- Planning NPRM (June 2 – Oct. 2, 2014)
  - 162 individual comment letters
  - 51 MPO, 36 State DOT, 27 advocacy orgs., 18 RPO, 16 transportation associations, 9 public transit agency, 2 public, 2 local gov., 1 Tribal gov.
  - Approximately 1000 individual comments
- PEL NPRM (Sept. 10 – Oct. 10, 2014)
  - 38 individual comment letters
  - 14 State DOT, 9 MPO, 5 advocacy, 4 public, 3 transportation associations, 2 public transit, 1 RPO
  - Approximately 100 individual comments



# Final Rule Benefits

- Increases Transparency and Accountability
- Establishes performance measures and targets
- Reports on progress toward achieving targets
- Focuses Federal-aid program on National Goal Areas
  - Safety, state of good repair, congestion, reliability, freight, environmental sustainability, project delivery



# Final Rule Benefits

- Expands TMA MPO Board Representation with Public Transit
- Fosters State cooperation with local officials
- Promotes efficient use of limited available funds
- Ultimately...***Improves Decision Making***



# 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)

## Public Transit Agencies

- Establish Performance Targets

## State DOTs and MPOs

- Establish Performance Targets
- Include them 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 setting performance targets ***to ensure consistency*** to the maximum extent practicable when selecting targets addressing the performance areas under 23 U.S.C. 150(b) and 23 CFR 490.  
(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))



## MTPs

### **MPO Metropolitan Transportation Plan 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 the performance targets. (450.324(f)(3))

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))



# TIP/STIPs

## STIP/TIPs shall:

- include 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) and 450.326(d))
- link investment priorities in the TIP/STIP to achievement of performance targets in the plans (450.218(q) and 450.326(d))



# 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))



## 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) (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))



## 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)



## 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'S NEW

## Key Changes in the Final Rule



# What's New: 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***



## What's New – 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. (450.212(d), 450.216(l)(2), 450.318(e), 450.324(j))
- 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))



# What's New

## 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 and Statewide Plans – ***shall include consideration of intercity buses*** (450.216(b), 450.324(f)(2))





U.S. Department of Transportation  
Federal Highway Administration  
Federal Transit Administration

# YOUR ROLE AND NEXT STEPS





# Forthcoming Planning Guidance

- Phase-in of new requirements
- Coordination on target setting
- State and MPO long-range plan – System Performance Report
- STIP/TIP description of the anticipated effect toward achieving performance targets in the Statewide and metro plans.



# 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
- 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?

- Let us know what questions or additional needs you have
- Let HQ know question and issues coming from partner agencies



# For more information

## Websites:

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



# Contact Information

Contact your assigned FHWA or FTA HQ Planning Liaison, or:

## FHWA

Harlan Miller

FHWA, Office of Planning

(202) 366-0847

[harlan.miller@dot.gov](mailto:harlan.miller@dot.gov)

## FTA

Sherry Riklin

FTA, Office of Planning & Environment

(202) 366-5407

[sherry.riklin@dot.gov](mailto:sherry.riklin@dot.gov)

Contact FHWA Resource Center Planning TST  
with Training/Technical Assistance Needs &  
Requests



# 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](http://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.

