



Update on MAP-21 Rulemaking

TPB Technical Committee
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Item 10

Implementation of MAP-21 Performance Provisions

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

- Although MAP-21 continued many of the provisions of earlier surface transportation acts, it included some changes and new provisions.
- The thrust of these changes and new provisions was to mandate “*a transition to performance driven, outcome-based approaches*” for the federal highway and transit programs.

The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) are jointly issuing proposed performance reporting rules.

- Proposed rules typically have 90 days for comment.
- Subsequently, FHWA/FTA review and potentially adopt modifications based on the comments received, and issue the final rules.

MAP-21 *Proposed* Rulemaking Schedule

FHWA and FTA are issuing a total of 11 rules on MAP-21 performance provisions in five major areas:

- Statewide and Metropolitan Planning Rule (**Jun-Oct 2014**)
- Highway Safety (**Mar-Jun 2014**)
 - Safety Performance
 - HSIP (Improvement Program and Program Grants Rule)

(Proposed Rule Publication Date - Comments Due Date)

- Highway Conditions (**Oct 2014-Feb 2015**)
 - Pavement and Bridges (*10/24/14*)
 - Asset Management (*12/04/14*)
- Congestion and System Performance (**Jan-Mar 2015**)
 - Congestion Mitigation and Air Quality (CMAQ) Performance (*12/31/14*)
- Transit Performance (**mid 2015**)
 - Safety (National Program, Agency Plan, and Management Systems)
 - Asset Management (*Jun 2015*)

Interrelated MAP-21 Rule Making

The Notice of Proposed Rulemaking (NPRM) from FHWA/FTA for the Statewide and Metropolitan Planning Rule planning rule was published June 2.

- Comments are due **October 2**. (A 30-day extension for comment was announced on September 2.)
- Staff have reviewed the proposed Planning Rule and participated in outreach events by the federal agencies and interest groups such as AMPO and AASHTO. At this time, it is not anticipated that any formal comments will be submitted by the TPB.

FHWA/FTA have indicated their intention for all of the final performance rulemakings to have a common date of effectiveness.

- Nominally, all rules would become effective in mid-2015, followed by two years for implementation (i.e., mid-2017) by MPOs, States, and providers of public transportation.
- Some rules (e.g., transit state of good repair and asset management) may be delayed beyond mid-2015 and their implementation would be correspondingly delayed.



Questions?