

MEMORANDUM

TO: MPOs and STATE DOTs

FROM: FHWA DIVISION AND FTA REGIONAL OFFICES

RE: PBPP IMPLEMENTATION SCHEDULE

Date: August 8, 2018

The Federal Transit Administration (FTA) Region IV office (Atlanta) and Federal Highway Administration (FHWA) Division Offices in the southeast (AL, FL (including PR and VI), GA, KY, NC, SC and TN) would like to take this opportunity to remind State DOTs, MPOs and public transportation providers of the need to adequately address the planning requirements identified in the final rule on metropolitan and statewide planning published in the Federal Register on **May 27, 2016**¹. This final rule addresses changes to the metropolitan and statewide planning process stemming from Moving Ahead for Progress in the 21st Century Act (MAP-21) and the Fixing America's Surface Transportation Act (FAST) including Performance Based Planning and Programming (PBPP). It provides that updates and amendments to the Transportation Improvement Program (TIP), Metropolitan Transportation Plan (MTP), Long-Range Statewide Transportation Plan, Statewide Transportation Improvement Program (STIP) and transportation conformity determination actions completed after May 27, 2018 be compliant with the updated metropolitan/statewide planning rule.²

The final rule also provides that State(s), MPO(s), and providers of public transportation must jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO, and the collection of data for the State asset management plan for the National Highway System (NHS). These jointly written provisions can be documented either as part of the metropolitan planning agreements required under 23 CFR 450.314 or documented in some other means outside of the metropolitan planning agreements as determined cooperatively by the MPO(s), State(s), and providers of public transportation.

Similar to the other performance based planning requirements, State(s), MPO(s), and providers of public transportation are required to complete the jointly written provisions in accordance with the phase in schedules described in the planning final rule³.

With respect to FHWA safety performance measures and targets⁴, written provisions were due **May 27, 2018** (2 years after the publication date of the planning rule). With respect to the FHWA's Pavement and Bridge performance measures (PM-2 Rule⁵) and system performance measures (PM-3 Rule⁶), jointly written provisions are due **May 20, 2019** (two years after the effective date of those

¹ 23 CFR Parts 450 and 771 and 49 CFR Part 613 (Metropolitan Transportation Planning and Statewide and Non-Metropolitan Transportation Planning)

² STIP and TIP administrative modifications are exceptions per 23 CFR 450.226(d) and 23 CFR 450.340(d).

³ § 450.340 Phase-in of new requirements.

⁴ 23 CFR Part 490

⁵ 23 CFR Part 490

⁶ 23 CFR Part 490

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rules). For additional information on the schedule to implement the FHWA performance measures, please see <https://www.fhwa.dot.gov/tpm/rule/timeline.pdf>.

The jointly written provisions to address FTA's Transit Assessment Management/State of Good Repair (TAM/SGR) performance measures must be completed by **October 1, 2018** (two years after the effective date of the TAM rule⁷). As information on transit asset conditions as reported by providers of public transportation to the National Transit Database (NTD) will not be available until October 2019, they will need to provide this information directly to their MPO. For additional TAM/SGR information, please see FTA's TAM webpage.

On July 19, 2018, FTA published the [Public Transportation Agency Safety Plan \(PTASP\) Final Rule](#), which requires public transportation providers that receive federal funds under FTA's Urbanized Area Formula Grants (Section 5307) to develop safety plans that include processes and procedures that follow Safety Management Systems (SMS). The PTASP rule becomes effective on July 19, 2019; and safety plans must be certified and implemented by **July 20, 2020**. Safety plans must include safety performance targets that will be coordinated with MPOs and States. States must draft and certify a Safety Plan on behalf of any small public transportation (operations of less than 100 vehicles during peak service) provider located within that State, unless the small provider elects to draft and certify its own plan.

The FHWA Division Offices and the FTA Regional Office will work with the State DOTs to assure that the transportation planning process and jointly written provisions on performance measures and targets meet the requirements as noted above and are implemented appropriately in the MPO areas. Should you have any questions regarding this matter, please contact FHWA or FTA contacts at e mail addresses and/or numbers below:

FHWA Division:

Alabama: Clint Andrews, clint.andrews@dot.gov, 334-274-6346
Florida: Karen Brunelle, karen.brunelle@dot.gov, 850-553-2218; (Florida)
Puerto Rico/USVI: Luis D. Lopez, Luis.d.lopez@dot.gov; 407-867-6420 (Puerto Rico/VI)
Georgia: Andy Edwards, andrew.edwards@dot.gov, 404-562-3659
Kentucky: Bernadette Dupont, bernadette.dupont@dot.gov, 502-223-6729
North Carolina: Eddie Dancausse, edward.dancausse@dot.gov, 919.747.7026
South Carolina: Jessica Hekter, jessica.hekter@dot.gov, 803-765-5458
Yolanda Morris, yolanda.morris@dot.gov, 803-253-3877
Tennessee: Theresa Claxton, theresa.claxton@dot.gov, 615.781.5772

FTA Region IV: Keith Melton, keith.melton@dot.gov, 404.865.5614

⁷ 49 CFR Parts 625 and 630