

ITEM 11- Information

June 18, 2014

Briefing on MAP-21 Guidance on the Representation by Transit Agencies on the MPO Board and the Proposed Rule on Statewide and MPO Planning

Staff

Recommendation: Receive briefing on the guidance on representation by transit agencies on the MPO board and on the proposed statewide and MPO planning rule, including related developments on performance measures.

Issues: None

Background: On June 2 the US DOT issued new guidance and proposed planning regulations under MAP-21. These documents can be downloaded at:

Policy Guidance on Metropolitan Planning Organization (MPO) Representation

<http://www.gpo.gov/fdsys/pkg/FR-2014-06-02/pdf/2014-12163.pdf>

Statewide and Nonmetropolitan Transportation Planning; Metropolitan Transportation Planning;

<http://www.gpo.gov/fdsys/pkg/FR-2014-06-02/pdf/2014-12155.pdf>



Briefing on MAP-21 Guidance on MPO Representation and Proposed Planning Rules

Transportation Planning Board
June 18, 2014

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Implementation of MAP-21

The federal surface transportation act, Moving Ahead for Progress in the 21st Century Act (MAP-21), was signed in July 2012.

- MAP-21 continues many provisions related to federal transportation planning requirements from prior laws.
- However, over successive reauthorization cycles, Congress has revised and expanded the requirements for planning.

MAP-21 introduces a new mandate for States and metropolitan planning organizations (MPOs) to take a performance-based approach to planning and programming.

- To implement this mandate, eleven rulemakings on performance provisions are being issued by the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA).
- Rulemakings are released in draft or proposed form for comments by the transportation community. Comments are considered in the development of the final rules.
- Additional guidance is also provided on some requirements in the law.

June 2 MAP-21 Rulemaking Notices in the Federal Register

- Policy Guidance on *MPO Representation*
 - Final guidance from FHWA/FTA on the new MAP-21 requirement for representation by providers of public transportation on the MPO policy board.
- Proposed Rulemaking for *Metropolitan and Statewide Planning Regulations*
 - Notice of Proposed Rulemaking (NPRM) from FHWA/FTA
 - Comments due by September 2.
 - A final rule will be developed and published (~ Spring 2015).
 - Proposes rules for coordination among States, MPOs, and public transportation providers in performance-based plans, targets, reporting, and the metropolitan TIP.

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Public Transportation Representation on the TPB

The TPB has long included WMATA as a voting member and the interests of other public transportation providers are represented by their parent jurisdiction.

- Public transportation provider representatives also sit on the TPB Technical Committee and participate in the TPB's Regional Bus Subcommittee.

MAP-21 includes a new provision requiring representation by providers of public transportation on the policy board of each metropolitan planning organization (MPO).

- This is intended to formally include public transportation providers in the implementation of a performance-based approach to transportation decision-making.

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Needed Response to Policy Guidance by the TPB

The TPB as an MPO with multiple providers will need to develop a formal procedure for representation that considers the needs of all eligible providers, including selection of the public transportation representative and agreement on their role and responsibilities.

- The TPB will need to cooperate with the eligible providers to determine how it will include representation. Guidance examples include: collective appointment, rotating position, or proportional representation.
- The guidance also recommends that the public transportation representative “should not also attempt to represent other entities on the MPO.”


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Recommended Next Steps for Public Transportation Representation on the TPB

Recommended next steps to develop a process for representation of providers of public transportation:

- Convene meeting of eligible providers of public transportation and other stakeholders to discuss and develop a process for representation in accordance with final FHWA/FTA guidance.
- Adopt a board resolution at the TPB’s September meeting describing the process and how it will be implemented to meet the guidance.
- Additional actions in the guidance will be addressed subsequently:
 - Adopt bylaws that describe the establishment, role and responsibilities of the designated representative.
 - Amend the January 16, 2008 Memorandum of Understanding (MOU) on Transportation Planning Responsibilities for the Nation Capital Region.

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Proposed Rulemaking for *Metropolitan and Statewide Planning Regulations*

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Proposed Statewide and Metropolitan Planning Rule

MAP-21 requires “*a transition to performance driven, outcome-based approaches*” for the federal highway and transit programs.

The proposed Planning Rule provides for the implementation of performance management within the planning process.

- The basic framework of the planning process is largely untouched.
- However, it changes the planning process by requiring States, MPOs, and providers of public transportation to link investment priorities to the achievement of performance targets.
 - Over the next year, FHWA/FTA will be publishing rulemakings on the required measures and the process for States and MPOs to set targets and report performance.
- The Planning Rule will come into effect 2 years after the publication of final rulemaking – anticipated effective date in mid-2017.

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Planning for Performance Management

The proposed performance management framework created by MAP-21 requires the following:

- Coordination between States, MPOs, and public transportation providers in selecting performance targets.
- Integration of elements of other performance-based plans into the metropolitan planning process, including the:
 - Congestion Mitigation and Air Quality Improvement (CMAQ) Program Performance Plan,
 - Strategic Highway Safety Plan,
 - Public Transportation Agency Safety Plan,
 - Highway and Transit Asset Management Plans,
 - State Freight Plan.

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Reporting on Performance Provisions

The Planning Rule proposes added requirements for:

- Discussion in the metropolitan Transportation Improvement Program (TIP) documenting how the programs are designed to achieve targets.
- New system performance reporting in the metropolitan transportation plan.

The extent of these performance reporting requirements is still under development as part of other rulemakings.

- The first of the proposed rules released for comment, the Safety Performance and the Highway Safety Improvement Performance rules, propose specific performance measures and lay out a process for data collection, trend analysis, and target setting.
- Future performance rules, particularly for Highway Asset Management and Transit Asset Management, are likely to be complex and require considerable technical effort.

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Other items in the Planning Rule

The Planning Rule also offers optional frameworks for planning purposes.

- States and MPOs may develop programmatic mitigation plans to address the environmental impacts of transportation projects in an integrated plan (i.e., wetlands, parks, habitats, human resources, mitigation strategies, etc.) and speed the delivery of projects.
- MPOs may use voluntary scenarios during development of long-range plans. The suggested framework includes consideration of scenario performance impacts against targets.

Other items include changes to the structure of MPOs (e.g., public transportation representation) and for Statewide planning a new emphasis on nonmetropolitan transportation planning.

Over the next months, staff will review the Planning Rule and participate in outreach events by the federal agencies and interest groups as AMPO and AASHTO.

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