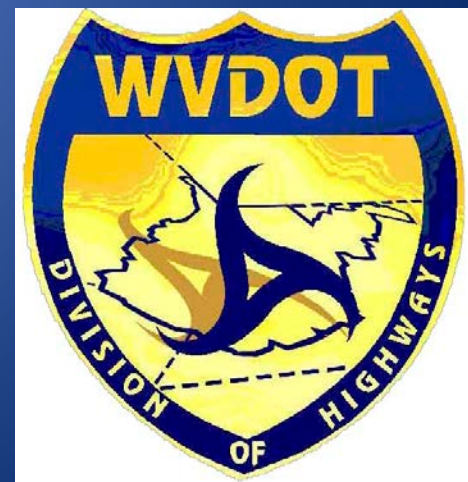




U.S. Department of Transportation
**Federal Highway
Administration**

Moving Ahead for Progress in the 21st Century Act (MAP-21)

West Virginia Planning Conference
Henry (Ed) Compton, P.E.
Federal Highway Administration
Director, Engineering and Operations



After 10 extensions, a 27-month bill

- SAFETEA-LU expired on 9/30/09
- 10 extensions of SAFETEA-LU
- MAP-21 Passed on July 6, 2012
- MAP-21 Effective Date October 1, 2012
- Moving Ahead for Progress in the 21st Century



Stable Funding

- Program authorized through FY14
 - Current law through end of FY12
 - Most new provisions go into effect on October 1st
- Avg. annual funding at FY12 levels (plus minor inflation)
- Extends Highway Trust Fund taxes and ensures 2 years of solvency for Highway Trust Fund (HTF)
- Substantial programmatic consolidation
 - No earmarks
 - Most discretionary programs eliminated



MAP-21 Themes

- Strengthens America's highway and public transportation systems
- Creates jobs and supports economic growth
- Supports an aggressive safety agenda
- Simplifies and focuses the Federal program
- Accelerates project delivery and promotes innovation
- Establishes a performance-based Federal program



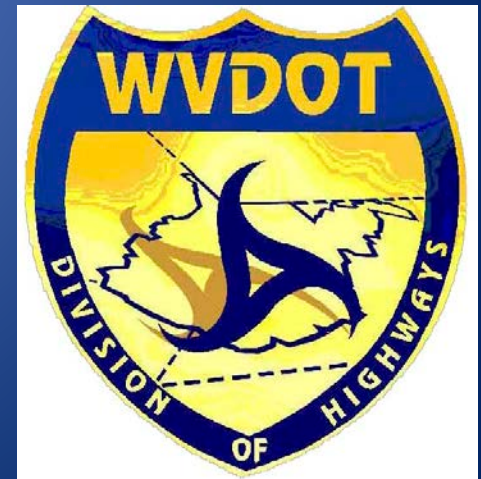
MAP-21 Themes

- Expands emphasis on multimodal investments
 - Retains provisions for flexing highway funds to transit
 - FTA and FHWA continue to jointly administer state and metropolitan planning programs
 - Encourages corridor planning with planning-environmental linkages provisions
 - Explicitly requires representatives of public transportation providers to become voting members of MPO Boards in Transportation Management Areas (TMA's)



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Performance Management





Performance Management

- Identifies seven national goals (23 USC 150(b))
- Authorizes Secretary, with input, to establish performance measures and standards for 13 highway performance areas (23 USC 150(c)) and 2 transit performance areas
- States, MPOs and public transportation agencies set targets for each established performance measure



Performance Management

- Identifies Seven National Goals
 - Safety
 - Infrastructure Conditions
 - Congestion Reduction
 - System Reliability
 - Freight Movement and Economic Vitality
 - Environmental Sustainability
 - Reduced Project Delivery Delays

(23 USC 150(b))



Performance-based Approach

- Requires DOT to establish standards and measures
 - Condition of pavement on the Interstate and National Highway Systems (23 USC 150(c))
 - Condition of bridges on the National Highway System (150(c))
 - Performance of the Interstate and National Highway Sys. (150(c))
 - Minimum level of pavement condition on the Interstate System
 - Serious injuries and fatalities per vehicle mile travelled (150 (c))
 - Number of serious injuries and fatalities (150(c))
 - Traffic congestion, (150(c))
 - On-road mobile source emissions (150(c))
 - Freight movement (150(c))
 - Transit state of good repair standards (49 USC 4326)
 - Transit safety (49 USC 5329)



Performance Management

- States, metropolitan planning organizations and providers of public transportation agencies develop plans and programs and select projects to achieve targets
- States to report to USDOT on progress toward targets (within 4 years of enactment; biennially thereafter)

WVDOH Performance Measures

Examples

% STIP Advanced

Objective: A Statewide Transportation Improvement Program (STIP) with a high percent of current year projects advanced.

Performance Measurement: Percent of current year projects in STIP advanced. The number of current year STIP projects authorized divided by the total number of projects included in the STIP effective on October 1 of the current year.

Goal: Increase the percentage of STIP advanced to 75% or greater by 2012.



% Aggregate Project Cost Change (>\$1M)

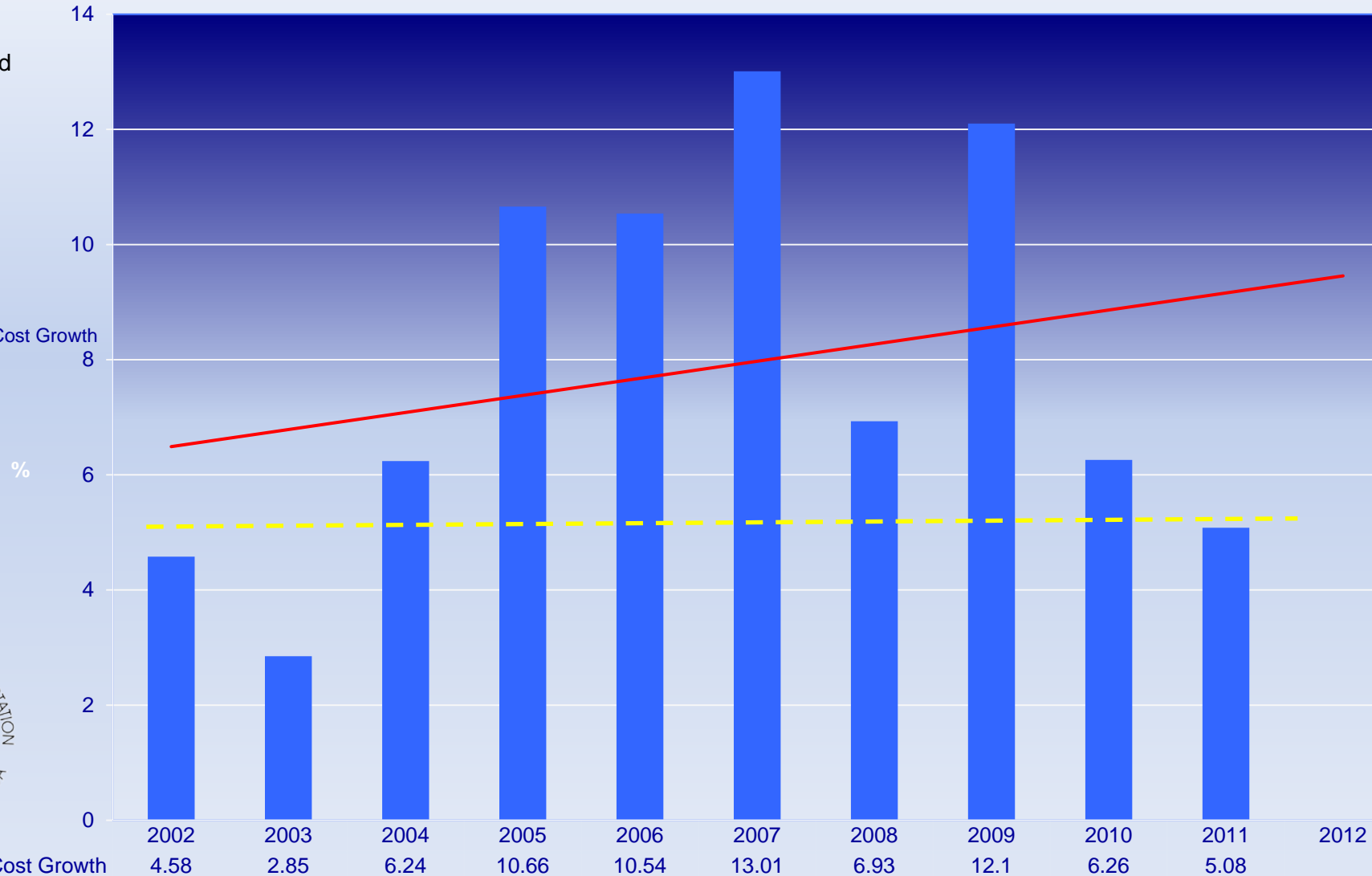
Objective: Accurate and complete authorizations of project plans, specifications, and estimates resulting in lowest total project cost.
Performance Measurement: Percent of project cost change from project construction low bid amount to final project contract cost amount.

Goal: Limit % aggregate project cost change to 5%.

Desired Trend



■ % Project Cost Growth
— Trend
- - - Goal

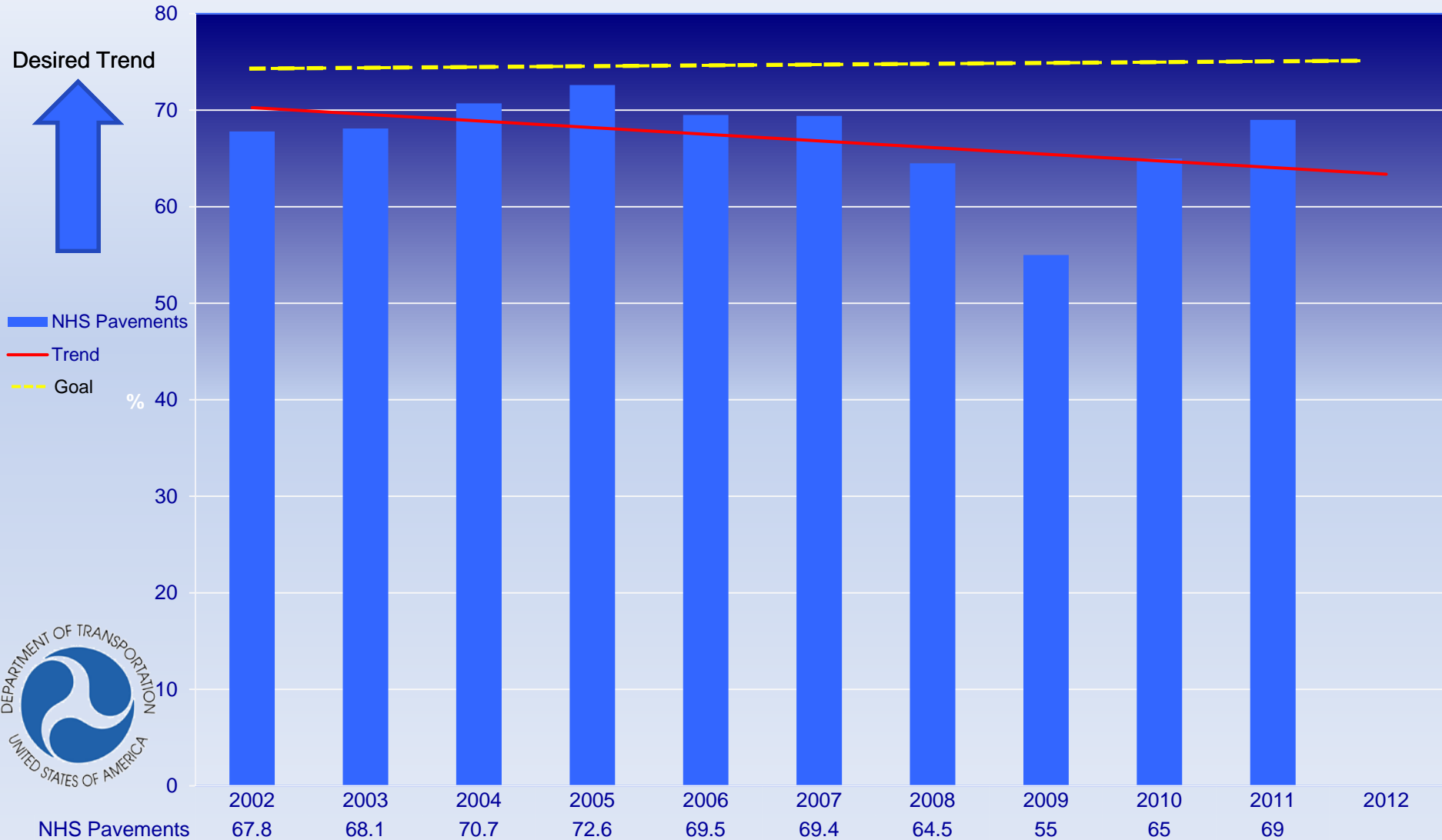


% NHS Pavements

Objective: Increase pavements on NHS in WV with Good Ride Quality.

Performance Measurement: % of travel (VMT) on the NHS with International Roughness Index (IRI) of <95 inches/mile.

Goal: Increase the percentage of travel on NHS in WV with Good Ride Quality (IRI value of less than or equal to 95 inches/mile) to greater than 75% by 2012.

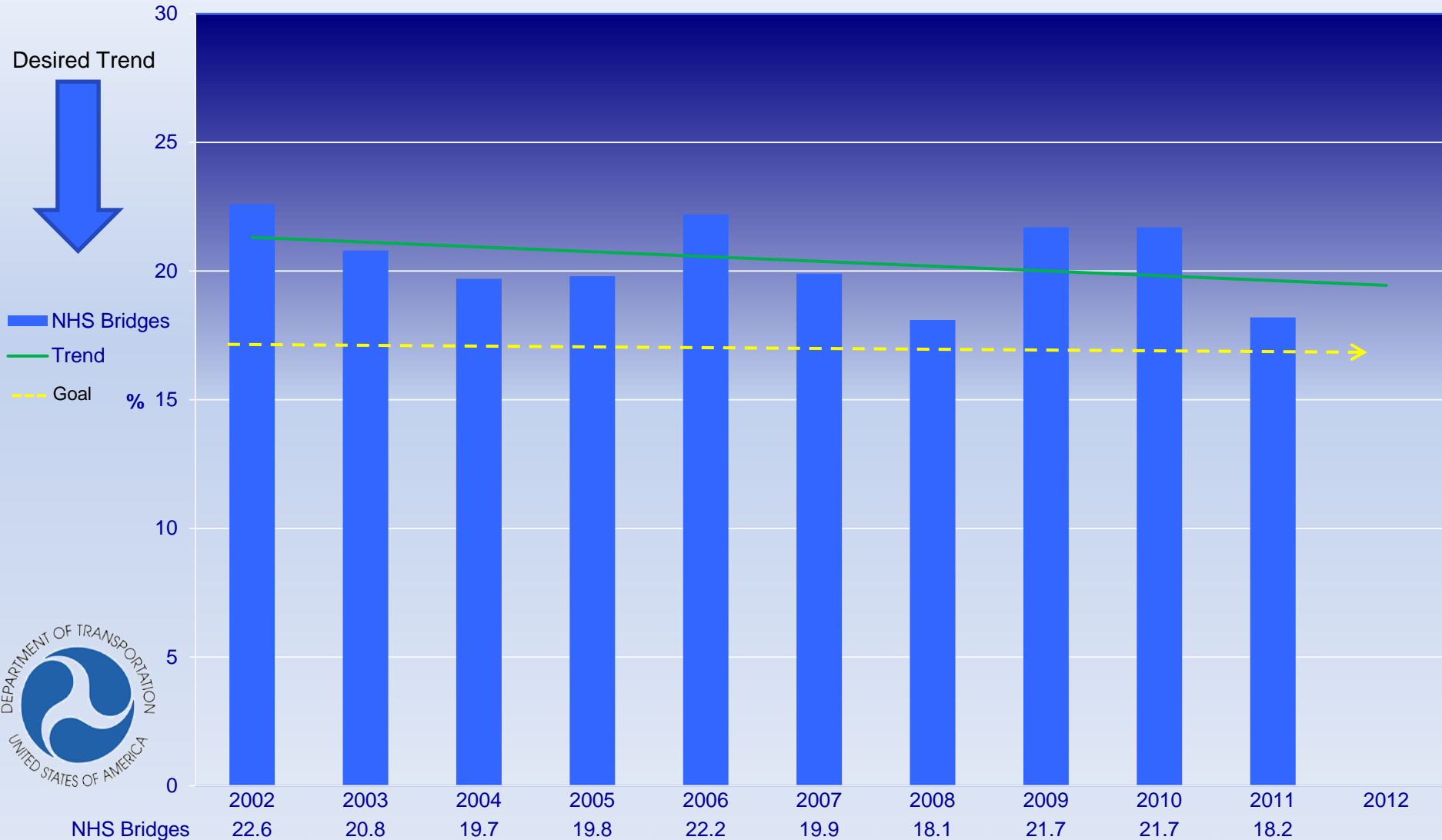


% NHS Bridges

Objective: Improve condition of bridges in WV.

Performance Measurement: % of deck area on deficient bridges on the NHS and % of deck area on deficient bridges, Non-NHS.

Goal: Decrease the % of deck area on deficient bridges on the NHS in WV to 16.5% by 2012.

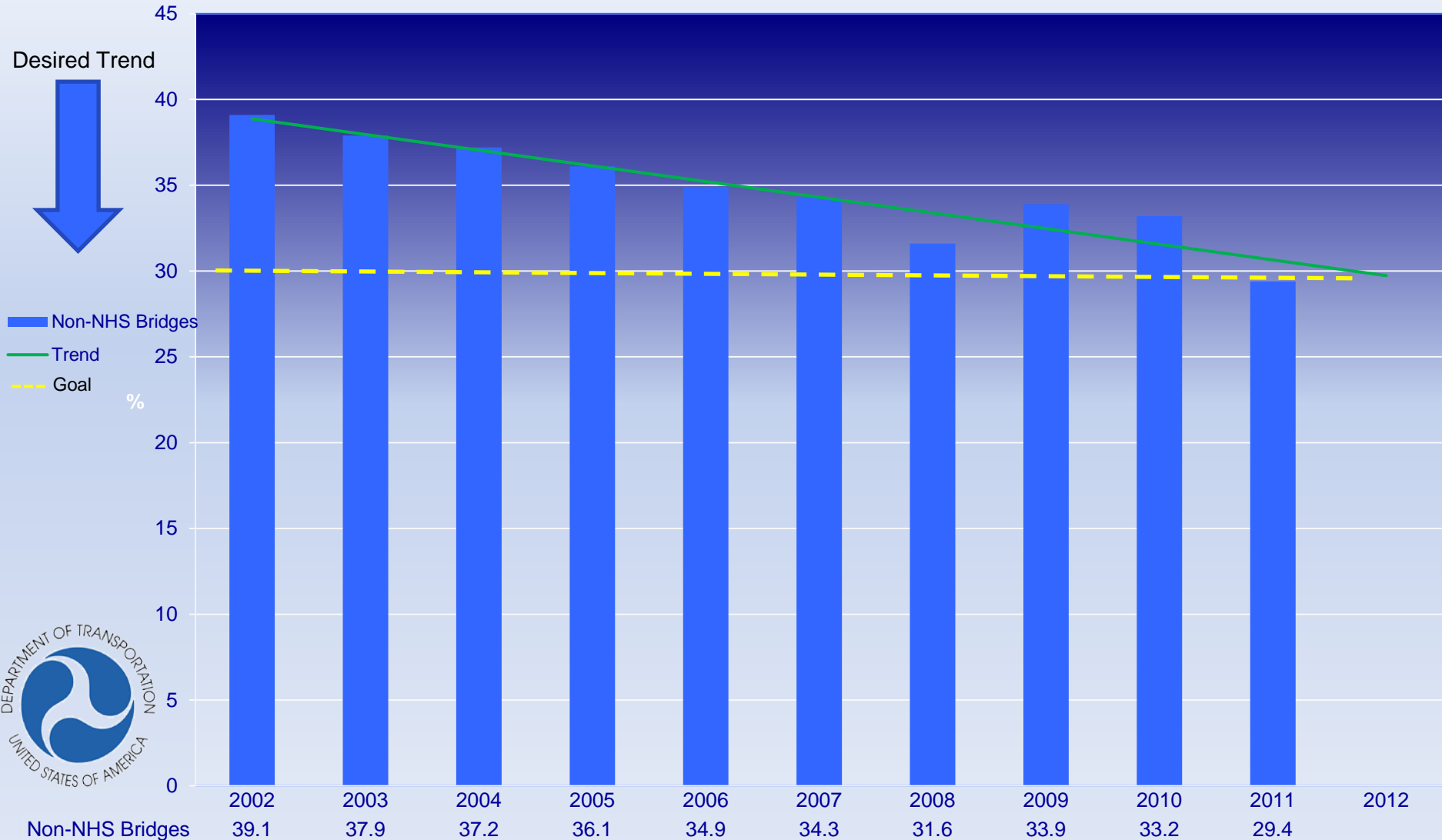


% Non-NHS Bridges

Objective: Improve condition of bridges in WV.

Performance Measurement: % of deck area on deficient bridges on the NHS and % of deck area on deficient bridges, Non-NHS.

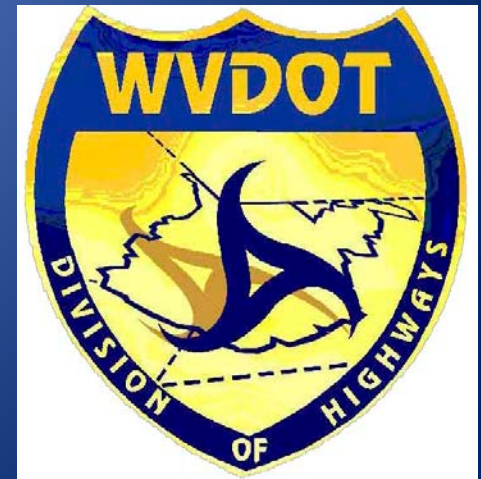
Goal: Decrease the % of deck area on deficient bridges on Non-NHS in WV to 30% by 2012.





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Transportation Planning





Metropolitan Transportation Planning

MAP-21 Performance Management Provisions

- Establish transparent, accountable decision-making framework for States, Metropolitan Planning Organizations and Providers of Public Transportation to identify multimodal capital investments and project priorities
- Emphasize sound multimodal planning processes

Metropolitan Transportation Planning

Unchanged Provisions

- Population thresholds for MPOs and TMAs unchanged
- TIP to be updated at least once every 4 yrs.
- MTP updated at least once every 4-years in nonattainment and maintenance areas, and every 5-years in attainment areas.
- Eight planning factors unchanged



Metropolitan Transportation Planning

MPO Structure: New Provision

- Within two years of enactment of MAP-21, MPOs serving TMA areas shall consist of:
 - Local elected officials
 - **Officials of public agencies that operate major modes of transportation including representation by providers of public transportation**
 - Appropriate State officials.
 - MPO does not need to re-designate to meet this provision.
 - See 23 U.S.C. 134(d)



Metropolitan Transportation Planning

Planning process: performance-driven, outcome based. (23 U.S.C. 134(c)(1) & (h)(2))

- Support the seven National Goals and the general transit purposes identified in MAP-21
- MPOs to establish performance targets to address USDOT established surface transportation system performance measures
- Selection of performance targets by the MPO shall be coordinated with relevant State and providers of public transportation to ensure consistency to the maximum extent practicable.
- Targets will be used to track progress towards attainment of critical performance outcomes for the MPO region.
- May adopt locally defined performance measures and targets



Statewide & Nonmetropolitan Transportation Planning

- Formerly “Statewide Transportation Planning” (SAFETEA-LU)
- STIP must be updated at least once every 4 yrs. (unchanged)
- Eight planning factors, unchanged from SAFETEA-LU and same as Metropolitan Planning factors



Statewide & Nonmetropolitan Transportation Planning

Performance based approach (cont.) (23 USC 135(d)(2))

- A State shall integrate into the statewide transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets from other State transportation plans and processes as well as any plans from providers of public transportation in urbanized areas not represented by MPOs.
- A State shall consider these measures and targets when developing policies, programs, and investment priorities in the long range statewide transportation plan and the STIP



Statewide & Nonmetropolitan Transportation Planning

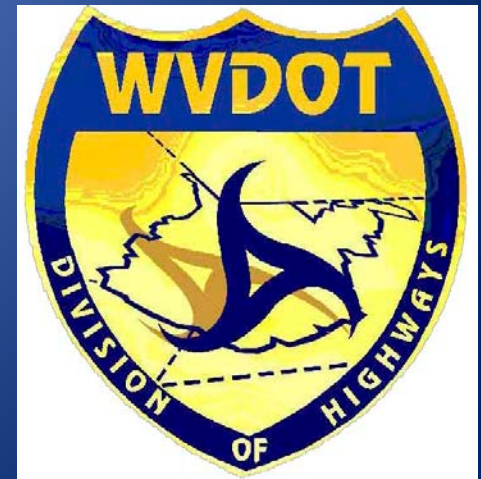
Long Range Statewide Transportation Plan

- Shall be developed in cooperation with
 - In nonmetropolitan areas - affected nonmetropolitan officials with responsibility for transportation or, if applicable, through Regional Transportation Planning Organization (RTPO) (23 USC 135(f)(2)(B))
 - In metropolitan areas – with MPOs. (135(f)(2)(A))
- Should include a description of the performance measures and targets used in assessing the performance of the transportation system (135(f)(7))



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Transportation Alternatives





Funding Levels

- Similar funding levels to the Transportation Enhancement Activities under SAFETEA-LU:
 - FY 2013: \$808,760,000
 - FY 2014: \$819,900,000
- Total TAP funding is 2% of MAP-21 highway funding.
- Funded via set-aside from each State's formula programs.

Funding structure

Steps in the TAP suballocation process:

1. States receive an apportionment of TAP funds.
2. Funds are set aside for the Recreational Trails Program at FY 2009 levels (\$84.16 m) (*unless the State opts out*).
3. Of the remaining funds:
 - 50% are suballocated by population (large urbanized areas, other urban areas, rural areas).
 - 50% are available for any area of the State.

TAP Eligible activities

Transportation Alternatives (TA) as defined:

- Construction, planning, and design of ...facilities for pedestrians, bicyclists, ... compliance with Americans with Disabilities Act.
- ...safe routes for non-drivers... to access daily needs.
- Conversion and use of abandoned railroad corridors for trails...
- Construction of turnouts, overlooks, and viewing areas.



TAP Eligible Activities (continued)

TA as defined (continued)

- Community improvement activities, including—
 - inventory, control, or removal of outdoor advertising;
 - historic preservation and rehabilitation of historic transportation facilities;
 - vegetation management practices...
 - archaeological activities relating to impacts from implementation of a transportation project eligible under this title.

TAP Eligible Activities (continued)

TA as defined (continued)

- Any environmental mitigation activity...
 - address stormwater management, control, and water pollution prevention or abatement related to highway construction or due to highway runoff...; or
 - reduce vehicle-caused wildlife mortality or to restore and maintain connectivity among terrestrial or aquatic habitats.

TAP Eligible Activities (continued)

- The Recreational Trails Program under section 206.
- Safe Routes to School under section 1404 of the SAFETEA-LU.
- Planning, designing, or constructing boulevards and other roadways largely in the right-of-way of former Interstate System routes or other divided highways.

TE Activities No Longer Eligible

- Safety and educational activities for pedestrians and bicycles.
- Acquisition of scenic easements and scenic or historic sites.
- Scenic or historic highway programs (including visitor and welcome centers).
- Historic preservation as an independent activity unrelated to historic transportation facilities.
- Operation of historic transportation facilities.
- Archaeological planning and research undertaken for proactive planning. This category now must be used only as mitigation for highway projects.
- Transportation museums.

Safe Routes to School Eligibility

Safe Routes to School (SRTS):

- No setaside funding for SRTS.
- All eligibilities remain.
- Allocation of funds for Infrastructure and Noninfrastructure activities do not apply (because there is no apportionment).
- Option to have a State SRTS coordinator, not required.
- No National Clearinghouse requirement or funds.

Recreational Trails Program Eligibility

Recreational Trails Program (RTP):

- RTP usually administered by a State resource agency.
- States can opt out of the program.
- States that opt out:
 - Lose the ability to use funds for State RTP administrative costs.
 - Do not return 1 percent to FHWA for administration.
 - May use TAP funds for trails projects **using TAP requirements.**
- Recreational trails projects also eligible under STP.

Competitive Processes

- States and MPOs
 - “Shall develop a competitive process to allow eligible entities to submit projects for funding..”
 - States and MPOs develop their own competitive processes.

Eligible Project Sponsors

- Local governments;
- Regional transportation authorities;
- Transit agencies;
- Natural resource or public land agencies;
- School districts, local education agencies, or schools;
- Tribal governments; and
- Any other local or regional governmental entity with responsibility for or oversight of transportation or recreational trails (other than a metropolitan planning organization or a State agency) that the State determines to be eligible, consistent with the goals of this subsection.
- *RTP and SRTS keep their own lists of eligible sponsors.*

Transferability of Funds

- States may transfer the “any area” TAP funds to other apportioned programs.
- Funds from other apportioned programs may be transferred *into* TAP...
- ...but TAP projects are broadly eligible under STP, so a transfer is not necessary to use STP funds.
- In the second fiscal year of MAP-21, unobligated balances of over 100% can be used for any TAP-eligible activity or any CMAQ activity.

Treatment of Projects

- TAP projects “shall be treated as projects on a Federal-aid highway...”
 - TAP projects must comply with applicable provisions in Title 23, such as project agreements, authorization to proceed prior to incurring costs, prevailing wage rates (Davis-Bacon), competitive bidding, and other contracting requirements, even for projects not located within the right-of-way of a Federal-aid highway.
 - Does not apply to projects conducted under the Recreational Trails Program setaside.



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Questions

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