

MAP-21/FAST Act Rulemakings

Final Planning Rule
 Final HSIP and Safety Performance Measures Rule
 Draft System Performance Rule

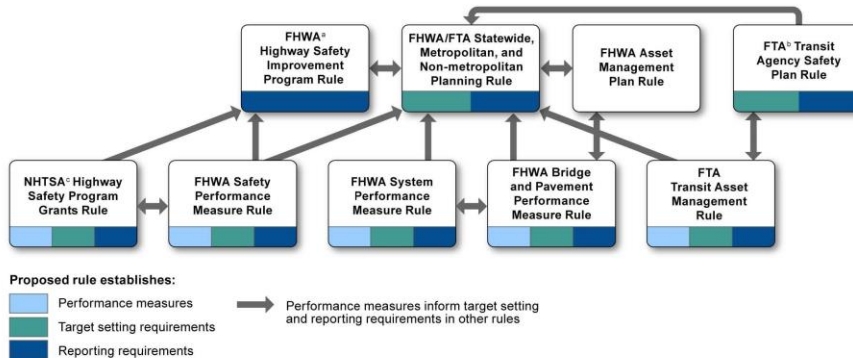


MPO/RPA Quarterly Meeting

June 30, 2016

MAP-21/FAST rulemakings

Figure 3: Relationships among DOT's Planned Rules Establishing a National Performance-Based Approach



Source: GAO. | GAO-15-217



*FHWA = Federal Highway Administration



*FTA = Federal Transit Administration


*NHTSA = National Highway Traffic Safety Administration

<http://www.gao.gov/assets/670/667939.pdf>



 			
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


THE PLANNING EXCHANGE 8

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)

State DOTs, MPOs, Providers of Public Transportation

- Establish performance targets

State DOTs and MPOs

- Include performance targets in their plans
- Link investment priorities to performance targets
- Report on progress



12

FINAL PLANNING RULE

Performance-based Planning & Programming




Performance-based Planning & Programming

- FHWA and FTA establishing national performance measures in key areas
 - ▣ Safety – Final measures published 3/15/2016
 - ▣ Infrastructure condition – Final measures anticipated 11/2016
 - ▣ Congestion
 - ▣ System reliability
 - ▣ Emissions
 - ▣ Freight movement

} Comment period open until 8/20/2016

- States and MPOs will be required to establish targets for these measures to document expectations for future performance
- Federal requirements apply to States and MPOs; will potentially implement a similar process for RPAs



Performance-based Planning & Programming

- States and MPOs will be required to reflect their performance targets and a system performance report in their long-range transportation plans (LRTP)
- Both MPOs and States will need to describe, to the maximum extent possible, the anticipated effect of investment priorities toward achieving the targets in their respective Transportation Improvement Programs (TIPs) and Statewide Transportation Improvement Programs (STIPs)
- States and MPOs shall coordinate when selecting targets to ensure consistency, to the maximum extent practicable
- MPOs shall coordinate with public transportation providers when setting performance targets required under FTA rulemakings



Target Setting Timeline

- States will have one year from the effective dates of the final performance management rules to establish targets
- MPOs will be required to establish targets within 180 days following the State



Phase-in Timeline

- Two years after the date of the final planning rule (May 27, 2018), TIPs, the STIP, and L RTPs must reflect the updated planning regulations to be adopted or amended
- Two years after the effective dates of the final performance management rules, TIPs, the STIP, and metropolitan L RTPs will need to include performance-based planning requirements to be adopted or amended



Performance-related Agreements

- MPOs, State, and the providers of public transportation shall jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to:
 - Transportation performance data
 - Selection of performance targets
 - Reporting of performance targets
 - Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO
 - Collection of data for the State asset management plan for the NHS
- NPRM suggested the metropolitan planning agreement as the vehicle for this agreement; final rule allows the process to be documented in a means agreed upon by all parties



MPO Reporting and Review

- MPOs report targets and progress to the State
- At this time, MPOs will not be subject to reviews for significant progress towards targets; no penalties related to not meeting targets
- An MPO's overall performance-based planning and programming process will be reviewed as part of the certification/planning review



Discussion

- Upcoming decision points
 - Some possible options for how performance-related roles and responsibilities will be documented:
 - Through planning agreement
 - Through TPWP guidance and TPWPs
 - Through separate agreement
 - MPO target setting
 - Interplay between
 - The system targets are set for (All roads, Interstates, NHS, etc.)
 - The funding programs involved (HSIP, NHPP, CMAQ, etc.)
 - The level of adoption (State's targets or MPO's own) and level of reporting (State vs. MPO)
 - State reporting and evaluation requirements vs. MPO requirements



Planning Process and Documents



Planning Provisions

- Two additional planning factors added to previous eight
 - Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation
 - Enhance travel and tourism
- 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
- MPOs should consult with agencies and officials responsible for tourism and natural disaster risk reduction in developing plans and TIPs
- Adds “takes into consideration resiliency needs” to the purposes of statewide and metropolitan planning



Long Range Transportation Plan

- Performance-based approach required in the development of MPO LRTPs
 - ▣ Must describe performance measures and targets used to assess the performance of transportation system and include a system performance report evaluating the condition and performance of the system
 - ▣ Must report on progress the MPO achieves in meeting their targets
- MPO LRTPs shall include 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
- MPO LRTP (shall) and State LRTP (should) include consideration of intercity buses
- MPOs encouraged to utilize scenario planning as part of their LRTP development; if used, shall describe how the preferred scenario will improve performance of the system



Transportation Improvement Program

- Adds performance-based requirement
 - ▣ TIPs and STIP shall include, to the maximum extent practicable, a discussion of the anticipated effect of the TIP/STIP toward achieving performance targets identified by the MPO/State in the LRTP, linking investment priorities to those performance targets
 - ▣ Discussion is at the program, not project level



Discussion

- Will need clarity regarding timelines related to target/progress reporting cycles and LRTP cycles
- Will need to determine the level of discussion related to performance-based programming that is required in the TIPs and STIP
- Multiple timelines for when particular planning and performance-based requirements have to be integrated to adopt/amend TIP/STIP due to multiple final rule dates



Other Provisions



TMA Policy Board Structure

- NPRM and separate guidance had made proposals related to TMA structure
- Final rule provisions
 - Designation or selection of officials or representatives shall be determined by the MPO according to the bylaws or enabling statute of the organization
 - Must include officials of public agencies that operate major modes of transportation including representation by providers of public transportation
 - 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



Emphasis on Nonmetropolitan Transportation Planning

- States required to cooperate with nonmetropolitan local officials – an upgrade from consult in previous bills
 - Cooperate – work together to achieve common outcome
 - Consult – confer with and consider their views
- States have the option to formally designate Regional Transportation Planning Organizations (RTPOs)
 - Does not apply to existing organizations such as RPAs unless they are formally designated
 - If established, several planning requirements for RTPOs
 - Policy Board
 - Oversight agency
 - Regional LRTP and TIP
 - Additional coordination and planning duties
 - No funding identified to support RTPOs



Discussion

- Iowa RPAs have largely the same structure as that proposed for RTPOs and more defined responsibilities, in addition to receiving funding for transportation planning and programming
 - Pros and cons of formally designating RTPOs



Summary

- Iowa DOT will continue to work with MPOs and RPAs as guidance is provided on this rule and additional performance measure rules are finalized
- Will be updating LRTP guidance to reflect the new CFR language
- Compliance Dates
 - Planning requirements (such as nonmetropolitan cooperation) – two years from effective date of final planning rule
 - Performance-based planning requirements – two years from effective date(s) of final performance management rule(s)



Resources

- Statewide and Nonmetropolitan and Metropolitan Transportation Planning final rule:
<https://www.federalregister.gov/articles/2016/05/27/2016-11964/statewide-and-nonmetropolitan-transportation-planning-metropolitan-transportation-planning>
- FHWA Transportation Performance Management website: <http://www.fhwa.dot.gov/tpm/rule.cfm>
- FHWA/FTA presentation on final planning rule:
<http://www.fhwa.dot.gov/tpm/rule/160614presentation.pdf> *(some previous slides/information were from this FHWA presentation)*



MPO Coordination and Planning Area Reform NPRM

- Published 6/27/16
- Comment period open until 8/26/16
- <https://www.federalregister.gov/articles/2016/06/27/2016-14854/metropolitan-planning-organization-coordination-and-planning-area-reform>



Summary of NPRM

- The goal of the proposed revisions is to result in unified planning products for each urbanized area (UZA), even if there are multiple MPOs designated within that urbanized area
 - ▣ MPOs would develop a single LRTP, a single TIP, and a jointly established set of performance targets for the entire urbanized area and contiguous area expected to become urbanized within a 20-year forecast period for the transportation plan
- To accomplish this, the proposed revisions clarify that the metropolitan planning area must include the entire urbanized area and contiguous area expected to become urbanized within 20 years
- The rulemaking would establish clearer operating procedures, and reinstate certain coordination and decisionmaking requirements for situations where there is more than one MPO serving an MPA



FINAL HSIP AND SAFETY PERFORMANCE MANAGEMENT RULES



Safety Requirements Overview

- State Strategic Highway Safety Plan (SHSP) required to be updated every five years
- Annual reporting for the Highway Safety Improvement Program (HSIP)
 - Due by August 31 each year
 - Documents and describes progress made to achieve annual safety performance targets
 - Reports available at <http://safety.fhwa.dot.gov/hsip/reports/>
- Railway-highway crossing improvements report also due annually



Safety Requirements Overview

- Each State shall develop, implement, and evaluate on an annual basis a HSIP that has the objective to significantly reduce fatalities and serious injuries resulting from crashes on all public roads
- HSIP funds shall be used for highway safety improvement projects that are consistent with the State's SHSP
- HSIP funds should be used to maximize opportunities to advance highway safety improvement projects that have the greatest potential to reduce the State's roadway fatalities and serious injuries



Safety Performance Measures

- Five performance measures
 - Number of fatalities
 - Rate of fatalities per vehicle miles traveled (VMT)
 - Number of serious injuries
 - Rate of serious injuries per VMT
 - Number of non-motorized fatalities and serious injuries
- Applicable to all public roads
- 5-year rolling average used for calculation
- Rates expressed per 100 million VMT
- Non-motorized crashes must involve a motor vehicle



Safety Targets

- States establish annual targets in the HSIP report, beginning in August 2017 HSIP report (target for calendar year 2018)
- Target must be reported for each measure (5-year rolling average)
- Targets based on calendar year
- Applicable to all public roads regardless of functional classification or ownership
- No change to targets once submitted in the HSIP report



Safety Targets – States

- States must set a statewide target for each measure
- Urbanized/non-urbanized area targets
 - States can establish any number of urbanized area targets and a single non-urbanized area target
 - Must report the urbanized area boundaries
 - Must evaluate and report progress for each target
 - Not included in assessment of target achievement



Safety Targets – MPOs

- MPOs establish targets for each measure within 180 days after the State
- Two options to establish targets
 - MPOs can agree to support the State DOT target; OR
 - MPOs can establish a numerical target specific to the MPO planning area
 - For each of the five performance measures, can make a different choice to establish a quantifiable target or agree to support the State's targets
- Multi-state MPOs
 - Establish one target for the entire metropolitan planning area; OR
 - Agree to support the DOT targets for each State



Safety Targets – MPOs

- Targets applicable to all public roads in the MPO
- MPOs will need to report the VMT estimate used for the rate targets and the methodology used to develop the estimate
- MPO targets are reported to State DOT and must be available to FHWA, if requested
- States and MPOs must coordinate on target establishment
 - Annual targets should logically support LRTP and SHSP goals



Safety – Determination of Significant Progress for State DOTs

- Four out of five targets must be:
 - Met, or
 - Better than performance for year prior to target establishment
- Requirements if State did not meet or make significant progress toward meeting targets
 - Use obligation authority equal to the HSIP apportionment for the prior year only for highway safety improvement projects, and
 - Submit a HSIP Implementation Plan

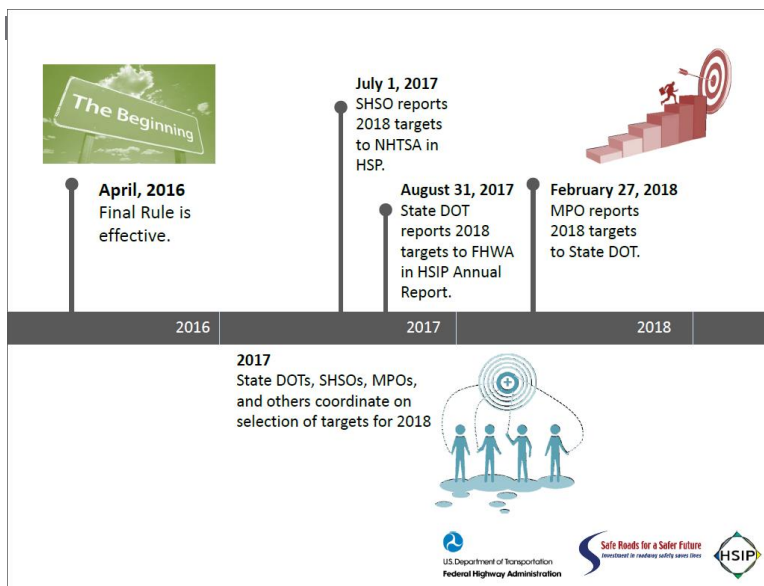


Safety – MPO Evaluation

- MPOs held accountable through the statewide and metropolitan planning process
 - LRTP including a system performance report component
 - TIP including the Federal Planning Finding
 - MPO certifications/planning reviews
 - HSIP Implementation Plan (if required)



Safety Targets – Timeline



Safety Targets – Timeline



Resources

- Highway Safety Improvement Program final rule: <https://www.federalregister.gov/articles/2016/03/15/2016-05190/highway-safety-improvement-program>
- National Performance Management Measures: Highway Safety Improvement Program final rule: <https://www.federalregister.gov/articles/2016/03/15/2016-05202/national-performance-management-measures-highway-safety-improvement-program>
- FHWA safety rulemaking website: <http://safety.fhwa.dot.gov/hsip/rulemaking/>
- FHWA presentation on final safety rules: http://safety.fhwa.dot.gov/hsip/rulemaking/docs/webinar_aprilFinal.pdf (some previous slides/information were from this FHWA presentation)




NOTICE OF PROPOSED RULEMAKING SYSTEM PERFORMANCE, FREIGHT, AND CONGESTION PERFORMANCE MANAGEMENT



Overview

- Establishes system performance, freight, and CMAQ measures for which States and MPOs will be required to adopt targets
- Eight total measures are included in the NPRM; as proposed, only four would currently be applicable to Iowa or its MPOs

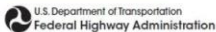





Transportation Performance Management

Subpart E: Proposed Measures, Metrics and Applicability

Part 490 Subpart	Measure	Metric	Applicability
Subpart E - Performance of the National Highway System	Percent of the Interstate System providing for Reliable Travel Times	Level of Travel Time Reliability (LOTTR)	Interstate System mileage within the State or each MPA
	Percent of the non-Interstate NHS providing for Reliable Travel Times	Level of Travel Time Reliability (LOTTR)	Non-Interstate NHS within the State or each MPA
	Percent of the Interstate System where Peak Hour Travel Times meet expectations*	Peak Hour Travel Time Ratio (PHTRR)	Interstate System mileage within each urbanized area with a population over 1 million
	Percent of the non-Interstate NHS where Peak Hour Travel Times meet expectations*	Peak Hour Travel Time Ratio (PHTRR)	Non-Interstate NHS mileage within each urbanized area with a population over 1 million


National Performance Management Measures NPRM
15

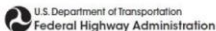
*Would not currently be applicable to Iowa or its MPOs




Transportation Performance Management

Subpart F: Proposed Measures, Metrics and Applicability

Part 490 Subpart	Measure	Metric	Applicability
Subpart F - Freight Movement on the Interstate System	Percent of the Interstate System mileage providing for Reliable Truck Travel Times	Truck Travel Time Reliability (TTTR)	Interstate System mileage within the State or each MPA
	Percent of the Interstate System Mileage Uncongested	Average Truck Speed	Interstate System mileage within the State or each MPA

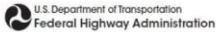

National Performance Management Measures NPRM
16



Transportation Performance Management

Subparts G & H: Proposed Measures Metrics, and Applicability

Part 490 Subpart	Measure	Metric	Applicability
Subpart G – CMAQ – Traffic Congestion	Annual Hours of Excessive Delay Per Capita *	Total Excessive Delay	NHS roads in urbanized area with a population over 1 million are, all or in part, designated as nonattainment or maintenance areas for ozone (O ₃), carbon monoxide (CO), or particulate matter (PM)
Subpart H – CMAQ - On-Road Mobile Source Emissions	2- and 4-year Total Emission Reductions for each applicable criteria pollutant and precursor *	Annual Tons of Emission Reductions by project for each applicable criteria pollutant and precursor	All projects funded by CMAQ program in areas designated as nonattainment or maintenance for O ₃ , CO, or PM


National Performance Management Measures NPRM
17

**Would not currently be applicable to Iowa or its MPOs*

Proposed Data Sources – Performance and Freight

- Highway Performance Monitoring System (HPMS)
 - ▣ Pavement Condition Performance Measures
 - ▣ Performance of the NHS
 - ▣ Freight Movement on the Interstate System
- National Performance Management Research Data Set (NPMRDS) or equivalent data set
 - ▣ Performance of the NHS
 - ▣ Freight Movement on the Interstate System

Target Establishment

- State DOTs would establish 2-year and 4-year performance targets for a 4-year performance period
 - ▣ Established within one year of final rule
 - ▣ Adjustment of 4-year target allowed at the midpoint
 - ▣ Can have optional targets for urbanized areas and non-urbanized areas
- MPOs would be required to establish 4-year targets within 180 days of States
 - ▣ Can agree to plan and program projects supporting statewide targets, or can define targets unique to the metropolitan area
 - ▣ Report targets to State through agreed-upon process
 - ▣ MPOs would report baseline condition/performance and progress towards targets in the system performance report of the LRTP



Timeline (proposed)

- Initial State Performance Report due 10/1/16
- First performance period for non-emission measures would be CY 2018-2021
 - ▣ Baseline Performance Period Report due 10/1/18
 - ▣ Mid-Performance Period Progress Report due 10/1/20
 - ▣ Full Performance Period Progress Report due 10/1/22
- MPOs report through System Performance Report as part of their LRTP
 - ▣ Baseline performance and progress towards achieving targets



Determining Significant Progress

- FHWA determines if States have made significant progress
 - Assessed every two years
 - Significant progress made if actual performance is equal to or greater than the established target or the baseline performance
 - If significant progress is not made, States are required to take additional reporting actions



Initial Reactions

- Iowa DOT has provided some initial comments in these areas to AASHTO; will likely develop more formal comments for the docket
 - Measures are overly complex, which will limit public understanding
 - The phase-in timeline for these requirements should be extended due to complexity and data issues
 - Significant data coverage limitations with non-interstate system
 - Need additional time to properly evaluate the sensitivity of system performance to various metrics and thresholds
 - It may be desired for FHWA or another centralized agency should calculate these measures on behalf of each State/MPO



Initial Reactions (cont.)

- Clarity is needed regarding the acceptability of using multiple datasets
- Clarity is also needed regarding the process for FHWA approval of alternative data sources and whether limitations imposed by data requirements exclude the use of specific alternate data sources
- Extreme weather and climate conditions should be among the extenuating circumstances that can be considered to have impacted a State DOT's ability to make significant progress
- A specific timeline for FHWA to issue their significant progress determinations should be defined
- FHWA should not consider lower population thresholds for those measures associated with urbanized areas with a population of 1 million or more
- FHWA should not consider a carbon dioxide measure, as a means of monitoring GHG emissions, for any areas that are in attainment based on current air quality standards



MPO and RPA Implications

- To be determined
- Anticipate Iowa DOT playing a large role in providing data and target development
- May implement similar process for RPAs as MPOs
- Non-primary NHS
 - 76 miles of NHS in Iowa are under local ownership
 - Six MPOs and four RPAs have non-primary NHS routes in their planning areas
- Iowa DOT will continue to work with RPAs and MPOs as guidance is provided on this rule and the final performance measure rules are issued



Comment Period

- National Performance Management Measures: System Performance, Freight, and CMAQ draft rule: <https://www.federalregister.gov/articles/2016/04/22/2016-08014/national-performance-management-measures-assessing-performance-of-the-national-highway-system>
- Comment period currently open until 8/20/2016



Resources

- FHWA Transportation Performance Management website: <http://www.fhwa.dot.gov/tpm/rule.cfm>
- Additional FHWA resources for draft rule: http://www.fhwa.dot.gov/tpm/rule/pm3_nprm.cfm
- Presentation on draft rule: <http://www.fhwa.dot.gov/tpm/rule/prespmoverview200416.pdf> *(some previous slides/information were from this FHWA presentation)*

