



## MEMORANDUM

**TO:** TPB Technical Committee  
**FROM:** Eric Randall, TPB Transportation Engineer  
**SUBJECT:** Performance-Based Planning and Programming (PBPP) proposed Letters of Agreement (LOAs)  
**DATE:** December 28, 2017

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This memorandum provides a briefing to the TPB Technical Committee on a key requirement of the federal performance-based planning and programming (PBPP) requirements, to agree on and document the respective roles and responsibilities of stakeholders in the PBPP process.

### **PBPP AGREEMENT AND DOCUMENTATION REQUIREMENT**

The final Statewide and Metropolitan Planning Rule provides direction and guidance on requirements for the performance-based planning and programming provisions, including forecasting performance, target-setting, documentation in the CLRP and TIP, and a System Performance Report.

To implement PBPP, there is a requirement (§ 450.314(h)) for each MPO, highway agency, and provider of public transportation in the region to jointly agree upon and document in writing the coordinated processes for:

- Collection of performance data
- Selection of performance targets for the metropolitan area
- Reporting of metropolitan area targets
- Reporting of actual system performance (related to those targets).

Various responsibilities apply for each PBPP performance area: Highway Safety, Highway and Bridge Condition, System Performance (Congestion, Freight, and CMAQ). TPB staff have drafted a Letter of Agreement (LOA) that would be signed with each stakeholder to meet the documentation requirement for applicable PBPP performance areas, as well as to provide for the planning and programming of projects in the TIP and long-range plan that would enable meeting performance targets.

A draft template PBPP LOA and accompanying exhibits are attached.



**DRAFT 12/04/17**

January XX, 2018

Jurisdiction or Agency Head  
Organizational Address

**Subject: Documentation of Responsibilities for Federal Transportation Performance-Based Planning and Programming**

Dear Jurisdiction or Agency Head:

This Letter of Agreement ("LOA") between the National Capital Region Transportation Planning Board ("TPB") and Jurisdiction or Agency ("AGENCY") sets forth the agreement between the parties to implement the metropolitan transportation planning provisions of the federal Performance-Based Planning and Programming ("PBPP") process.

First legislated in 2012 in the Moving Ahead for Progress in the 21st Century (MAP-21) federal surface transportation act and subsequently expanded in the Fixing America's Surface Transportation (FAST) Act of December 2015, the PBPP process calls for the State departments of transportation (hereafter referred to simply as "States"), Metropolitan Planning Organizations ("MPOs"); and Providers of Public Transportation to transition to a performance-driven, outcome-based program that provides for a greater level of transparency and accountability, improved project decision-making, and more efficient investment of Federal transportation funds, as part of the cooperative, comprehensive, and continuing ("3C") performance-based multimodal transportation planning and programming process for the metropolitan planning area.

States, MPOs, and providers of public transportation must link investment priorities to the achievement of performance targets in:

1. Highway Safety
2. Highway Assets: Pavement and Bridge Condition
3. System Performance (National Highway System Congestion, Freight, CMAQ Program)
4. Transit Asset Management
5. Transit Safety

On May 27, 2016, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) jointly published the final Statewide and Nonmetropolitan Transportation Planning; Metropolitan Transportation Planning regulations (23 CFR Parts 450, 771 and 49 CFR Part 613; "Planning Rule"). This final rule updated the regulations governing the development of metropolitan transportation plans and programs for urbanized areas, long-range statewide transportation plans and programs, and the congestion management process as well as revisions related to the use of and reliance on planning products developed during the planning process for project development and the environmental review process. The update makes the regulations consistent with current statutory planning requirements including the new mandate for a Performance-Based Planning and Programming process.

January XX, 2018

Regulation 23.CFR §450 requires that the TPB, the State(s), and the providers of public transportation “shall cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process and that these responsibilities shall be clearly identified in written agreements among the MPO, the State(s), and the providers of public transportation”. With regard to the FAST Act provisions of PBPP, the updated regulation for Metropolitan Planning Agreements (23 CFR §450.314(h)), notes that the TPB, 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 the requirements for transportation performance data, the selection of performance targets, the reporting of performance targets, and the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region”.

Consistent with the above regulation and in consideration of the mutual promises contained herein, TPB and the AGENCY agree to the following:

The AGENCY and TPB shall perform tasks related to PBPP as outlined in **Exhibit A – General Agreement on Performance Based Planning and Programming and Metropolitan Transportation Planning, and Exhibits B through F** (as applicable) – PBPP Areas.

The communication outlined in these provisions between the AGENCY and TPB will generally be through the State Technical Working Group, the TPB Technical Committee, and the TPB board.

**IN WITNESS WHEREOF**, the parties hereto have caused this LOA to be executed by their proper and duly authorized officers, on the day and year first written above.

National Capital Region  
Transportation Planning Board

\_\_\_\_\_  
WITNESS

BY: \_\_\_\_\_  
Kanti Srikanth Date  
Director, Department of Transportation Planning

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:**

**RECOMMENDED FOR APPROVAL:**

\_\_\_\_\_  
XXX

BY: \_\_\_\_\_  
YYY

Jurisdiction or Agency

\_\_\_\_\_  
WITNESS

BY: \_\_\_\_\_  
Jurisdiction or Agency Head Date  
Title

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:**

**RECOMMENDED FOR APPROVAL:**

\_\_\_\_\_  
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BY: \_\_\_\_\_  
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### PBPP LOA Signatories

The final Statewide and Metropolitan Planning Rule, published May 27, 2016, provides direction and guidance on requirements for implementation of PBPP, including specified measures and data sources, forecasting performance, target-setting, documentation in the statewide and metropolitan long-range transportation plans and Transportation Improvement Programs (TIPs), and reporting requirements. The initial part of the PBPP process requires coordination and agreement to formally document specific responsibilities for each agency in accordance with the planning rule.

All parties would sign the Letter of Agreement and agree to Exhibit A, the General Agreement on Performance Based planning and Programming and Metropolitan Transportation Planning. Each party would also agree to relevant PBPP performance area responsibilities for performance target selection and project programming, as listed in Table 1.

**Table 1 – PBPP Signatories and relevant Performance Area Exhibits**

	B. Highway Safety	C. Highway Pavement and Bridge Condition	D. System Performance (NHS Congestion, Freight, and CMAQ Program)	E. Transit Safety	F. Transit Asset Management
District DOT	√	√	√	√	√
Maryland DOT	√	√	√		
Maryland Transit Administration				√	√
Virginia DOT	√	√	√		
Virginia Department of Rail and Public Transportation				√	√
National Park Service		√			
Maryland Transportation Authority		√			
Metropolitan Washington Airport Authority		√			
Arlington County		√			
City of Alexandria		√			
Fairfax County		√		√	√
Fauquier County		√			
City of Frederick		√			
Montgomery County		√		√	√
Prince George's County		√		√	√
Prince William County		√			
Potomac and Rappahannock Transportation Commission				√	√
Virginia Railway Express				√	√
Washington Metropolitan Area Transit Authority				√	√

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## Exhibit A

### **General Agreement on Performance Based Planning And Programming and Metropolitan Transportation Planning**

Under this LOA and exhibit agreement, the TPB, the States, and the Providers of Public Transportation recognize and agree that they will conduct a cooperative, comprehensive, and continuing transportation planning and programming process for the National Capital Region in accordance with the **Planning Rule** and as described in the **Planning Agreement on Performance Based Metropolitan Transportation Planning Responsibilities** (“3C” Agreement) signed by the States and the TPB.

The following articles for performance based planning and programming establish the general mutual responsibilities for carrying out this planning process in the National Capital Region. The remaining exhibits (B through F) document specific provisions for each performance area for cooperatively developing and sharing information related to the requirements for transportation performance data, the selection of performance targets, the reporting of performance targets, and the reporting of performance, as well as programming and projects.

#### **Article 1**

##### **Cooperative, Comprehensive, and Continuing Process for Metropolitan Transportation Planning**

The TPB uses the committee structures and meeting schedules for the metropolitan transportation process, as needed and as described in Article 1 of the “3C” Agreement. The TPB coordinates with numerous planning processes at the local and state levels to help determine the content of the plan. The TPB is guided by its own vision and priorities which in turn reflect federal policy guidance.

Signatories to the LOA participate as stakeholders in the metropolitan planning process, which provide a forum for cooperative transportation planning and decision-making. There is also a Public Participation Plan to provide citizens, affected public agencies, and all interested parties with reasonable opportunities to be involved in the performance-driven metropolitan transportation planning process and to review and comment at key decision points, as described in Article 6 of the “3C” Agreement.

#### **Article 2**

##### **Performance Based Planning and Programming**

The performance based planning and programming process will be conducted for the National Capital Region, the metropolitan planning area for the TPB, as described in the “3C” agreement, Articles 1, 5, 9, and 10. The remaining exhibits to this LOA specify the roles and responsibilities for each signatory for specific PBPP performance areas, as applicable. In general, these include collecting data, cooperatively establishing all federally required performance targets for the metropolitan planning area (or urbanized area), sharing performance data, and preparing system performance reports.

#### **Article 3**

##### **Performance Inputs to the Metropolitan Transportation Plan**

As described in Article 9 of the “3C” Agreement, as amended or at least every 4 years, the TPB shall develop an integrated multimodal performance-based long-range metropolitan transportation plan that includes both long-range and short-range strategies and actions to facilitate the safe and efficient movement of people and goods in addressing current and future transportation trends and demands as



**Exhibit A: General Agreement on PBPP, continued**

specified in 23 CFR 450.324. This plan shall be approved by the TPB and submitted for information purposes to the States and Providers of Public Transportation, and copies of updated and/or revised transportation plans shall be made available to the Federal Highway and Federal Transit Administrations.

When updating the performance-based long-range metropolitan transportation plan, the TPB will coordinate with State DOTs, Providers of Public Transportation, and other stakeholders to conduct a cooperative, comprehensive, and continuing process to develop inputs on performance of the region's highway and transit systems for inclusion in the metropolitan transportation plan.

**Article 4**  
**Performance Inputs to the Transportation Improvement Program**

As described in Article 10 of the "3C" Agreement, the TPB will develop a Transportation Improvement Program (TIP) for the region that reflects the investment priorities established in the current long-range metropolitan transportation plan and shall cover a period of no less than four years. The TIP will be approved by the TPB and transmitted to the States for their approval and inclusion in their State Transportation Improvement Programs (STIP).

The TIP will provide a notice to the public that the public participation process used for its development meets the public participation requirements for the program of projects prepared by Providers of Public Transportation under 49 U.S.C. 5307.

The TIP will be designed such that, once implemented, it makes progress toward achieving the performance-driven, outcome-based targets established under 23 CFR §450.306 (c) and (d). The TIP will include, at minimum, the elements listed under 23 CFR 450.326 (e) through (h).

State DOTs, Providers of Public Transportation, and other stakeholders will conduct a cooperative, comprehensive, and continuing process to develop project inputs in order to improve the performance of the region's highway and transit systems.

**Exhibit B**  
**Performance Based Planning And Programming Responsibilities for**  
**Highway Safety**

The final Highway Safety rule was published in the Federal Register on March 15, 2016, and became effective April 14, 2016.<sup>1</sup> Federal regulations require state departments of transportations (DOTs) to establish and report annual targets related to each of the five highway safety performance measures by August 31 of each year. The TPB is required to either adopt and support the DOTs' statewide targets or set its own targets specific to the metropolitan planning area. Annual targets are expressed as five-year rolling averages and are compared with a five-year rolling average base period comprising of the five calendar years ending prior to the year the targets are due.

**1) Transportation performance data**

- a. By August 31 of each year, each State DOT will provide the TPB with the statewide performance data and methodology used in developing the annual statewide targets, and will also provide the TPB with subsets of the statewide data based on the TPB's planning area boundaries.
- b. By February 27 of the following year, the TPB will provide each State DOT with any data developed or supplemental data utilized in the performance process by the TPB, and will provide subsets of metropolitan planning area performance data by state.

**2) Selection of performance targets**

- a. The TPB will develop draft metropolitan planning area performance targets in coordination with the State DOTs. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. State DOTs shall be given an opportunity to provide comments on the TPB targets before final targets are adopted.
- b. The TPB board will be presented with the set of draft annual targets for consideration, and adopt the final targets at a subsequent meeting.

**3) Reporting of performance targets**

- a. When final statewide targets are adopted, State DOTs will transmit a copy to the TPB.
- b. The TPB targets when approved by the board will be reported to each State DOT. For each target, the TPB will provide the following information to each State DOT no later than 180 days after the date the State DOT establishes performance targets, or the date specified by federal code.
  1. A determination of whether the TPB is 1) agreeing to plan and program projects so that they contribute toward the accomplishment of the State DOT or relevant provider of public transportation performance target, or 2) setting a quantifiable target for that performance measure for the TPB's planning area.
  2. When any quantifiable target is set for the TPB planning area, the TPB will provide any supplemental data used in determining any such target to the State DOTs.
  3. Documentation of the TPB's target or support of the statewide target will be provided in the form of a resolution or meeting minutes.

**4) Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the TPB region**

- a. Each State DOT will provide the TPB with the statewide performance data used in developing statewide targets, and will also provide the TPB with subsets of the statewide data, based on the TPB planning area boundaries. Updates of this data will include prior performance data.

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<sup>1</sup> <https://www.gpo.gov/fdsys/pkg/FR-2016-03-15/pdf/2016-05202.pdf>

**Exhibit B: Highway Safety, continued**

- b. Each State DOT will provide their annual performance report to the TPB.
- c. As part of the long-range plan, the TPB will prepare a System Performance Report on the region's transportation performance. State DOTs will be given an opportunity to provide comments on the report before the report is finalized. The final report will be transmitted to the State DOTs and federal agencies.

**5) Programming and projects**

- a. State DOTs will provide to the TPB:
  - 1. A comprehensive list of projects that use Highway Safety Improvement Program (HSIP) funds planned for the TPB metropolitan planning area as part of their input to the metropolitan Transportation Improvement Program (TIP).
  - 2. The annual obligation listing of HSIP funds expended in the past year for the TPB metropolitan planning area, by December 30 of each year.
  - 3. Any highway safety information outlined in any statewide transportation plan or any statewide transportation improvement program
  - 4. Any narrative report or analysis that reviews highway safety performance relevant to safety performance in the TPB metropolitan planning area.
- b. The TPB will provide to State DOTs:
  - 1. Technical support for the TIP database to facilitate the integration of highway safety performance into the project programming process.

## Exhibit C

### Performance Based Planning And Programming Responsibilities for Highway Asset Condition – Pavement and Bridge

The final Pavement and Bridge Condition Performance Measures rule was published in the Federal Register on January 18, 2017, and became effective May 20, 2017.<sup>2</sup> Federal regulations require state departments of transportations (DOTs) to establish and report on two-year and four-year targets related to highway asset condition on a biennial cycle. The initial set of highway asset targets for pavement and bridge condition are due by May 20, 2018, for the period 2018 to 2021. Thereafter, the State DOTs will report on their targets and performance by October 1 of even-numbered years (i.e., 2020, 2022, 2024, etc.). The TPB is required to either adopt and support the State DOTs' statewide targets or set its own four-year targets specific to the metropolitan planning area. Other owners of National Highway System (NHS) assets shall provide supporting information to their State DOT and to the TPB.

#### 1) Transportation performance data

- a. Each State DOT will be responsible for collecting bridge and pavement condition data for the State asset management plan for the NHS. By October 1 of reporting years, each State DOT will provide the TPB with the statewide performance data and methodology used in developing the annual statewide targets, and will also provide the TPB with subsets of the statewide data based on the TPB's planning area boundaries.
- b. The TPB will provide each State DOT with any data developed or supplemental data utilized in the performance process by the TPB, and will provide subsets of metropolitan planning area performance data by state.
- c. Other NHS Asset Owners will provide both the State DOT and the TPB with any additional data on bridge and pavement condition for their assets.

#### 2) Selection of performance targets

- a. The TPB will develop draft metropolitan planning area performance targets in coordination with the State DOTs and NHS Asset Owners. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. State DOTs and NHS Asset Owners shall be given an opportunity to provide comments on the TPB targets before final targets are adopted.
- b. The TPB board will be presented with the set of draft targets for consideration, and adopt the final targets at a subsequent meeting.

#### 3) Reporting of performance targets

- a. When final statewide targets are adopted, State DOTs will transmit a copy to the TPB.
- b. The TPB targets when approved by the board will be reported to each State DOT. For each target, the TPB will provide the following information to each State DOT no later than 180 days after the date the State DOT establishes performance targets, or the date specified by federal code.
  1. A determination of whether the TPB is 1) agreeing to plan and program projects so that they contribute toward the accomplishment of the State DOT or relevant provider of public transportation performance target, or 2) setting a quantifiable target for that performance measure for the TPB's planning area.
  2. When any quantifiable target is set for the TPB planning area, the TPB will provide any supplemental data used in determining any such target to the State DOTs and NHS Asset Owners.

<sup>2</sup> <https://www.gpo.gov/fdsys/pkg/FR-2017-01-18/pdf/2017-00550.pdf>

**Exhibit C: Highway Asset Condition, continued**

3. Documentation of the TPB's target or support of the statewide target will be provided in the form of a resolution or meeting minutes.

**4) Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the TPB region**

- a. Each State DOT will provide the TPB with the statewide performance data used in developing statewide targets, and will also provide the TPB with subsets of the statewide data, based on the TPB planning area boundaries. Updates of this data will include prior performance data.
- b. Each State DOT will provide their biennial performance reports to the TPB.
- c. As part of the long-range plan, the TPB will prepare a System Performance Report on the region's transportation performance. State DOTs will be given an opportunity to provide comments on the report before the report is finalized. The final report will be transmitted to the State DOTs, federal agencies, and NHS Asset Owners.
- d. Other NHS Asset Owners will provide any documents or materials relevant to the performance of the pavement and bridge condition of their NHS assets to the TPB.

**5) Programming and projects**

- a. State DOTs will provide to the TPB:
  1. A comprehensive list of projects that use National Highway Performance Program (NHPP), Surface Transportation Program (STP), or other funds to address pavement and bridge conditions.
  2. The annual obligation listing of NHPP and STP funds expended in the past year for the TPB metropolitan planning area by December 30 of each year.
  3. Any highway asset condition information outlined in any statewide transportation plan or any statewide transportation improvement program
  4. Any narrative report or analysis that reviews highway asset condition performance relevant to highway condition performance in the TPB metropolitan planning area.
- b. The TPB will provide to the State DOTs and Other NHS Asset Owners:
  1. Technical support for the TIP database to facilitate the integration of projects that affect highway asset condition performance into the project programming process.

## Exhibit D

### Performance Based Planning And Programming Responsibilities for System Performance (National Highway System Congestion, Freight, CMAQ Program)

The final System Performance (National Highway System Congestion, Freight, CMAQ Program) rule was published in the Federal Register on January 18, 2017, and became effective May 20, 2017.<sup>3</sup> Federal regulations require state departments of transportations (DOTs) to establish and report on two-year and four-year targets related to highway system performance on a biennial cycle. The initial set of highway system performance targets for National Highway System (NHS) congestion, Freight, and the Congestion Management and Air Quality (CMAQ) Program, are due by May 20, 2018, for the period 2018 to 2021. Thereafter, the State DOTs will report on their targets and performance by October 1 of even-numbered years (i.e., 2020, 2022, 2024, etc.). The TPB is required to either adopt and support the DOTs' statewide targets or set its own four-year targets specific to the metropolitan planning area.

#### 1) Transportation performance data

- a. Each State DOT will be responsible for collecting congestion, freight, and CMAQ Program data. By October 1 of reporting years, each State DOT will provide the TPB with the statewide performance data and methodology used in developing the annual statewide targets, and will also provide the TPB with subsets of the statewide data based on the TPB's planning area or unurbanized area boundaries.
- b. The TPB will provide each State DOT with any data developed or supplemental data utilized in the performance process by the TPB, and will provide subsets of metropolitan planning area or urbanized area performance data by state.

#### 2) Selection of performance targets

- a. The TPB will develop draft metropolitan planning area or urbanized area performance targets in coordination with the State DOTs. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. State DOTs shall be given an opportunity to provide comments on the TPB targets before final targets are adopted.
- b. The TPB board will be presented with the set of draft targets for consideration, and adopt the final targets at a subsequent meeting.

#### 3) Reporting of performance targets

- a. When final statewide targets are adopted, State DOTs will transmit a copy to the TPB.
- b. The TPB targets when approved by the board will be reported to each State DOT. For each target, the TPB will provide the following information to each State DOT no later than 180 days after the date the DOT establishes performance targets, or the date specified by federal code.
  1. A determination of whether the TPB is 1) agreeing to plan and program projects so that they contribute toward the accomplishment of the State DOT or relevant provider of public transportation performance target, or 2) setting a quantifiable target for that performance measure for the TPB's planning area.
  2. When any quantifiable target is set for the TPB planning area or one of the urbanized areas, the TPB will provide any supplemental data used in determining any such target to the State DOTs.

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<sup>3</sup> <https://www.gpo.gov/fdsys/pkg/FR-2017-01-18/pdf/2017-00681.pdf>

**Exhibit D: System Performance, continued**

3. Documentation of the TPB's target or support of the statewide target will be provided in the form of a resolution or meeting minutes.

**4) Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the TPB region**

- a. Each State DOT will provide the TPB with the statewide performance data used in developing statewide targets, and will also provide the TPB with subsets of the statewide data, based on the TPB planning area or urbanized area boundaries. Updates of this data will include prior performance data.
- b. Each State DOT will provide their biennial performance report to the TPB.
- c. As part of the long-range plan, the TPB will prepare a System Performance Report on the region's transportation performance. State DOTs will be given an opportunity to provide comments on the report before the report is finalized. The final report will be transmitted to the State DOTs and federal agencies.
- d. The TPB will prepare a MPO CMAQ Performance Plan on a biennial basis, as required by the regulations. The plan will be completed by June 30 every other year, starting in 2018. State DOTs will be given an opportunity to provide comments on the Plan before the Plan is finalized. The final Plan will be transmitted to the State DOTs, for further transmittal to federal agencies.

**5) Programming and projects**

- a. State DOTs will provide to the TPB:
  1. A comprehensive list of projects affecting highway system performance planned for the TPB metropolitan planning area as part of their input to the metropolitan Transportation Improvement Program (TIP).
  2. The annual obligation listing of funds expended on projects affecting highway system performance in the past year for the TPB metropolitan planning area by December 30 of each year.
  3. Any narrative report or analysis that reviews system performance relevant to system performance in the TPB metropolitan planning area.
- b. The TPB will provide to the State DOTs:
  1. Technical support for the TIP database to facilitate the integration of highway system performance into the project programming process.

## Exhibit E

### Performance Based Planning And Programming Responsibilities for Transit Asset Management

The final Transit Asset Management rule was published in the Federal Register on July 26, 2016, and became effective October 1, 2016.<sup>4</sup> Transit asset management (TAM) is “a strategic and systematic process of operating, maintaining, and improving public transportation capital assets effectively through the life cycle of such assets.” Under the final TAM rule, Providers of Public Transportation must collect and report data for four performance measures, covering rolling stock, equipment, infrastructure, and facility condition. For these measures, providers of public transportation have to annually set targets for the fiscal year, develop a four-year TAM plan for managing capital assets, and use a decision support tool and analytical process to develop a prioritized list of investments. Small providers can be reported for by a Group Sponsor. Subsequently, the TPB must adopt transit asset targets for the metropolitan planning area to comply with requirements, when the TPB updates its long-range plan or Transportation Improvement Program (TIP).

#### 1) Transportation performance data

- a. Each Provider of Public Transportation is responsible for collecting its own transit asset data and reporting it in the National Transit Database (NTD), or of providing it to a Group Sponsor that reports the data on its behalf. When required to submit transit asset targets and data to the National Transit Database (annually by October 31 for providers with fiscal year of July 1 to June 30), each Provider of Public Transportation or Group Sponsor will provide the TPB with the performance data and methodology used in developing the annual targets, and will also provide the TPB with subsets of the data based on the TPB’s planning area boundaries.
- b. The TPB will provide each Provider of Public Transportation with any data developed or supplemental data utilized in the performance process by the TPB.

#### 2) Selection of performance targets

- a. The TPB will develop draft metropolitan planning area performance targets in coordination with the Providers of Public Transportation or Group Sponsors. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. Providers of Public Transportation or Group Sponsors shall be given an opportunity to provide comments on the TPB targets before final targets are adopted.
- b. The TPB board will be presented with the set of draft targets for consideration, and adopt the final targets at a subsequent meeting.

#### 3) Reporting of performance targets

- a. When final transit asset management targets are adopted, each Provider of Public Transportation or Group Sponsor will transmit a copy to the TPB.
- b. The TPB targets when approved by the board will be reported to each Provider of Public Transportation or Group Sponsor. For each target, when the TPB approves a long range plan or TIP, the TPB will provide the following information to each Provider of Public Transportation or Group Sponsor.
  1. A determination of whether the TPB is 1) agreeing to plan and program projects so that they contribute toward the accomplishment of the provider of public transportation performance target, or 2) setting a quantifiable target for that performance measure for the TPB’s planning area.

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<sup>4</sup> <https://www.gpo.gov/fdsys/pkg/FR-2016-07-26/pdf/2016-16883.pdf>



**Exhibit E: Transit Asset, continued**

2. When any quantifiable target is set for the TPB planning area, the TPB will provide any supplemental data used in determining any such target to each Provider of Public Transportation or Group Sponsor.
3. Documentation of the TPB's target or support of the public transportation provider target will be provided in the form of a resolution or meeting minutes.

**4) Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the TPB region**

- a. Each Provider of Public Transportation or Group Sponsor will provide the TPB with the performance data used in developing targets, and will also provide the TPB with subsets of any data based on the TPB planning area boundaries. Updates of this data will include prior performance data.
- b. Each Provider of Public Transportation or Group Sponsor will provide their adopted performance reports and Transit Asset Management Plans to the TPB.
- c. As part of the long-range plan, the TPB will prepare a System Performance Report on the region's transportation performance. Providers of Public Transportation or Group Sponsors will be given an opportunity to provide comments on the report before the report is finalized. The final report will be transmitted to the Providers of Public Transportation and Group Sponsors.

**5) Programming and projects**

- a. Each Provider of Public Transportation or Group Sponsor will provide to the TPB:
  1. A comprehensive list of projects that affect transit asset performance and use federal transit or other funds planned for the TPB metropolitan planning area as part of their input to the metropolitan Transportation Improvement Program (TIP).
  2. The annual obligation listing of federal transit funds expended on transit asset projects and programs in the past year for the TPB metropolitan planning area by December 30 of each year.
  3. Any narrative report or analysis that reviews transit asset performance relevant to transit asset performance in the TPB metropolitan planning area.
- b. The TPB will provide to each Provider of Public Transportation or Group Sponsor:
  1. Technical support for the TIP database to facilitate the integration of transit asset performance into the project programming process.

## Exhibit F

### Performance Based Planning And Programming Responsibilities for Transit Safety

The final National Public Transportation Safety Plan rule was published on January 18, 2017, finalizing the transit safety performance measures.<sup>5</sup> However, the Public Transportation Agency Safety Plan which would specify the target-setting process and timeline is still pending, anticipated in February 2018. Once the transit safety rules are complete, Providers of Public Transportation must collect and report data for four performance measures, covering fatalities injuries, safety events (derailments, collisions, fires, and evacuations) and system reliability (mean distance between major and other mechanical system failures). For these measures, providers of public transportation will have to annually set targets for the fiscal year. Small providers can be reported for by a Group Sponsor. Subsequently, the TPB must adopt transit safety targets for the metropolitan planning area to comply with requirements, when the TPB updates its long-range plan or Transportation Improvement Program (TIP).

#### 1) Transportation performance data

- a. Each Provider of Public Transportation is responsible for collecting its own transit safety data and reporting it in the National Transit Database (NTD), or of providing it to a Group Sponsor that reports the data on its behalf. When required to submit transit safety targets and data to the National Transit Database, each Provider of Public Transportation or Group Sponsor will provide the TPB with the performance data and methodology used in developing the annual targets, and will also provide the TPB with subsets of the data based on the TPB's planning area boundaries.
- b. The TPB will provide each Provider of Public Transportation with any data developed or supplemental data utilized in the performance process by the TPB.

#### 2) Selection of performance targets

- a. The TPB will develop draft metropolitan planning area performance targets in coordination with the Providers of Public Transportation or Group Sponsors. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. Providers of Public Transportation or Group Sponsors shall be given an opportunity to provide comments on the TPB targets before final targets are adopted.
- b. The TPB board will be presented with the set of draft targets for consideration, and adopt the final targets at a subsequent meeting.

#### 3) Reporting of performance targets

- a. When final transit safety targets are adopted, each Provider of Public Transportation or Group Sponsor will transmit a copy to the TPB.
- b. The TPB targets when approved by the board will be reported to each Provider of Public Transportation or Group Sponsor. For each target, when the TPB approves a long range plan or TIP, the TPB will provide the following information to each Provider of Public Transportation or Group Sponsor.
  1. A determination of whether the TPB is 1) agreeing to plan and program projects so that they contribute toward the accomplishment of the provider of public transportation performance target, or 2) setting a quantifiable target for that performance measure for the TPB's planning area.

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<sup>5</sup> <https://www.gpo.gov/fdsys/pkg/FR-2017-01-18/pdf/2017-00678.pdf>

**Exhibit F: Transit Safety, continued**

2. When any quantifiable target is set for the TPB planning area, the TPB will provide any supplemental data used in determining any such target to each Provider of Public Transportation or Group Sponsor.
3. Documentation of the TPB's target or support of the public transportation provider target will be provided in the form of a resolution or meeting minutes.

**4) Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the TPB region**

- a. Each Provider of Public Transportation or Group Sponsor will provide the TPB with the performance data used in developing targets, and will also provide the TPB with subsets of any data based on the TPB planning area boundaries. Updates of this data will include prior performance data.
- b. Each Provider of Public Transportation or Group Sponsor will provide any performance report to the TPB.
- c. As part of the long-range plan, the TPB will prepare a System Performance Report on the region's transportation performance. Providers of Public Transportation or Group Sponsors will be given an opportunity to provide comments on the report before the report is finalized. The final report will be transmitted to the Providers of Public Transportation and Group Sponsors.

**5) Programming and projects**

- c. Each Provider of Public Transportation or Group Sponsor will provide to the TPB:
  1. A comprehensive list of projects that affect transit safety performance and use federal transit or other funds planned for the TPB metropolitan planning area as part of their input to the metropolitan Transportation Improvement Program (TIP).
  2. The annual obligation listing of federal transit funds expended on transit safety projects and programs in the past year for the TPB metropolitan planning area by December 30 of each year.
  3. Any narrative report or analysis that reviews transit safety performance relevant to transit safety performance in the TPB metropolitan planning area.
- d. The TPB will provide to each Provider of Public Transportation or Group Sponsor:
  1. Technical support for the TIP database to facilitate the integration of transit safety performance into the project programming process.