



**METROPOLITAN
TRANSPORTATION
COMMISSION**

Joseph P. Bort MetroCenter
101 Eighth Street
Oakland, CA 94607-4700
TEL 510.817.5700
TDD/TTY 510.817.5769
FAX 510.817.5848
E-MAIL info@mtc.ca.gov
WEB www.mtc.ca.gov

Memorandum

TO: Partnership Technical Advisory Committee

DATE: November 18, 2013

FR: Dave Vautin and Melanie Choy

RE: MAP-21 Implementation Update: Performance Measures and Asset Management

The Moving Ahead for Progress in the 21st Century Act (MAP-21) was signed into law in July 2012 and took effect in October of that year. Among other important provisions, it authorized USDOT to establish national standards for performance measurement and asset management. The Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) are in the early stages of a phased rulemaking process to address these two critical issues; this rule-making process will continue through summer 2014 with new requirements for states, MPOs, and transit operators going into effect in spring 2015.

MAP-21 Performance Measures

The inclusion of performance measures in MAP-21 represents the first step towards better aligning federal funding with the nation's transportation goals. MAP-21 identified the following national goals for which FHWA and FTA are authorized to develop performance measures: safety, infrastructure condition, congestion reduction, system reliability, freight movement & economic vitality, and environmental sustainability.

For some of these national goals, the potential performance measures are relatively well-defined in the legislation— for example, injuries and fatalities from collisions as safety metrics. For other goal areas, such as congestion reduction, system reliability, and freight movement, the legislation provides little in the way of guidance, providing FHWA with greater discretion in identifying these measures. The legislation prohibits USDOT from considering performance measures not specified in MAP-21 but permits state, regional, and local agencies to consider additional performance measures.

States, MPOs, and transit agencies will be required to set numeric targets for the identified measures within their respective jurisdictions. These agencies will have to collect data on a regular basis and report their progress towards meeting these targets on a frequent basis. Federal guidelines also emphasize the need to incorporate these performance targets into regional transportation plans (RTPs) and transportation improvement programs (TIPs) and encourage MPOs to incorporate them in their scenario-based planning processes, if possible. Once the

national measures are finalized in 2015, states, MPOs, and transit agencies will have to identify numeric targets for each of the measures within 18 months.

Draft national performance measures, as well as federal guidelines for target-setting and reporting, will be incorporated into a series of nine interrelated rules; rules will be released by FHWA and FTA on a regular basis between fall 2013 and summer 2014 with 90-day period for public comment. The latest USDOT schedule for performance measures rulemaking is shown below. MTC will be involved in the rulemaking process, consulting with our state and local partners and submitting comments to USDOT; MTC also encourages affected agencies to provide feedback directly to USDOT.

Performance Measure Rule	NPRM Released	Comments Due
Metropolitan and Statewide Planning Rule	Autumn 2013	Winter 2014
Safety Performance Measure Rule	Autumn 2013	Winter 2014
Highway Safety Improvement Program Rule	Autumn 2013	Winter 2014
Highway Safety Program Grants Rule	Autumn 2013	Winter 2014
Pavement and Bridge Performance Measure Rule	Winter 2014	Spring 2014
Highway Asset Management Plan Rule	Winter 2014	Spring 2014
System Performance Measure Rule	Spring 2014	Summer 2014
Transit State of Good Repair Rule	Spring 2014	Summer 2014
Transit Safety Plan Rule	Spring 2014	Summer 2014

First Performance Measures Rule: Advanced Notice of Proposed Rulemaking for Transit Safety and Asset Management

On October 3, 2013, FTA published the Advanced Notice of Proposed Rulemaking (ANPRM) on Safety and Transit Asset Management, allowing for advance comments ahead of the 2014 rulemaking process. Because FTA believes there is a nexus between achieving a state of good repair and the safety of a transit system, it has combined these two rulemakings into one. The rulemaking will apply to all transit systems. However, FTA indicated that the focus of their initial oversight and enforcement efforts will be on rail transit systems because of the increased potential safety risks associated with rail transit. Also, at an undetermined future date, FTA will be issuing a separate notice on National Transit Database (NTD) reporting that will address the collection of transit asset information.

FTA is seeking comments on its initial interpretations and proposals under consideration, through the 123 questions listed in the ANPRM. The first half of the ANPRM is focused on safety and MTC plans to address components that are relevant to regional policy, asset management, and performance measurement. For questions related to transit operations safety, MTC's role is limited and will defer to operators to respond and provide comments directly to

the FTA. The second half of the ANPRM focuses on transit asset management; Attachment A outlines the topic areas for which MTC intends to provide a detailed response.

MTC staff is developing proposed comments on the ANPRM in consultation with the transit operators (through a Transit Asset Management Working Group and the Transit Finance Working Group). If your agency is planning on responding to the ANPRM directly, MTC would appreciate a copy of your correspondence.

Key Dates for Safety & Asset Management ANPRM Process	Date
ANPRM published in Federal Register	October 3, 2013
Transit Asset Management Working Group Discussion	November 8, 2013
Transit Finance Working Group Discussion	December 4, 2013
MTC to finalize comments	December 13-20, 2013
Comments due to FTA (docket no. FTA-2013-0030)	January 2, 2014

If you have any questions regarding MAP-21 performance measures, please contact Dave Vautin at (510) 817-5709 or dvautin@mtc.ca.gov. If you have questions regarding MAP-21 transit asset management requirements, please contact Melanie Choy at (510) 817-5607 or mchoy@mtc.ca.gov.

Attachment A: FTA's ANPRM on Safety and Asset Management - Discussion Topics

1) Safety	<ul style="list-style-type: none"> a) Relationship between state of good repair definition/ performance with the National Safety Plan b) Safety performance measures, targets that should be considered (to be addressed by MTC Planning)
2) Transit Asset Management Plans	<ul style="list-style-type: none"> a) How should the requirements apply to sub-recipients? Should designated recipients (including states) be required to review sub-recipients' Transit Asset Management (TAM) Plans? b) How should FTA apply the requirements to transit systems and transit assets that are managed through contracted services? c) What level of detail and categorization for the capital asset inventory should be required? d) What time frame should the plan cover and how frequently should it be updated? e) Investment prioritization - How specific should this section be? Any recommended processes/procedures for balancing competing priorities (operations, expansion, etc.), ensuring the prioritization reflects an organization's goals, and that actual investments match prioritization? f) What requirements should be established for incorporating safety into the inventory, condition assessment, and investment prioritization? g) How should the certification process be administered by FTA and at local level (board adoption)? Through Certification and Assurance process? Self-certification processes with random sample review by FTA? How often should FTA review?
3) State of Good Repair Definition	<ul style="list-style-type: none"> a) Is there a preference for one of the proposed SGR measurement approaches (age based, condition, performance, comprehensive) and should it differ between asset classes and operators? b) How should the definition balance the benefits of improved safety, performance, comfort and other factors (such as intensity of usage)?

4) Performance Measures and Target-Setting	<ul style="list-style-type: none"> a) What performance measures should FTA adopt? b) Should performance measure results be collected through NTD? Should targets be set on system-wide basis, per mode, asset class or combination? c) Should the SGR performance measures and performance results be based on data reported through NTD? d) What should the time horizon be for the SGR performance targets?
5) Technical Assistance	<ul style="list-style-type: none"> a) Suggestions on gaps in resources, tools, and research.
6) Coordination of Targets and Plans with Planning Requirements	<ul style="list-style-type: none"> a) What procedures/requirements should be established to ensure that Safety and TAM Plan goals, measures, and targets from individual transit systems are integrated into the MPO, statewide, and nonmetropolitan planning processes? b) Should MPOs set single regional target for state of good repair or should MTOs set individual targets for each operator? c) How can the transit state of good repair investment priorities (from TAM Plans) be most effectively reflected in MPO plans and the TIP, i.e. alongside other investment goals in financially constrained plans?
7) Addressing Small Operators	<ul style="list-style-type: none"> a) Should there be different TAM Plan rules for different sized operators? b) Should there be different performance measures for different sized operators?

J:\COMMITTEE\Partnership\Partnership TAC_2013 PTAC\13 PTAC Memos\04_PTAC Nov 18 13\08_map21 perf&anprm Memo.docx