

## National Capital Region Transportation Planning Board

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### M E M O R A N D U M

**TO:** TPB Technical Committee

**FROM:** Eric Randall  
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**SUBJECT:** Update on USDOT Implementation of MAP-21 Performance Provisions

**DATE:** August 30, 2013

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The Technical Committee will be updated on the status of MAP-21 performance provisions being developed by US Department of Transportation (USDOT). MAP-21 calls for States, metropolitan planning organizations (MPOs), and providers of public transportation receiving federal assistance to establish and use a performance based approach to transportation decision making to support national goals. It requires USDOT to establish performance measures related to the national goals for planning processes and for States, MPOs, and public transportation providers to establish performance targets for those measures. This memorandum provides information from a workshop USDOT conducted at the end of June on the development and implementation of the performance provisions, which was attended by representatives from the region's three State DOTs, WMATA, and TPB staff.

#### **MAP-21 Performance Provisions – Nine Rules**

USDOT has identified nine rules, in five categories, for implementation of the MAP-21 performance provisions. Over the course of the next year, draft notices of proposed rulemaking (NPRM) will be announced in the Federal Register. Each NPRM will have a period of at least ninety days for review and submission of comments. USDOT will subsequently develop the final rules for implementation. At this time, no rule is expected to be finalized before the end of calendar year 2014. Accordingly, none of these rules will affect the development or approval of the 2014 CLRP.

*Draft NPRMs  
Scheduled to be Announced*

#### Planning

- Metropolitan and Statewide Planning Rule October 2013

#### Highway Safety

- Safety Performance Measure Rule October 2013
- Highway Safety Improvement Program Rule
- Highway Safety Program Grants Rule

#### Highway Conditions

- Pavement and Bridge Performance Measure Rule December 2013
- Asset Management Plan Rule

## Congestion/System Performance

March 2014

- System Performance Measurement Rule

## Transit Performance

September 2013

- Transit State of Good Repair Rule
- Transit Safety Plan Rule

(Advanced NRPM; Draft NRPM to follow in April 2014)

Development of the final performance provision rules would continue through 2014, followed by publication of the final rules for an effective implementation date of April 1, 2015. The implementation date will start the countdown for actions required by States, MPOs, and public transportation agencies. (The date of final rulemaking may be earlier for some rules; one schedule has the rulemaking for transit safety and highway safety finalized by the end of 2014, beginning the countdown earlier for safety performance measures.)

The TPB will coordinate with State DOTs and public transportation agencies on the review of the proposed rules and the development of any comments for formal submission to USDOT. TPB staff envisions taking the regional lead for any comments on the Planning rule (as it relates to metropolitan planning) and the Congestion/System Performance rulemaking. For the Highway Safety, Highway Conditions, and Transit Performance rulemaking the TPB will provide input as requested to the respective state and public transportation agencies.

It is anticipated the Draft NRPM for the Metropolitan and Statewide Planning Rule will provide some insight on the processes for performance measurement data collection and reporting as envisioned by USDOT, as well as the use of performance measures and targets in the metropolitan planning and programming process and the transportation improvement program (TIP).

## **Establishing Performance Targets**

Once the performance measures are finalized by USDOT, the States, MPOs, and public transportation agencies will set targets for the performance measures.

Actions for the TPB will include:

- Establishing performance targets to address the USDOT established surface transportation system performance measures, coordinating with the States and providers of public transportation to ensure consistency to the maximum extent practicable.
- Tracking progress towards the selected targets for the region.
- Possible adoption of locally defined performance measures and targets.
- Optional scenario development assessed against the performance measures.

The TPB also has specific responsibilities associated with the Congestion Management and Air Quality (CMAQ) Program, Section 1113, as the region is a non-attainment area for fine particulate matter (PM 2.5). The TPB is required to develop a Performance Plan that:

- a) Includes an area baseline level for traffic congestion and on-road mobile source emissions for which the area is in nonattainment or maintenance;
- b) Describes progress made in achieving the performance targets; and

- c) Includes a description of projects identified for funding under Section 1113 and how such projects will contribute to achieving emission and traffic congestion reduction targets. TPB will develop this project list in coordination with the States and public transportation agencies.

Based on the above schedule for the performance provisions rulemaking and the deadlines set forth in the MAP-21 legislation, the current timeline for the implementation of the performance provisions follows. Associated actions by the States, the TPB, and public transportation agencies are listed parenthetically.

**Deadline Date Presumptive MAP 21 Performance Provisions Timeline**

- 4/1/15 USDOT promulgates final rulemaking that establishes performance measures and standards required under MAP-21.
  - *States, TPB, and transit agencies begin data collection and analysis for the performance measures.*
- 7/1/15 Deadline for public transportation agencies to set targets for transit state of good repair performance measures (three months after final rulemaking).
- 4/1/16 Deadline for States and public transportation agencies to set targets for other performance measures (one year after final rulemaking).
  - *Targets set using performance data developed for both baseline (historical) data trends and future projections.*
- 10/1/16 Final deadline for the TPB to establish targets for the region (180 days after States and public transportation agencies establish their respective performance targets).
  - *TPB collates and/or integrates regional data as necessary to set regional targets, using baseline data and future projections.*
- 10/1/16 States submit a report to USDOT on progress in achieving performance targets.
- 10/1/17 USDOT Secretary submits to Congress a report on the effectiveness of the performance-based planning process of metropolitan planning organizations.
  - *Submission of regional planning process description and regional performance data report by TPB likely required prior to this date, including CMAQ Performance Plan.*

The TPB will coordinate with State DOTs and public transportation agencies on the development of regional targets for the required performance measures and any locally defined performance measures. TPB staff envisions taking the lead for developing regional performance data and setting targets for measures in the categories of Planning and Congestion/System Performance for the region. For the Highway Safety, Highway Conditions, and Transit Performance regional targets the TPB will provide assistance as required to coordinate the inputs of the respective state and public transportation agencies and formally approve their targets.

There are many issues associated with coordinating and possibly integrating performance data from the District of Columbia, Maryland, and Virginia, and possibly from local jurisdictions and/or the various public transportation agencies. The TPB looks forward to developing processes; conducting data definition, collection and analysis; and utilizing the data available to set targets for the performance measures in cooperation with our Federal, state and local colleagues.