



**PENINSULA REGIONAL TRANSPORTATION PLANNING
ORGANIZATION**

UNIFIED PLANNING WORK PROGRAM

SFY 2015

**PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION
PROGRAM YEAR 2015 (SFY 2014- 2015)
UNIFIED PLANNING WORK PROGRAM**

**PENINSULA REGIONAL TRANSPORTATION PLANNING ORGANIZATION
PROGRAM YEAR 2015 (SFY 2014- 2015)
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Part I: BACKGROUND and HISTORY

I. Introduction

In December 1990 the representatives from Clallam, Jefferson, Mason, and Kitsap Counties by resolution formed the Peninsula Regional Transportation Planning Organization (RTPO) under the provisions of the Growth Management Act (RCW 47.80). The primary purpose of the Peninsula RTPO is to provide for cooperative and respectful decision-making by the agencies within the region in order to bring about a continuous and comprehensive transportation planning process. The following work program identifies major work projects to be undertaken in the forthcoming year by the participating jurisdictions in the Peninsula RTPO. The work program further defines the implementation processes and responsibilities.

II: Peninsula RTPO Structure

The Peninsula RTPO is a voluntary regional organization, which consists of representation from four counties, nine cities, nine tribal nations, four transit agencies, 18 port districts, major employers of the region, and Washington State Department of Transportation (WSDOT). The regional transportation planning activities described in this UPWP covers a four county rural, exurban, and suburban region defined by the boundaries of Clallam, Jefferson, Mason, and Kitsap Counties. In 2013 the Peninsula RTPO conducted a review of the organization's by-laws and organizational structure, based on that review the RTPO initiated a reorganization of its structure and updated the by-laws to reflect those changes. The organization's restructure resulted in a merger of the Policy Board with the Executive Council forming the Executive Board

The Executive Board is the governing body of the organization. Responsible for the management of the organization, it is comprised of officials from jurisdictions, tribes and organizations in the Olympic and Kitsap peninsula region. The primary function of the Executive Board is to establish the vision and goals for the Peninsula RTPO, approve policies devised from within the Peninsula RTPO, and provide the forum for coordination and cooperation of the participating agencies at the highest level of authority.

The Technical Advisory Committee (TAC) provides technical advice to the members of the Executive Board on all matters, which may come before the Board. Its membership consists of technical staff from the various organizations within the Peninsula RTPO. The TAC establishes subcommittees to deal with technical issues.

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The Washington State Department of Transportation (WSDOT), Olympic Region serves as the lead-planning agency for the Peninsula RTPO. The lead agency performs such duties as are assigned to it by the Executive Board (provided that adequate funding is available) including, but not limited to: providing staff support and coordination for the organization; serving as the recipient and managing available funding; hiring, supervising and managing personnel, consultants and contractors; and, providing such information as necessary to carry out the objectives of the Peninsula RTPO.

The Unified Planning Work Program (UPWP) is updated each year. If the (UPWP) needs to be amended during the fiscal year and between each annual update, the RTPO staff will prepare a briefing memo for the Executive Board to explain why the UPWP needs to be amended at that time. Amendments to the UPWP will be required when new work tasks are identified that cause a budgetary change. When the Executive Board meets, it will decide by vote whether to approve the UPWP amendment.

The organizational chart (Figure 1) depicts the membership of the Peninsula Regional Transportation Planning Organization (PRTPO).

III: Background and Accomplishments

Legislative Mandate – An RTPO has certain core requirements that are described as duties of the organization in RCW Section 47.80.023, and these requirements are summarized below for reference:

- To prepare and periodically update a transportation strategy for the Region
- To prepare a regional transportation plan that is consistent with countywide policies, comprehensive plans in the Region, and with state transportation plans.
- To certify transportation elements of comprehensive plans that is adopted within the Region.
- To certify that countywide planning policies and the regional transportation plan are consistent.
- To develop a six-year regional transportation improvement program.
- To advance special needs coordinated transportation through specific opportunities and projects included in the coordinated transit-human services plan.
- To review level of service methodologies used by cities and counties planning under GMA.
- To work with other agencies to develop level of service standards or alternative performance measures.
- To submit every four years an updated –Coordinated Human Transportation Services Plan (HSTP) to the Agency Council On Coordinated Transportation
- To submit a prioritized human service and rural transit project list every two years.

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General Program Management

One of the most important achievements of the Peninsula RTPO has been the organization of a regional body that has demonstrated a commitment to regional coordination and solidarity over individual parochial interests. This has been accomplished through respectful, continuous and open communications by all of the participating jurisdictions and agencies, including major employers/producers in the private sector and their members at Peninsula RTPO meetings and their communications.

During the past program year, the Peninsula RTPO participated in or accomplished the following:

- 1) Administer the Peninsula RTPO Transportation Planning program:**
 - a. Provided administrative support to Executive Board and Technical Advisory Committee (TAC),** to include coordinating and scheduling meetings, and facilitating meeting discussions.
 - b. Prepared and coordinated the work effort with Kitsap County Public Works and the Skokomish Tribe** to accomplish several UPWP tasks during the past program year. The tasks included the writing of a draft regional transportation plan by the Skokomish Tribe and the development of a Travel Demand Model Feasibility and Level of Service Consistency Report by Kitsap County both which were completed and submitted to the TAC in June 2013.
 - c. Developed and managed program year work plan and budget** that is responsive to state and federal planning requirements and/or guidance.

- 2) Facilitated coordinated transportation planning in the region:**
 - a. MPO/RTPO/WSDOT Coordinating Committee participation** - Peninsula RTPO staff and members participated in quarterly MPO/RTPO/WSDOT Coordinating Committee meetings during the program year.
 - b. Central point for regional transportation planning** – The Peninsula RTPO acted as a central point for regional transportation planning for the Olympic Peninsula region.

- 3) Organizational By-law Revision Work:** On September 20, 2014 the Peninsula RTPO adopted the revised by-laws and new organizational structure of a two governing bodies. The RTPO is in the process of developing a new membership database that reflects these changes with completion anticipated by the spring of 2014. Elections of officers under the new by-laws were conducted in January 2014 (TAC) and February 2014 (Executive Board).

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Communication/Outreach

The Peninsula RTPO's central transportation improvement theme for the region is that all transportation improvements enhance the efficiency of the Peninsula Region's existing transportation system. The Peninsula RTPO annually establishes transportation priorities which reflect this major transportation theme.

- 1) **Administer the Peninsula RTPO Transportation Planning communications and outreach information**, No requests were received for presentations on the Peninsula RTPO other than those provided during public open houses as part of the regional transportation plan public involvement process that were conducted in December 2013. Conducted the annual Peninsula RTPO bus tour which highlighted transportation projects within Mason County in June 2014.
- 2) **Managing and Updating Peninsula RTPO Webpages:** During the past program year, the Peninsula RTPO continued to reformat and enhance its webpage to increase its effectiveness to communicate, educate and inform the public about the PRTPO organization as well as disseminate organizational information to the public and to the Peninsula RTPO members. The RTPO used its webpage for the regional transportation plan public involvement process. The organization continued to manage the Peninsula RTPO portion of the Forward Washington website.
- 3) **Review existing public outreach process for the PRTPO:** Conducted a public outreach effort for the Regional Transportation Plan (RTP) update, which included conduct of four public open houses to solicit comments on the plan. Based on the knowledge learned a public participation in the process of being developed.
- 4) **Respond to informational requests from state and federal elected officials related to RTPO plans and priorities**, Responded to inquiries and requests for information by regional legislators while following state law RCW 42.17A.635 and other agency rules regarding use of state funding in lobbying. Updated the Peninsula RTPO portion of Forward Washington webpage in order to be available during the legislative session.

Regional Transportation Planning

The regional transportation planning process continues to evolve and strives to improve upon itself to ensure coordination of planning and implementation by all transportation interests. Transportation planning by nature is a long-term process.

During the past program year the Peninsula RTPO participated in or accomplished the following:

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- 1) **Revision of the Regional Transportation Plan (RTP)**
 - a. This work effort built off the previous year's work by the RTPO. A draft of the Regional Transportation plan (RTP) was prepared by the Skokomish Tribe and made available to the RTPO members for comment. At its September meeting the Executive Board decided to move the plan forward through a public outreach process to solicit public comments.
 - b. A public outreach period was conducted between October and December 1013. The RTPO conducted four public open houses to solicit comments on the plan. The RTPO also made the plan available on its website as well as providing copies to the regional library systems. Comments were compiled for revision consideration and incorporation into the plan. The RTPO is currently reviewing comments to determine the extent of further required revisions.

- 2) **Six-Year Regional Transportation Improvement Program (RTIP) -** Compiled and developed the Regional Transportation Improvement Program (RTIP) for jurisdictions, tribes and agencies within the Peninsula RTPO region. This included contacting local offices and gathering the necessary data to compile a complete list. The completed RTIP was approved by the Executive Board on September 20, 2013. State Transportation Improvement Program (STIP) data was provided to WSDOT in October 2013. This effort includes amending the STIP as required and is an on-going effort.

- 3) **Interagency Coordination, Plan Reviews and other Planning Activities**
 - a. **Participate in Statewide planning document processes -** Continued to support and participate in Statewide planning document processes, to include, but not limited to, the Washington State Transportation Plan, the Washington State Highway System Plan (HSP), the Washington State Freight Plan, the State multimodal plan and WSDOT Corridor Planning Studies.
 - b. **Review local jurisdiction and transit comprehensive plans -** No major updates to local comprehensive plans that required a consistency review and certification per RCW 47.80.026 were conducted during this period.
 - c. **Coordinate establishment of the Transportation Alternatives Program (TAP) Grant Process –** The purpose of this work effort was to research and determine the possibility to have the grant process address multiple years rather than a one year. This work effort was not accomplished this program year and is being programmed for the 2015 work year.
 - d. **Coordinate with adjacent regions to work together on mutual issues and opportunities -** Supported and participated with others in ongoing transportation studies. Kitsap County completed a Travel Demand Model

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Feasibility and Level of Service Consistency Report on behalf of the Peninsula RTPO. Studies conducted in the RTPO area that RTPO members participated in included the SR 305 Suquamish Way Intersection Improvements Study and the SR 3/SR 304 Interchange Improvement Project. Members participated in statewide discussions during quarterly MPO/RTPO Coordinating Committee meetings.

- 4) **Regional Travel Demand Model** - The TAC reviewed the recommendations of the Travel Demand Model Feasibility and Level of Service Consistency Report as developed by Kitsap County. The TAC recommended that the RTPO proceed with developing a mid-level model with Kitsap County being the developer of the model. During this period an agreement was developed with Kitsap County and initial work commenced. The remaining work will be completed in the 2015 work year with an anticipated completion milestone of June 2015.

- 5) **Human Service Transportation Plan (HSTP)** – Received a grant from WSDOT Public Transportation office to conduct an update of the region’s Human Service Transportation Plan (HSTP). Efforts on the plan began in December 2013 with identification of stakeholders. The initial meeting of the Human Service Transportation Plan was held in January 2014. The HSTP effort conducted countywide/tribal meetings, various interviews, and data collection between February and June 2014. The HSTP effort is programmed to continue through the 2015 program year with the completed draft due to WSDOT in September 2014. The final document is due in December 2014.

IV: Key Transportation Issues

In its regional plan the Peninsula RTPO has articulated the following key regional goals, which support the State Transportation Policy Goals of promoting mobility, safety, preservation, economic vitality, environment, and stewardship:

- **Mobility**
 - To move toward an integrated multimodal transportation system that increases travel options, reducing the need to drive alone and vehicle miles traveled.
 - To decrease traffic by encouraging people to travel by some other means than driving alone.
 - To use technology-based approaches to address transportation congestion, safety, efficiency and operations.
 - To establish a street and road network that provides for the safe and efficient movement of people and goods while supporting adopted land use goals.
 - To support the creation of transportation facilities and programs that function seamlessly across community borders and between regions.

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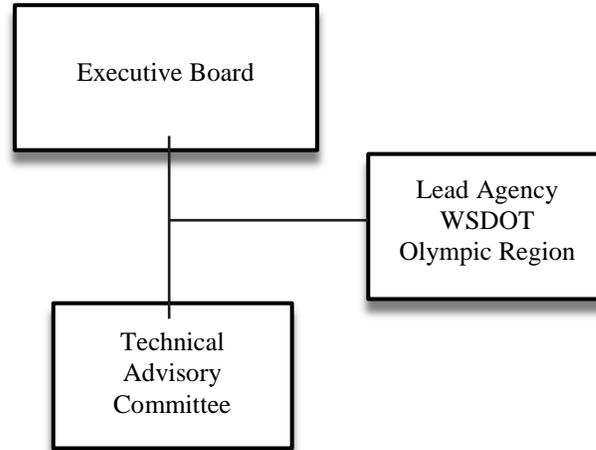
- **Safety**
 - To promote the safety and security of those who use, operate, and maintain the transportation system.
- **Preservation**
 - To protect investments that have already been made in the transportation system, and keeping life-cycle costs as low as possible.
- **Economic Vitality**
 - To ensure that the design and function of transportation facilities support Peninsula community development visions and that land use supports the Peninsula transportation system.
 - To promote efficient, cost-effective and safe movement of freight in and through the region.
 - To ensure the long-term viability and continued use of existing rail lines in the region for freight.
 - To provide an appropriate level of facilities and services to meet the general aviation needs of residents and businesses in the region.
 - To provide an appropriate level of facilities and services to meet the region's marine transportation needs.
- **Environment**
 - To provide an appropriate level of reliable, effective public transportation options commensurate with the region's evolving needs.
 - To increase the share of all trips made safely and conveniently by biking and walking.
 - To minimize transportation impacts on the natural environment and the people who live and work in the Peninsula Region.
- **Stewardship**
 - To invest in and supporting travel needs of youth; elders; people with disabilities, literacy or language barriers.
 - To protect the functionality and safety of the highway system on the Olympic Peninsula, especially US 101, as the travel and freight life support of Peninsula communities and economies.
 - To encourage public input into regional transportation planning and decision-making process.
 - To support the development of performance measures that are efficient to administer, effective in assessing performance and meaningful to the public.
 - To work to ensure that transportation revenue supports adopted land use strategies and goals of the regional plan.

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**Figure 1
PENINSULA REGIONAL TRANSPORTATION LANNING ORGANIZATION
Organizational Chart**



Peninsula RTPO Membership

- | | |
|---------------------------------|-----------------------------|
| Clallam County | Clallam Transit |
| Jefferson County | Jefferson Transit |
| Kitsap County | Kitsap Transit |
| Mason County | Mason Transit |
| City of Bainbridge Island | Hoh River Tribe |
| Bremerton | Jamestown S’Klallam Tribe |
| Forks | Lower Elwha Klallam Tribe |
| Port Angeles | Makah Tribe |
| Port Orchard | Port Gamble S’Klallam Tribe |
| Port Townsend | Quileute Tribe |
| Poulsbo | Skokomish Tribe |
| Sequim | Squaxin Island Tribe |
| Shelton | Suquamish Tribe |
| Clallam County Port Districts | Port Townsend Paper |
| Jefferson County Port Districts | WSDOT Olympic Region |
| Kitsap County Port Districts | Washington State Ferries |
| Mason County Port Districts | |

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Part II: PROGRAM YEAR 2015- WORK SCOPE

I. Introduction

The Peninsula Regional Transportation Planning Organization (RTPO) maintains an open, respectful and participatory process of communication, coordination and collaboration among its member jurisdictions, agencies and employers. This work program, which has been developed for Program Year 2015 (SFY 2014-2015), will continue to implement the work of this regional planning organization's goals, strategies and programs and respond to the State and Federal planning areas of emphasis.

II. Work Program Efforts

A. General Program Management

Purpose and Objectives

Program Management consists of the tasks to be completed by the lead agency to provide administrative support and management functions associated with regional transportation planning program and fulfillment of state requirements. As the lead agency, WSDOT Olympic Region Planning Office provides management and staff support for the regional transportation planning process.

Work Elements

General Program Management

Funding Source: State Funds

Funding Amount: \$51,228

Work Performed by: Lead Agency

Timeline: On-going, unless otherwise indicated.

1) Administer the Peninsula RTPO Transportation Planning program by:

- a. Providing administrative support to Executive Board (EB) and Technical Advisory Committee (TAC), including coordinating and scheduling meetings, and facilitating meeting discussions. As well as providing and coordinating support to subcommittees as established by the Peninsula RTPO.
- b. Preparing and monitoring contracts and work agreements where needed and as deemed necessary to ensure delivery of contracted services or projects.
- c. Developing and managing program year work plan and budget that is responsive to state and federal planning requirements and/or guidance.
- d. The Unified Planning Work Program (UPWP) will be amended to reflect the changes with its work program as requested.

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- e. Preparing program documentation to include but not limited to the UPWP and annual report.

2) Facilitate coordinated transportation planning in the region by:

- a. Providing on-going communication and coordination between the Peninsula RTPO, WSDOT, State, and Federal agencies to include participating on the WSDOT MPO/RTPO Coordinating Committee and its appointed subcommittees.
- b. Coordinate and provide administrative support for the Peninsula RTPO process to implement grant programs, which are administered through the Peninsula RTPO. These programs are primarily funded with federal and state formula grant funds, including the Consolidated Coordinated Transportation and Transportation Alternative Program grants.
- c. Coordinate the research and determine the feasibility to have the Transportation Alternatives Grant Program (TAP) grant process to allow the RTPO to address multiple years and eliminate the need to submit proposals on a yearly basis and meet Federal funding obligations. Ensure an effective, fair and competitive process.

Products

- 1.
 - a. Meeting agendas, informational materials, minutes, and facilitated meetings.
 - b. Amended Unified Planning Work Program
 - c. Annual Progress Report
 - d. Official correspondence to include but not limited to occasional special reports, technical memorandums, policy statements, resolutions, and letters of support prepared on behalf of the organization.
- 2.
 - a. Regular reports to the Executive Board and Technical Advisory Committee about issues discussions at the MPO/RTPO Coordinating Committee.
 - b. Transportation Alternatives Program (TAP) grant update.

B. Communications/Outreach

Work Elements

Communications/Outreach

Funding Source: State Funds

Funding Amount: \$11,772

Work Performed by Lead Agency

Timeline: On-going and as needed.

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1) Administer the Peninsula RTPO Transportation Planning communications and outreach information by:

Provide on-going public outreach and education opportunities, including effective communication materials and “speaker on request” to talk with organizations about regional transportation issues or opportunities of various natures, and coordination with other community activities in which a regional transportation perspective is desired.

2) Managing and updating websites

- a. Continue to manage Peninsula RTPO web page to increase its effectiveness to educate and inform the public on the organization as well as disseminating organizational information to the public and Peninsula RTPO membership.
- b. Continue to participate in the joint MPO/RTPO FORWARD WASHINGTON website. This effort will include updating and maintaining PRTPO portion of the web-based online tool.

3) Respond to informational requests from state and federal elected officials

Respond to informational requests from state and federal elected officials related to RTPO plans and priorities; while following state law RCW 42.17A.635 and other agency rules regarding use of state funding in lobbying.

Peninsula RTPO work program activities do not include lobbying. However, if any lobbying activities were to occur outside of those eligible activities conducted as a part of regular activities as described in Title 23 and Title 49 and in RCW 42.17A.635, then Peninsula RTPO would file a certification and disclosure form as required by federal and state law.

Products

1. Administer the Peninsula RTPO Transportation Planning communications
 - a. Informational brochures and fact sheets identifying the RTPO priorities and meeting coordination for outreach and education events and opportunities
 - b. Meetings, briefings, and presentations to share PRTPO information to interested groups and individuals as requested.
2. Managing and updating websites
 - a. Website and other web-based tools updates
 - b. Participation in the update work of the MPO/RTPO FORWARD website

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C. Regional Transportation Planning

Purpose and Objectives

The Peninsula RTPO must carry out a regional transportation program that complies with all state guidance and planning area of emphasis. Some of these requirements are ongoing while others are annual efforts. Transportation planning efforts are to maintain and operate a regional transportation planning process that supports effective, respectful and cooperative regional transportation decision-making. Planning efforts encompass long-range comprehensive objectives of local jurisdictions, port districts, transit agencies, and tribes.

Work Elements

1) Regional Transportation Plan Update Work

Funding Source: State Planning Funds

Funding Amount: \$14,000

Work Performed by Lead Agency with RTPO members

Timeline: January 2015-June 2015

Continue previous year's effort to revise the draft Regional Transportation Plan based on comments received during the public comment period. As performance measures guidance is developed by USDOT and State performance measures are developed the Peninsula RTPO will work with the State and local jurisdictions in developing regional performance measures and targets. Conduct a review and update of the regional needs and regional project priorities and update as required.

2) Six-Year Regional Transportation Improvement Program :

Funding Source: State Planning Funds

Funding Amount: \$9,000

Work Performed by Lead Agency

Timeline: On-going annual process, unless otherwise indicated.

Compile & develop six-year Regional Transportation Improvement Program (RTIP) per WAC 468.86.160 that is based on programs and projects as identified by local jurisdictions, transit agencies, tribes, and WSDOT within the region. The RTIP is then submitted to WSDOT for inclusion in the State Transportation Improvement Program (STIP). Amendments are compiled and submitted to WSDOT as required on a monthly basis.

3) Interagency Coordination, Plan Reviews and other Planning Activities

Funding Source: State Planning Funds

Funding Amount: \$11,488

Worked Performed by Lead Agency with RTPO members

Timeline: On-going and as needed, unless otherwise indicated.

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- a. Continue to support and participate in Statewide planning document processes, to include, but not limited to, the Washington State Transportation Plan, the Washington State Highway System Plan (HSP), the Washington State Freight Plan, the State multimodal plan and WSDOT Corridor Planning Studies. This effort includes review of new and updated statewide planning documents per WAC 468.86.090(7) to ensure regional issues and policies are addressed.
- b. Review local comprehensive and transportation plans as they are updated per RCW 47.80.026, including countywide planning policies, for consistency with the Regional Transportation Plan. While performing these reviews, implement review process for certification of local comprehensive plans and maintain the required documentation.
- c. Coordinate with adjacent regions to work together on mutual issues and opportunities. This effort includes continued participation with WSDOT, MPOs and other RTPOs on interregional, state and federal transportation issues and policies of mutual interest to the Peninsula RTPO.

4) Travel Demand Model

Funding Source: State Planning Funds

Funding Amount: \$48,000 (\$25,000 – 2015 2014 State Planning Funds /\$23,000 - 2014 2014 State Planning Funds)

Work Performed by Kitsap County with the Peninsula RTPO TAC.

Timeline: March 2014 – June 2015 (multi-year effort)

The RTPO will continue previous work year effort in the development of a mid-level regional model for the Peninsula RTPO region. Kitsap County is scheduled to develop the model through an agreement with completion scheduled for June 2015.

5) Public Transit/Human Services Coordinated Transportation Plan Update

Funding Source: WSDOT Public Transportation grant

Funding Amount: \$80,000

Work Performed by Lead Agency and Coordinated Transportation group.

Timeline: January 2014 – June 2015 (multi-year effort)

- a. The Peninsula RTPO is responsible to update the Human Service Coordinated Transportation Plan every four years. Next plan update is due December 2014. This effort will coordinate, develop and prepare an updated coordinated transportation plan to include a prioritized project list. Work effort will include conducting initial plan scoping; convening the Coordinated Transportation group, made up of transit, tribes, regional transportation providers and social service agencies

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involved in coordinated transportation; and conduct of local county wide meetings. (December 2014)

- b. Conduct continued coordination efforts after the plan is completed. (January - June 2015)

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III. SFY 2015 Unified Planning Work Program Budget

		TASK FUNDING SUMMARY				
Task Code	Task Description	FEDERAL	STATE - RTPO	STATE - Public Transportation	LOCAL	TOTAL
	General Program Administration					
A-1a-c	Program Management and Support	0	33,292	0	0	33,292
A-1d	Unified Planning Work Program (UPWP)	0	4,160	0	0	4,160
A-1e	UPWP Annual Report	0	2,080	0	0	4,160
A-2a	Regional and Statewide Coordination	0	1,664	0	0	1,664
A-2b	Grant Program Administrative Support	0	4,992	0	0	4,992
A-2c	TAP Grant Structure and Process	0	2,960	0	0	2,960
	Administration Total	0	49,148	0	0	49,148
	Communication and Outreach					
B-1	Public and Stakeholder Participation and Outreach	0	5,116	0	0	5,116
B-2	Manage and Update Webpages (RTPO & FORWARD WASHINGTON)	0	4,576	0	0	4,576
B-3	Coordination/Communication with Federal and State Legislators	0	2,080	0	0	2,080
	Communication and Outreach Total	0	11,772	0	0	11,772
	Transportation Planning					
C-1	Regional Transportation Plan (RTP) Update	0	15,580	0	0	14,000
C-2	TIP Development and Amendments	0	9,000	0	0	9,000
C-3a	Participate in State Planning Activities (WTP, WSDOT modal plans)	0	5,000	0	0	5,000
C-3b	Review of County, City, and Town Comprehensive Plans	0	4,160	0	0	4,160
C-3c	Interagency Coordination with WSDOT and MPO/RTPO Members	0	2,328	0	0	2,328
C-4	Travel Demand Modeling and Forecasting	0	25,000	0	0	25,000
C-5	Human Services Transportation Plan (HSTP) (SFY2014 & SFY2015)	0	0	80,000	0	80,000
	Data Collection and Analysis Total	0	61,568	80,000	0	141,561
	UPWP TOTAL	0	122,488	80,000	0	202,488

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Part III: UNFUNDED WORK PROGRAM

I. Introduction

The Regional Transportation Planning work efforts considered by the Peninsula RTPO have been very ambitious and are limited only by funding constraints. In addition, there are other work efforts which the Peninsula RTPO feels are important to the long-range development of the regional transportation system, but which cannot be accomplished because of funding limitations. This element of the Work Program document describes those work items.

II. Work Program Efforts

Regional Mobility Program

Implementation of the Regional Transportation Plan would be aided with the establishment of a regional mobility program that makes carless travel easy and attractive for area residents, commuters, and visitors. A successful regional mobility program would:

- Make public transportation the efficient, affordable choice for a variety of trips.
- Partner with transit agencies to implement programs that encourage riding transit.
- Facilitate safe, easy ways to combine healthy travel choices such as walking and cycling with public transportation options.
- Provide travelers the information and tools needed to make the use of public transportation simple.

The Peninsula RTPO supports the development of a comprehensive program for regional mobility and a strategy for implementation that recognizes that the sequencing of the program components could be subject to funding, partner agency work plans, and other factors. Phase I would be a Feasibility Study that would establish the configuration of a comprehensive program to encourage and facilitate the use of transportation alternatives serving the transportation corridor. The study would engage partners and stakeholders to identify baseline travel conditions and user communities; establish measurable goals and objectives; and identify options for program configuration, strategies, and implementation. Phase II would be the implementation phase of the comprehensive regional mobility program (3 years).

Estimated Cost to scope out the first phase for this Unfunded Need: \$50,000

Coordinated Structure to apply for Grants

Explore and research the feasibility to develop a coordinated structure to allow the Peninsula RTPO to apply for grants.

Estimated Cost to scope out the first phase for this Unfunded Need: \$5,000

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PROGRAM YEAR 2015 (SFY 2014- 2015)
UNIFIED PLANNING WORK PROGRAM**

Glossary of Transportation Terms and Acronyms Found in the UPWP

ACCT Agency Council on Coordinated Transportation. A WSDOT-sponsored council of state agencies, transportation providers, consumer advocates and legislators. ACCT promotes coordination of transportation resources for people with special transportation needs.

ADA Americans with Disabilities Act. This federal legislation mandated significant changes in transportation, building codes, and hiring practices to prevent discrimination against people with disabilities.

Class I Facility Reference to a type of non-motorized transportation facility. Class I facilities are off-street facilities dedicated to bike, pedestrian, and other non-motorized travel. Most frequently, they utilize abandoned railroad corridors. Other designations include Class II, Class III, and Class IV facilities, all of which are on-street facilities and differ from each other in their function and design.

Comprehensive Plan Local agencies are required by the Growth Management Act to develop and adopt long range plans that guide all development activity. Local Comprehensive Plans are required to be consistent with the long-range Regional Transportation Plan, which in turn is required by GMA to be consistent with the local plans. This overlapping consistency requirement ensures on-going coordination between local and regional agencies.

CTPP Census Transportation Planning Package. Refers to data generated every ten years as a part of the census. Select household and travel characteristics are bundled together by regionally-designated analysis zones, instead of the traditional census block geographies.

CTR Commute Trip Reduction. State legislation requiring employers in the nine largest counties to implement measures to reduce the number of single occupant vehicle trips and vehicle miles traveled by their employees during the peak travel periods. Kitsap County is one of the affected counties.

FHWA Federal Highway Administration. The Peninsula RTPO region is located within FHWA - Washington State Division.

FTA Federal Transit Administration. The Peninsula RTPO region is located within FTA Region 10.

GMA Growth Management Act. State legislation passed in 1990 requiring urban counties and their associated jurisdictions to cooperatively develop and periodically update plans related to land use, infrastructure, services, housing, etc. Under GMA, the Peninsula RTPO is responsible for creating and maintaining a regional transportation plan and for certifying that the transportation elements of each jurisdiction meet GMA requirements.

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Lead Agency. The lead agency for the Peninsula Regional Transportation Planning Organization (Peninsula RTPO) is the WSDOT Olympic Region Planning Office, which provides management and staff support for the regional transportation planning process.

LOS Level of Service. Measure describing operational traffic conditions. State law allows agencies to use any number of performance measures to evaluate operational efficiency of the transportation system, as long as it is coordinated regionally. Current application of LOS in this region is based on the traditional Volume-to-Capacity ratio, or V/C ratio, of a given roadway segment during the busiest two hours of the evening commute period. As the volume of traffic on a roadway during the peak commute time approaches the designed capacity, congestion increases.

MAP 21. On July 6, 2012, President Obama signed into law P.L. 112-141, the Moving Ahead for Progress in the 21st Century Act (MAP-21). Funding surface transportation programs at over \$105 billion for fiscal years (FY) 2013 and 2014, MAP-21 creates a streamlined, performance-based, and multimodal program to address the many challenges facing the U.S. transportation system

Olympic Region. One of six WSDOT geographic regions that deals with state transportation issues. The Olympic Region includes the Peninsula RTPO counties of Clallam, Jefferson, Kitsap and Mason Counties, and is headquartered in Tumwater.

RTIP Regional Transportation Improvement Program Required document produced by Peninsula RTPO that identifies all federally funded projects for the current 3-year period. The RTIP is developed every year. In order for any federally-funded project to proceed, it must be included in the RTIP and the Statewide Transportation Improvement Program.

RTP Regional Transportation Plan. The Peninsula RTPO is required by state and federal laws to maintain a plan that looks out over at least a twenty year horizon, and ensures coordination across all jurisdictions for all modes of transport. The current plan, initially adopted in the mid 1990's is being revised and updated

RTPO Regional Transportation Planning Organization. State-designated agency created to ensure that regional transportation planning is consistent with county-wide planning policies and growth strategies for the region. Peninsula RTPO is the Planning Organization for Clallam, Jefferson, Kitsap and Mason Counties

SFY State Fiscal Year. The time period from July 1 through June 30. The Unified Planning Work Program is based on this state fiscal year time period.

STIP Statewide Transportation Improvement Program. Federally required document identifying all federally-funded and/or regionally significant projects in the state. Projects must be included in the STIP before applicants can use federal money awarded to their projects. In order for a project to be included in the STIP it must first be included in the RTIP.

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STP Surface Transportation Program. The primary federal funding program resulting from ISTEA and TEA21 that provides money for a wide range of transportation projects. In the Peninsula RTPO Region, STP funds are awarded directly to the counties and not through the Peninsula RTPO organization.

TAC Technical Advisory Committee. Advisory body to the Executive Council and Policy Board on transportation issues, primarily technical in nature. All member jurisdictions are eligible to participate.

TAZ Traffic Analysis Zone. A geographic area established for modeling purposes that ranges in size from a few blocks to several square miles. TAZs are characterized by population, employment, and other factors, and serve as the primary unit of analysis for modeling purposes.

TDM Travel Demand Management. TDM encompasses a suite of tools that modify peoples' travel behavior to better manage capacity resources of the transportation system, and improve operating efficiency. Examples of TDM tools range from "incentive" type programs like employer-subsidized bus passes, compressed work weeks, and telework options, to "market measures" like employee-paid parking and variable-rate toll roads with rates based on time-of-day travel. The State's Commute Trip Reduction program is a TDM element. Even measures like effective land use planning fall under the realm of TDM, since the way a community is built – and the kind of travel options it provides – will influence individual travel behavior

TIP Transportation Improvement Program. State and federal laws result in TIPs at the local, regional, and state levels. This describes a 3-6 year list of projects that will be pursued.

TITLE VI Federal legislation initiated with the Civil Rights Act of 1964 that prohibits discrimination, denial of benefits, or exclusion from participation on the grounds of race, color, or national origin. Title VI bars intentional discrimination as well as unintentional discrimination resulting from neutral policies or practices that have a disparate impact on protected groups.

UPWP Unified Planning Work Program. This document outlines the administrative work of the Peninsula RTPO for the next year and next biennia.



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Part III

Department of Transportation

Federal Highway Administration

23 CFR Part 490

National Performance Management Measures; Highway Safety Improvement Program; Proposed Rule

DEPARTMENT OF TRANSPORTATION**Federal Highway Administration****23 CFR Part 490**

[Docket No. FHWA–2013–0020]

RIN 2125–AF49

National Performance Management Measures; Highway Safety Improvement Program**AGENCY:** Federal Highway Administration (FHWA), DOT.**ACTION:** Notice of proposed rulemaking (NPRM).

SUMMARY: Section 1203 of the Moving Ahead for Progress in the 21st Century Act (MAP–21) declared that performance management will transform the Federal-aid highway program and refocus it on national transportation goals, increase accountability and transparency of the Federal-aid highway program, and improve project decision making through performance-based planning and programming. Section 1203 of MAP–21 identifies national transportation goals and requires the Secretary to promulgate a rulemaking to establish performance measures and standards in specified Federal-aid highway program areas. This NPRM proposes to establish measures for State departments of transportation (State DOT) to use to carry out the Highway Safety Improvement Program (HSIP) and to assess serious injuries and fatalities per vehicle mile traveled, and the number of serious injuries and fatalities. The HSIP is a core Federal-aid highway program with the purpose of achieving a significant reduction in fatalities and serious injuries on all public roads, including non-State-owned public roads and roads on tribal lands.

DATES: Comments must be received on or before June 9, 2014. Late comments will be considered to the extent practicable.

ADDRESSES: You may submit comments identified by the docket number FHWA–2013–0020 by any one of the following methods:

Fax: 1–202–493–2251;

Mail: U.S. Department of

Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590; Hand Delivery: U.S. Department of Transportation, Docket Operations, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal

holidays; or Electronically through the Federal eRulemaking Portal: <http://www.regulations.gov>. Follow the online instructions for submitting comments.

Instructions: All submissions must include the agency name, docket name and docket number or Regulatory Identification Number (RIN) for this rulemaking (2125–AF49). Note that all comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided.

Docket: For access to the docket to read background documents or comments received, go to <http://www.regulations.gov> at any time or to U.S. Department of Transportation, Docket Operations, M–30, West Building Ground Floor, Room W12–140, 1200 New Jersey Avenue SE., Washington, DC 20590, between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

Francine Shaw Whitson, Office of Infrastructure, (202) 366–8028, or Anne Christenson, Office of Chief Counsel, (202) 366–1356, Federal Highway Administration, 1200 New Jersey Avenue SE., Washington, DC 20590. Office hours are from 8:00 a.m. to 4:30 p.m. e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION: The FHWA will be publishing two additional NPRMs to establish the remaining measures required under 23 U.S.C. 150(c). The second NPRM focuses on the measures to assess the condition of pavements and bridges. The third performance-measure NPRM focuses on measures for the performance of the National Highway System (NHS), the Congestion Mitigation and Air Quality (CMAQ) program, and freight movement on the Interstate. This last NPRM will also include a discussion that summarizes all three of the proposed rules to establish the measures required under 23 U.S.C. 150(c).

This NPRM also proposes the following: the definitions that will be applicable to the new 23 CFR 490; the process to be used by State DOTs and Metropolitan Planning Organizations (MPOs) to establish safety-related performance targets that reflect the measures proposed in this rulemaking; a methodology to be used to assess State DOTs compliance with the target achievement provision specified under 23 U.S.C. 148(i); and the process State DOTs must follow to report on progress towards the achievement of safety-related performance targets. Finally, this NPRM includes a discussion on the

collective rulemaking actions FHWA intends to take to implement MAP–21 performance-related provisions.

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I. Executive Summary*a. Purpose of the Regulatory Action*

The MAP–21 (Pub. L. 112–141) transforms the Federal-aid highway program by establishing new requirements for performance management to ensure the most efficient investment of Federal transportation funds. Performance management refocuses attention on national transportation goals, increases the accountability and transparency of the Federal-aid highway program, and improves project decision making through performance-based planning and programming. The FHWA is required to establish measures through a rulemaking to assess performance in 12 areas¹ generalized as follows: (1) serious injuries per Vehicle Miles Traveled (VMT); (2) fatalities per VMT; (3) number of serious injuries; (4) number of fatalities; (5) pavement condition on the Interstate system; (6) pavement condition on the non-Interstate NHS; (7) bridge condition on the NHS; (8) traffic congestion; (9) on-road mobile source emissions; (10) freight movement on the Interstate system; (11) performance of the Interstate system; and (12) performance of the non-Interstate NHS. This rulemaking is the first of 3 NPRMs that propose the establishment of performance measures for State DOTs and MPOs to use to carry out Federal-aid highway programs and to assess performance in each of these 12 areas. This rulemaking seeks to establish

¹ These areas are listed within 23 U.S.C. 150(c), which requires the Secretary to establish measures to assess performance or condition.

measures for the first four areas in the above list.

This NPRM proposes to establish performance measures to carry out the HSIP and to assess serious injuries and fatalities, both in number and expressed as a rate, on all public roads. In addition, this NPRM proposes to establish the process for State DOTs and MPOs to use to establish and report safety targets, and the process that FHWA will use to assess progress State DOTs have made in achieving safety targets.

b. Summary of the Major Provisions of the Regulatory Action in Question

The FHWA proposes the establishment of measures to be used by State DOTs to assess performance and carry out the HSIP; the process for State DOTs and MPOs to use to establish safety targets; the methodology to determine whether State DOTs have achieved their safety targets; and the process for State DOTs to report on progress for their safety targets. Section references below refer to sections of proposed regulatory text for title 23 of the Code of Federal Regulations.

Section 490.205 proposes to define serious injuries in a manner that would provide for a uniform definition for national reporting in this performance area. The FHWA proposes to allow States 18 months from the effective date of this rule to adopt the latest edition Model Minimum Uniform Crash Criteria (MMUCC) definition and attribute for "Suspected Serious Injury (A)." The DOT also recommends that, by 2020, States prepare to determine serious injuries using a hospital records injury outcome reporting system that links injury outcomes from medical records to crash reports.

Section 490.207 proposes four measures to be used by State DOTs to assess serious injuries and fatalities per VMT, and the number of serious injuries and fatalities. Each of the four measures would be representative of a 5-year rolling average (rather than a single year period), where fatality-related measures would be derived from the Fatality Analysis Reporting System (FARS) and serious injury-related measures would be derived from the State motor vehicle crash database. State DOTs would calculate serious injury and fatality rates per one hundred million VMT as documented in the Highway Performance Monitoring System (HPMS).

Section 490.209 proposes the process to be used by State DOTs and MPOs to establish targets for each of the four safety measures. DOT believes that, to the extent practicable, the performance

measures common to the State's Highway Safety Plan (HSP) and the State Highway Safety Improvement Program (HSIP) (fatalities, fatality rate, and serious injuries) should be defined identically, as coordinated through the State Strategic Highway Safety Plan. While common performance measures are proposed in this NPRM, NHTSA is subject to a statutory requirement under MAP-21 that revisions to performance measures be coordinated with the Governors Highway Safety Association. The DOT also proposes that States would establish targets identical to those for common performance measures.

This NPRM proposes that State DOTs will establish the targets for these measures in the annual HSIP report while State Highway Safety Offices (SHSO) will establish the targets for measures in the HSP. For this reason, State DOTs and SHSOs should coordinate the targets so they are able to report identical targets for the common measures. The SHSOs established these targets beginning with HSPs for fiscal year 2014. The MAP-21 requires State DOTs to establish statewide targets not later than 1 year after the effective date of this rule. This rule proposes to require State DOTs to begin reporting this target information in the HSIP annual report due August 31 following the effective date of this rule. State DOTs would have the flexibility to also establish one aggregate target for urbanized areas and one aggregate target for non-urbanized areas for each performance measure. In accordance with MAP-21, MPOs would be required to establish targets for their entire Metropolitan Planning Area in coordination with the State DOT not later than 180 days after the date the respective State DOT establishes their safety targets. It is proposed in this rule that MPOs would establish targets for their Metropolitan Planning Area by either supporting the State DOT target or defining a target unique to its metropolitan area. The MPOs would be required to take this target establishing action each time the State DOT establishes a safety target.

Section 490.211 proposes the method FHWA will use to assess whether State DOTs have achieved or have made significant progress toward the achievement of their safety targets in accordance with 23 U.S.C. 148(i). State DOTs that have overall achieved their safety targets would not need to demonstrate significant progress. The FHWA would determine significant progress from FARS data for the number of fatalities, FARS and HPMS data for the fatality rate, State reported data for

the number of serious injuries, and State reported data and HPMS data for the serious injury rate. The FHWA would consider a State DOT to have made significant progress toward achieving each target if the actual outcome for each target is at or below the upper bound of a 70 percent prediction interval, which would be set based on the projection point from a 10-year historical trend line. The FHWA would only consider a State DOT to have made overall significant progress if that State DOT achieved or made significant progress for at least 50 percent of their safety targets. State DOTs that the FHWA determine not to have achieved overall significant progress for their safety targets would need to comply with 23 U.S.C. 148(i). Although this provision is directed at State DOTs, MPOs could also be indirectly impacted by consequences to the State DOT for non-compliance. The method by which the FHWA will review performance progress of MPOs is discussed in the updates to the Statewide and Metropolitan Planning regulations.

Section 490.213 proposes safety performance reporting for State DOTs and MPOs. State DOTs would establish and report their safety targets and progress toward their safety targets in the annual HSIP report in accordance with 23 CFR 924. Targets established by the MPO would be reported to their State DOTs on an annual basis in a manner that is agreed upon by both parties. The MPOs would report on progress toward the achievement of their targets in their System Performance Report as part of their transportation plan, in accordance with 23 CFR 450. In addition, State DOTs should include similar information in their transportation plans.

c. Costs and Benefits

The FHWA estimated the incremental costs associated with eight new requirements² proposed in this NPRM that represent a change to current practices for State DOTs and MPOs. The FHWA derived the costs of all eight components by assessing the expected increase in level of effort from labor to standardize and update data collection and reporting systems of State DOTs, as well as the increase in level of effort from labor to establish and report targets.

To estimate costs, the FHWA multiplied the level of effort, expressed in labor hours, with a corresponding

² See Table 1 in Section VI. Rulemaking Analysis and Notices.

loaded wage rate³ that varied by the type of laborer needed to perform the activity. Following this approach the 10-year undiscounted incremental costs to comply with this rule is \$66.7 million. Approximately 39 percent of these costs represent one time costs to implement this rule.

The FHWA expects that, upon implementation, the proposed rule would result in some significant benefits, although they are not easily quantifiable. Specifically,

- the FHWA expects safety investment decision making to be more informed through the use of consistent and uniform measures,
- a greater level of accountability for the use of Federal funds to reduce

fatalities and serious injuries on all public roadways,

- and the achievement of progress toward the MAP-21 national goal for safety.

The FHWA could not directly quantify the expected benefits discussed above due to data limitations and the amorphous nature of the benefits from the proposed rule. Therefore, in order to evaluate benefits, the FHWA used a break-even analysis as the primary approach to quantify benefits. Following this approach, the FHWA used the break-even analysis to assess the level of reduction in fatalities or incapacitating injuries needed for the benefits to justify the costs of the proposed rule. The results of the break-even analysis

showed that the proposed rule would need to prevent approximately 7 fatalities or an equivalent 153 incapacitating injuries nationwide over 10 years to generate enough benefits to outweigh the cost of the proposed rule. This translates to approximately 1 avoided fatality or 15 equivalent incapacitating injuries respectively per year nationwide (compared to 33,561 fatalities and an estimated 2.36 million injuries as reported by NHTSA for 2012⁴). The FHWA believes that the proposed rule would surpass this threshold and, as a result, the benefits of the rule would outweigh the costs. The following table summarizes the costs and identifies the breakeven benefits of the proposed rule.

SUMMARY OF ESTIMATED COSTS AND BENEFITS

Category	Cost estimate	Units			Source/citation
		Year dollar	Discount rate (percent)	Period covered (years)	
Costs:					
Annualized Monetized (\$/year)	\$7,670,390	2012	7	10	Proposed Rule RIA.
	7,092,939	2012	3	10	
State, Local, and/or Tribal Government	\$7,670,390	2012	7	10	Proposed Rule RIA.
	7,092,939	2012	3	10	
Small Business	No substantial impact	Proposed Rule RIA.
Benefits:					
Qualitative	The rule is cost-beneficial if over the 10-year analysis period if it reduces the number of fatalities by 7.3 or the number of incapacitating injuries by 153.2, which is equivalently .7 fatalities or 15.3 incapacitating injuries per year in a 10-year study period, from its current base case projection. Because of this low threshold, FHWA determines that the proposed rule benefits outweigh the costs.				

II. Discussion of Stakeholder Engagement and Outreach

In developing the NPRMs required by 23 U.S.C. 150(c), including this NPRM, the DOT conducted outreach efforts to obtain technical information as well as information on operational and economic impacts from stakeholders and the public. State DOTs, MPOs, transit agencies, and private/non-profit constituents across the country participated in the outreach efforts. A listing of each contact or series of contacts influencing the agency’s position may be found in the docket.

A. Consultation With State Departments of Transportation, Metropolitan Planning Organizations, and Other Stakeholders

In accordance with 23 U.S.C. 150(c)(1), DOT consulted regularly with affected stakeholders (State DOTs, MPOs, industry, advocacy

organizations, etc.) to better understand the operational and economic impact of this proposed rule. In general, these consultations included:

- Conducted Listening sessions and workshops to clarify stakeholder sentiment and capture diverse opinions on the interpretation of technical information on the potential economic and operational impacts of implementing 23 U.S.C. 150;
- Conducted Listening sessions and workshops to better understand the state-of-the-practice on the economic and operational impacts of implementing various noteworthy practices, emerging technologies, and data reporting, collection, and analysis frameworks;
- Hosted Webinars with targeted stakeholder audiences through a chat pod or conference call; and
- Attended meetings with non-DOT subject matter experts, including task

forces, advocacy groups, private industry, non-DOT Federal employees, academia, etc. to discuss timelines, priorities, and the most effective methods for implementing 23 U.S.C. 150; discuss and collect information on the impact of conceptual frameworks of guidance and the issues that need to be addressed in the NPRMs or the questions that need to be answered to facilitate efficient implementation; and collect factual information about the issues that need to be addressed or the questions that need to be answered in the NRPMs.

B. Broader Public Consultation

It is the DOT’s policy to provide for and encourage public participation in the rulemaking process. In addition to the public participation that was coordinated in conjunction with the stakeholder consultation discussed above, the DOT provided opportunities

³ Bureau of Labor Statistics (BLS) Employee Cost Index, 2012.

⁴ Traffic Safety Facts Research Note. 2012 Motor Vehicle Crashes: Overview. DOT HS 811 856.

for broader public participation. Those opportunities included facilitating opportunities for the public to provide technical and economic information to improve the agency's understanding of a subject and the potential impacts of rulemaking. This was done by providing an email address

(performancemeasuresrulemaking@dot.gov) feature on FHWA's MAP-21 Web site to allow the public to provide comments and suggestions about the development of the performance measures and by holding national online dialogues and listening sessions to ask the public to post their ideas on national performance measures, standards, and policies. The FHWA also conducted educational outreach to inform the public about transportation-related performance measures and standards, and solicited comments on them.

In accordance with 23 U.S.C. 150(c)(2)(A), the FHWA will "provide States, metropolitan planning organizations, and other stakeholders not less than 90 days to comment on any regulation proposed by the Secretary. . . ." During the notice and comment period, the FHWA plans to hold public meetings to explain the provisions contained in these NPRMs, including this NPRM. All such meetings will be open to the public and announced in the **Federal Register**. However, all comments regarding the NPRM must be submitted in writing to the rulemaking docket.

C. Summary of Viewpoints Received

A summary of the common themes expressed and trends that emerged based on all stakeholder engagements and feedback, related to this rulemaking, are as follows:

The FHWA should account for the safety of all road users by including separate measures for motorized and non-motorized (e.g., pedestrian, bicycle) transportation. Having separate measures will allow State DOTs to utilize some HSIP funds on non-motorized transportation without any detriment to safety efforts for other road users.

The FHWA should define performance measures that specifically evaluate the number of fatalities and serious injuries for pedestrian and bicycles crashes. The FHWA should require that bicycle and pedestrian crashes and fatalities be reported nationally and by State and MPO.

The FHWA should be careful in making changes in the definitions of urbanized and rural areas to avoid adversely impacting the reporting of fatality and serious injury rates.

The FHWA should define the safety measures described in 23 U.S.C. 150(c) to include the use of a 5-year to 7-year moving average and the use of actual numbers (i.e., number of fatalities, number of serious injuries) versus rates (i.e., number of fatalities per 100 million VMT, number of serious injures per 100 million VMT).

There is a need for a consistent definition for serious injury. Establishment of uniform data sets, sources, and standards is also necessary to ensure there is consistency in the determination of metrics, the reporting of results, and the analysis of data. The FHWA should move toward using the actual number of fatalities and serious injuries instead of the number of collisions that involve fatalities and serious injuries.

The FHWA should determine how State DOTs demonstrate they have made significant progress toward achieving performance targets and whether the assessment for having made significant progress should be base-lined and determined according to a State-by-State/MPO-by-MPO method. Significant or substantial progress could be linked to the reversing of negative trends or moving of trends in a positive direction.

The administrative burden of target establishment and reporting should not become an onerous, unfunded mandate. The FHWA should ensure that timelines are set in a reasonable fashion that can be achieved by the State DOTs.

Lastly, while performance targets need to be consistent with performance goals, they need to be flexible with possible use of a target range or multiple targets for the same measure. The FHWA should be careful not to infringe upon what is already working at the State DOT and MPO level.

III. Rulemaking Authority and Background

The cornerstone of MAP-21's Federal-aid highway program transformation is the transition to a performance and outcome-based program. As part of this program, recipients of Federal-aid highway funds make transportation investments to achieve individual targets that collectively make progress toward national goals.

The MAP-21 provisions that focus on the achievement of performance outcomes are contained in a number of sections of the law that are administered by different DOT agencies. Consequently, these provisions may require an implementation approach that includes a number of separate but related rulemakings, some from other modes within the DOT. This NPRM is focused on FHWA's implementation of

performance provisions related to the HSIP. A rulemaking to update the HSIP regulations at 23 CFR 924 is also underway (RIN 2125-AF56). Interested persons should refer to both rulemakings. Additional rulemakings are underway to implement other MAP-21 requirements. A summary of these rulemakings, as they relate to this proposed rule, is provided in this section, and additional information regarding related implementation actions is available on the FHWA Web site.⁵

Summary of Related Rulemakings

The DOT's proposal regarding MAP-21's performance requirements will be presented through several rulemakings, some of which were referenced in the above discussions. As a summary, these rulemaking actions are listed below and should be referenced for a complete picture of performance management implementation. The summary below describes the main provisions that DOT plans to propose for each rulemaking. The DOT plans to seek comment on each of these rulemakings.

1. First Federal-aid Highway Performance Measures Rulemaking (this NPRM)
 - a. Propose and define national measures for the HSIP
 - b. Coordinated State and MPO target establishment requirements for the Federal-aid highway program
 - c. Determination of significant progress toward the achievement of targets
 - d. Performance progress reporting requirements and timing
 - e. Discuss how FHWA intends to implement MAP-21 performance-related provisions
2. Second Federal-aid Highway Performance Measures Rulemaking (RIN: 2125-AF53)
 - a. Propose and define national measures for the condition of NHS pavements and bridges
 - b. Coordinated State and MPO target establishment requirements for the Federal-aid highway program
 - c. Determination of significant progress toward the achievement of targets for National Highway Performance Program (NHPP)
 - d. Performance progress reporting requirements and timing
 - e. Minimum standards for Interstate pavement conditions
3. Third Federal-aid Highway Performance Measures Rulemaking (RIN: 2125-AF54)
 - a. Propose and define national

⁵ <http://www.fhwa.dot.gov/map21/qandas/qapm.cfm>.

- measures for the remaining areas under 23 U.S.C. 150(c).
- b. Coordinated State and MPO target establishment requirements for the Federal-aid highway program
 - c. Performance progress reporting requirements and timing
 - d. Provide a summary of all three performance measure proposed rules
4. Update to the Metropolitan and Statewide Planning Regulations (RIN: 2125-AF52)
 - a. Supporting national goals in the scope of the planning process
 - b. Coordination between States, MPOs, and public transportation providers in selecting performance targets
 - c. Integration of elements of other performance-based plans into the metropolitan and statewide planning process.
 - d. Discussion in Metropolitan and Statewide Transportation Improvement Programs documenting how the programs are designed to achieve targets
 - e. New performance reporting in the Metropolitan and the Statewide transportation plans
 5. Updates to the Highway Safety Improvement Program Regulations (RIN: 2125-AF56)
 - a. Integration of performance measures and targets into the HSIP
 - b. Strategic Highway Safety Plan updates
 - c. Establishment of Model Inventory of Roadway Element—Fundamental Data Elements
 - d. HSIP reporting requirements
 6. Federal-aid Highway Asset Management Plan Process Rule (RIN: 2125-AF57)
 - a. Contents of asset management plan
 - b. Certification of process to develop plan
 - c. Transition period to develop plan
 - d. Minimum standards for pavement and bridge management systems
 7. Transit State of Good Repair Rule (RIN: 2132-AB07)
 - a. Define state of good repair and establish measures
 - b. Transit asset management plan content and reporting requirements
 - c. Target establishment requirements for public transportation agencies and MPOs
 8. Transit Safety Plan Rule (RIN: 2132-AB20)
 - a. Define transit safety standards
 - b. Transit safety plan content and reporting requirements
 9. Highway Safety Grant Programs Rule (NHTSA Interim Final Rule (IFR))⁶ (RIN: 2127-AL30, 2127-AL29)

- a. Highway safety plan contents, including establishment of performance measures, targets, and reporting requirements
- b. Review and approval of highway safety plans

Organization of MAP-21 Performance-Related Provisions

The FHWA organized the many performance-related provisions within MAP-21 into six elements as defined below:

- National Goals—Goals or program purpose established in MAP-21 to focus the Federal-aid highway program on specific areas of performance.
- Measures—Establishment of measures by FHWA to assess performance and condition in order to carry out performance-based Federal-aid highway programs.
- Targets—Establishment of targets by recipients of Federal-aid highway funding for each of the measures to document expectations of future performance.
- Plans—Development of strategic and/or tactical plans by recipients of Federal funding to identify strategies and investments that will address performance needs.
- Reports—Development of reports by recipients of Federal funding that would document progress toward the achievement of targets, including the effectiveness of Federal-aid highway investments.
- Accountability—Requirements developed by FHWA for recipients of Federal funding to use to achieve or make significant progress toward achieving targets established for performance.

The following provides a summary of MAP-21 provisions, as they relate to the six elements listed above, including a reference to other related rulemakings that should be considered for a more comprehensive view of MAP-21 performance management implementation.

a. National Goals

The MAP-21 section 1203 establishes national goals to focus the Federal-aid highway program. The following national goals are codified at 23 U.S.C. 150(b):

- Safety—To achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-State-owned public roads and roads on tribal lands.
- Infrastructure condition—To maintain the highway infrastructure asset system in a state of good repair.

- Congestion reduction—To achieve a significant reduction in congestion on the NHS.

- System reliability—To improve the efficiency of the surface transportation system.

- Freight movement and economic vitality—To improve the national freight network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development.

- Environmental sustainability—To enhance the performance of the transportation system while protecting and enhancing the natural environment.

- Reduced project delivery delays—To reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies' work practices.

These national goals will largely be supported through the metropolitan and statewide planning process, which is discussed under a separate rulemaking (2125-AF52) to update the Metropolitan and Statewide Planning Regulations at 23 CFR 450.

b. Measures

The MAP-21 requires the establishment of performance measures⁷, in consultation with State DOTs, MPOs, and other stakeholders, that would do the following: carry out the NHPP and assess pavement conditions for the Interstate and NHS (excluding Interstate), NHS bridge condition, and performance of the Interstate and NHS (excluding Interstate); carry out the HSIP and assess serious injuries and fatalities per VMT and the number of serious injuries and fatalities; carry out the CMAQ program and assess traffic congestion and on-road mobile source emissions; and assess freight movement on the Interstate system.

The FHWA will issue three NPRMs in sequence to propose the measures for the areas listed above. This NPRM focuses on the performance measures, for the purpose of carrying out the HSIP, to assess the number of serious injuries and fatalities and serious injuries and fatalities per VMT. A second NPRM will be issued by FHWA that will propose the measures to assess the condition of pavements and bridges, and a third NPRM will be issued that will propose the remaining areas under 23 U.S.C. 150(c) that require the establishment of measures. We anticipate issuing these

⁶ 23 U.S.C. 402(k); Uniform Procedures for State Highway Safety Grant Programs, Interim final rule,

78 FR 4986 (January 23, 2013) (to be codified at 23 CFR Part 1200).

⁷ 23 U.S.C. 150(c)(1).

three rulemakings in staggered sequence. The FHWA proposes to establish one common effective date for all three final rules for these performance measures, but we seek comment from the public on what an appropriate effective date would be. Additional information on the approach to establish performance measures for the Federal-aid highway program can be found on the FHWA's Transportation Performance Management Web site.⁸

The MAP-21 also requires the FHWA to establish minimum standards for State DOTs to use in developing and operating bridge and pavement management systems,⁹ which the FHWA will propose in a separate rulemaking to establish a Risk Based Asset Management Plan for the NHS. In addition, MAP-21 requires the FHWA to establish minimum levels for the condition of pavements for the Interstate¹⁰ necessary to carry out the NHPP. The FHWA will propose these levels in the second rulemaking to establish measures that focus on pavement and bridge condition for the NHS.

Separate sections of MAP-21 require the establishment of additional measures to assess public transportation performance.¹¹ These measures, which will be used to monitor the state of good repair of transit facilities and to establish transit safety criteria, will be addressed in two separate rulemakings, led by the Federal Transit Administration (FTA).

c. Targets

The MAP-21 requires State DOTs to establish performance targets reflecting measures established for the Federal-aid highway program¹² and requires MPOs to establish performance targets for these measures where applicable.¹³ This NPRM proposes the process for State DOTs and MPOs to follow in the establishment of safety performance targets. The second and third Federal-aid highway performance measure NPRMs will discuss similar target establishment requirements for State DOTs and MPOs as they relate to the measures discussed in the respective proposed rules. Additionally, State DOTs and MPOs are required to coordinate when selecting targets for the areas specified under 23 U.S.C. 150(c) in order to ensure consistency in the establishment of targets, to the

maximum extent practical.¹⁴ A separate rulemaking to update the Metropolitan and Statewide Planning Regulations at 23 CFR 450 discusses this coordination requirement. The FHWA will discuss those target establishment requirements in the subsequent rulemakings to implement these respective provisions.

Further, MAP-21 requires SHSOs to establish targets for 10 core highway safety program measures in the State Highway Safety Plan, which NHTSA has implemented through an Interim Final Rule (NHTSA IFR),¹⁵ and for recipients of public transportation Federal funding and MPOs to establish state of good repair and safety targets.¹⁶ Discussions on these target establishment requirements are not included in this NPRM.

d. Plans

A number of provisions within MAP-21 require States and MPOs to develop plans that provide strategic direction for addressing performance needs. For the Federal-aid highway program these provisions require: State DOTs to develop an NHS Asset Management Plan;¹⁷ State DOTs to update their Strategic Highway Safety Plan;¹⁸ MPOs serving a large transportation management area in areas of non-attainment or maintenance to develop a CMAQ Performance Plan;¹⁹ MPOs to include a System Performance Report in the Metropolitan Transportation Plan;²⁰ and State DOTs and MPOs to include a discussion, to the maximum extent practical, in their Transportation Improvement Program as to how the program will achieve the performance targets they have established for the area.²¹ In addition, State DOTs are encouraged to develop a State Freight Plan²² to document planned activities and investments with respect to freight. This rulemaking does not discuss any requirements to develop or use plans. Rather, a discussion on the development and use of these plans will be included in the respective rulemakings to implement these provisions. More information on the required plans and the actions to implement the statutory

provisions related to plans can be found on FHWA's MAP-21 Web site.²³

e. Reports

The MAP-21 section 1203 requires State DOTs to submit biennial reports to the FHWA on the condition and performance of the NHS, the effectiveness of the investment strategy documented in the State DOT's asset management plan for the NHS, progress in achieving targets, and ways in which the State DOT is addressing congestion at freight bottlenecks.²⁴ The FHWA is proposing in this NPRM that State DOTs report safety progress through the HSIP annual report, rather than the biennial report required under 23 U.S.C. 150(e). Accordingly, this NPRM does not discuss this biennial report. Rather, the FHWA will discuss the biennial report in the second and third performance measures NPRMs, which will propose the establishment of non-safety measures for the Federal-aid highway program.

Additional progress reporting is required under the CMAQ program, metropolitan transportation planning, elements of the Public Transportation Act of 2012, and the Motor Vehicle and Highway Safety Improvement Act of 2012. Also, State DOTs should include a system performance report in their Statewide transportation plan. These reporting provisions are discussed in separate rulemakings and guidance and are not discussed in this rulemaking.

f. Accountability

Two provisions within MAP-21, specifically 23 U.S.C. 119(e)(7) under the NHPP and 23 U.S.C. 148(i) under the HSIP, require the State DOT to undertake actions if significant progress is not made toward the achievement of State DOT targets established for these respective programs. For the NHPP, if a State DOT does not achieve or make significant progress toward the achievement of its NHS performance targets for two consecutive reporting periods, then the State DOT must document in its next report the actions it will take to achieve the targets.²⁵ The FHWA will discuss this provision in the second NPRM, which will propose pavement and bridge performance measures for the NHS. For the HSIP, if the State DOT does not achieve or has not made significant progress toward the achievement of its HSIP safety targets, then the State DOT must dedicate a specified amount of its

⁸ <http://www.fhwa.dot.gov/tpm/about/schedule.cfm>.

⁹ 23 U.S.C. 150(c)(3)(A)(i).

¹⁰ 23 U.S.C. 150(c)(3)(A)(iii).

¹¹ 49 U.S.C. 5326 and 49 U.S.C. 5329.

¹² 23 U.S.C. 150(d).

¹³ 23 U.S.C. 134(h)(2)(B).

¹⁴ 23 U.S.C. 134(h)(2), 23 U.S.C. 135(d)(2), 49 U.S.C. 5303(h)(2), and 49 U.S.C. 5304(d)(2).

¹⁵ 23 U.S.C. 402(k); Uniform Procedures for State Highway Safety Grant Programs, Interim final rule, 78 FR 4986 (January 23, 2013) (to be codified at 23 CFR Part 1200).

¹⁶ 49 U.S.C. 5326(c).

¹⁷ 23 U.S.C. 119(e)(2).

¹⁸ 23 U.S.C. 148(d).

¹⁹ 23 U.S.C. 149(l).

²⁰ 23 U.S.C. 134(i)(2)(C).

²¹ 23 U.S.C. 134(j)(2)(D) and 23 U.S.C. 135(g)(4).

²² MAP-21 Section 1118.

²³ <http://www.fhwa.dot.gov/map21/qandas/qapm.cfm>.

²⁴ 23 U.S.C. 150(e).

²⁵ 23 U.S.C. 119(e)(7).

obligation limitation to safety projects and prepare an annual implementation plan.²⁶ The regulatory definition and discussion below of “made significant progress” applies only for the purpose of carrying out the HSIP.

In addition, MAP–21 requires that each State DOT maintain minimum standards for Interstate pavement and NHS bridge conditions. If a State DOT falls below either standard, then the State DOT must spend a specified portion of its funds for that purpose until the minimum standard is exceeded.²⁷ The FHWA will discuss this provision in the second NPRM, which will propose pavement and bridge performance measures for the NHS.

Further, MAP–21 includes special safety rules²⁸ to require each State DOT to maintain or improve safety performance on high risk rural roads and for older drivers and pedestrians. If the State DOT does not meet these special rules, which contain minimum performance standards, then it must dedicate a portion of HSIP funding (in the case of the high risk rural road special rule) or document in their Strategic Highway Safety Plan (SHSP) actions it intends to take to improve performance (in the case of the older driver and pedestrian special rule). Guidance on how FHWA will administer these two special rules is provided on the FHWA MAP–21 Web site.²⁹

Implementation of MAP–21 Performance Requirements

The FHWA will implement the performance requirements within section 1203 of MAP–21 in a manner that results in a transformation of the Federal-aid highway program so that the program focuses on national goals, provides for a greater level of accountability and transparency, and provides a means for the most efficient investment of Federal transportation funds. The FHWA plans to implement these new requirements in a manner that will provide Federal-aid highway fund recipients the greatest opportunity to fully embrace a performance-based approach to transportation investment decision making that does not hinder performance improvement. In this regard, FHWA carefully considered the following principles in the development of proposed regulations for national

performance management measures under 23 U.S.C. 150(c):

- Provide for a National Focus—focus the performance requirements on outcomes that can be reported at a national level.

- Minimize the Number of Measures—identify only the most necessary measures that will be required for target establishment and progress reporting. Limit the number of measures to no more than two per area specified under 23 U.S.C. 150(c).

- Ensure for Consistency—provide a sufficient level of consistency, nationally, in the establishment of measures, the process to set targets and report expectations, and the approach to assess progress so that transportation performance can be presented in a credible manner at a national level.

- Phase in Requirements—allow for sufficient time to comply with new requirements and consider approaches to phase in new approaches to measuring, target establishment, and reporting performance.

- Increase Accountability and Transparency—consider an approach that will provide the public and decision makers a better understanding of Federal transportation investment needs and return on investments.

- Consider Risk—recognize that risks in the target establishment process are inherent, and that performance can be impacted by many factors outside the control of the entity required to establish the targets.

- Understand that Priorities Differ—recognize that State DOTs and MPOs must establish targets across a wide range of performance areas, and that they will need to make performance trade-offs to establish priorities, which can be influenced by local and regional needs.

- Recognize Fiscal Constraints—provide for an approach that encourages the optimal investment of Federal funds to maximize performance but recognize that, when operating with scarce resources, performance cannot always be improved.

- Provide for Flexibility—recognize that the MAP–21 requirements are the first steps that will transform the Federal-aid highway program to a performance-based program and that State DOTs, MPOs, and other stakeholders will be learning a great deal as implementation occurs.

The FHWA considered these principles in this NPRM and encourages comments on the extent to which the approach to performance measures set forth in this NPRM supports the principles discussed above.

IV. Performance Measure Analysis

The FHWA, in consultation with State DOTs, MPOs, and other stakeholders, selected for this proposed rule measures to carry out the HSIP and for State DOTs and MPOs to use to assess safety performance. The FHWA assessed the selected measures, using a common methodology, to identify gaps that could impact successful implementation and to better inform the FHWA on the issues that the FHWA will address in this proposed rule. This section discusses why the FHWA selected the proposed measures and the results of FHWA’s assessment to identify implementation gaps.

A. Selection of Measures for the Highway Safety Improvement Program

The FHWA considered input from the following sources in selecting proposed measures to carry out the HSIP and for State DOTs and MPOs to use to assess safety performance:

- Knowledge of technical experts within the DOT on the current state of practice to monitor highway safety performance;
- Information provided by external stakeholders received directly or captured as part of organized stakeholder listening sessions;
- Information provided by external stakeholders received indirectly through informal contact such as telephone calls, email, or letters; and
- Measures that have been recommended and documented in nationally recognized reports such as the assessment of measurement readiness documented in the 2011 final report for National Cooperation Highway Research Program (NCHRP) 20–24(37)G, “Technical Guidance for Deploying National Level Performance Measurements,” and the 2008 NHTSA publication, “Traffic Safety Performance Measures for States and Federal Agencies,” which contains an initial minimum set of 14 performance measures agreed upon by NHTSA and the Governors Highway Safety Association (GHSA).

A listing of each contact or series of contacts influencing the agency’s proposals may be found in the docket.

The DOT believes that a unified State approach to highway safety promotes comprehensive transportation and safety planning and program efficiency in the States. For this reason, the DOT proposes that performance measures common to the State’s HSP and the HSIP (fatalities, fatality rate, and serious injuries) would be defined identically, as coordinated through the SHSP and subject to the GHSA coordination

²⁶ 23 U.S.C. 148(i).

²⁷ 23 U.S.C. 119(f).

²⁸ 23 U.S.C. 148(g).

²⁹ <http://www.fhwa.dot.gov/map21/guidance/guidehrrr.cfm>, and <http://www.fhwa.dot.gov/map21/guidance/guideolder.cfm>.

process NHTSA must follow under MAP-21.

The FHWA considered the need to align measures used to carry out highway safety grant programs administered by NHTSA with measures that are proposed to be established through this regulatory action. The MAP-21 restructured and made various substantive changes to the HSIP that is administered by the FHWA under 23 U.S.C. 148. These changes provide for additional consistency between the HSIP and the highway safety grant programs administered by NHTSA, including key outcome performance measures that are consistent between these two programs and for which State DOTs and SHSOs will establish targets. Specifically, MAP-21 modified the existing HSIP at 23 U.S.C. 148 by requiring State DOTs to develop and implement the HSIP by establishing targets that reflect the defined safety performance measures being promulgated in this NRPM.

As stated in NHTSA's IFR, SHSOs have been moving in the direction of using performance measures, such as the number of fatalities and serious injuries and fatality rate, in the State HSP for a number of years. Since 2010, all SHSOs have voluntarily established targets for these performance measures, as described in the report, Traffic Safety Performance Measures for States and Federal Agencies (DOT HS 811 025), developed as a cooperative effort between NHTSA and the GHSA. The MAP-21 requires SHSOs to use the Traffic Safety Performance Measures report for establishing performance measures and targets in the HSP beginning in fiscal year 2014.³⁰ The MAP-21 further requires NHTSA to coordinate with GHSA in making revisions to the performance measures identified in the report.

This NRPM includes performance measures that are common to both FHWA and NHTSA. The FHWA has been working with NHTSA and other DOT agencies to align those performance measures that are common across those agencies (i.e. fatality rate, fatality number, serious injury number) to ensure that the highway safety community is provided uniform measures of progress. The safety performance measures in this NRPM that are common to all agencies would be defined identically, as coordinated through the SHSP.

The FHWA is proposing HSIP measures for State DOTs to use in assessing safety performance in the four areas mandated in 23 U.S.C. 150(c)(4):

(1) number of fatalities; (2) rate of fatalities; (3) number of serious injuries; and (4) rate of serious injuries. The FHWA is proposing the establishment of one consistent measure for each of the four areas mandated under 23 U.S.C. 150(c)(4) to focus on aggregate outcome performance for the reasons noted below:

The FHWA proposes that safety for all users of public roads will be improved by focusing the safety measures on all fatalities and serious injuries. Focusing the measures on all fatalities and all serious injuries, regardless of vehicle type, influencing behavior, or roadway characteristics, provides for a view of overall safety performance that includes all users on all public roads and limits the extent of data collection and analysis.

The aggregation of all fatalities and serious injuries into single measures to carry out the HSIP will provide for more stable trends, allowing for more reliable predictions of future performance on which to base the selection of targets. At the State or MPO level, separating specific types of fatalities and serious injuries for a range of disaggregated measures by vehicle type (including passenger vehicles, trucks, motorcycles, and bicycles); by influencing behavior (e.g., distracted driving, impaired driving, speeding); or by roadway characteristics (e.g., intersections, roadway departure) leads to numbers too statistically small to provide sufficient validity for developing targets to carry out the HSIP.

The performance requirements within MAP-21 are the first foundational steps that will focus the Federal-aid highway program on performance outcomes. It is expected, in this foundational stage, that State DOTs and MPOs will be learning how to manage performance by balancing investment trade-offs across multiple performance measures; many State DOTs and MPOs will be establishing targets to carry out the HSIP for the first time as a result of this new requirement. Therefore, FHWA desires to establish a minimal number of measures to implement 23 U.S.C. 150(c) considering the requirement for State DOTs³¹ and MPOs³² to establish targets for each of these measures (a minimum of 12 measures will be established).

The more detailed analysis of separating specific types of fatalities and serious injuries for a range of disaggregated measures takes place in the creation of the SHSP. The MAP-21 requires that States take into consideration all vehicle and user needs

when establishing goals, objectives, and emphasis areas, and describe a program of strategies to reduce or eliminate safety hazards through the SHSP. Each State DOT identifies emphasis areas based on the analysis of all the available safety data after consultation with and input from the safety stakeholders representing the four E's from safety.³³ This analysis and collaboration helps identify the causes of safety hazards, and helps to develop successful improvement strategies to address those hazards and is used in decision making for FHWA's HSIP and NHTSA's highway safety programs. It is the development of the SHSP through a data-driven, coordinated process that includes the State DOTs, MPOs, and other safety stakeholders that ensures specific vehicle and user needs are addressed.

The HSIP safety performance measures should be viewed in the context of other DOT performance measures. As amended by MAP-21, 23 U.S.C. 402(k)(4) specifies that for the NHTSA HSP, traffic safety performance measures, developed in a cooperative effort between NHTSA and GHSA, are to be used by SHSOs in the development and implementation of behavioral highway safety plans and programs. Although limited in fiscal year (FY) 2014 to an initial set of 10 core outcome measures, 1 core behavior measure, and 3 activity measures, MAP-21 allows the NHTSA in subsequent fiscal years to make revisions to the set of performance measures required in the HSP through a coordinated process with GHSA.³⁴ The FHWA will continue to work with NHTSA toward a consistent application of traffic safety performance measures through a consensus process, subject to the GHSA coordination process NHTSA must follow under MAP-21.

The DOT received input through stakeholder listening sessions and in letters sent to the DOT suggesting that two measures be established for each of the four safety areas: (1) All "motorized" fatalities and serious injuries; and (2) all "non-motorized" fatalities and serious injuries.

The DOT requests comments on how the Department could address separate non-motorized performance measures. The DOT requests input on the extent to which States and MPOs currently collect and report non-motorized data (fatality, serious injury, miles traveled)

³³ The four E's include: Engineering, Education, Enforcement, and Emergency Medical Services.

³⁴ Currently targets are required to be established through the HSP for only the 10 core outcome measures.

³⁰ 23 U.S.C. 402(f)(4).

³¹ 23 U.S.C. 134(h)(2)(B).

³² 23 U.S.C. 150(d).

and the reliability and accuracy of such data, and how States and MPOs consider such data in their safety programs and in selecting investments. The DOT also invites the public to suggest ways to most efficiently track, report, and use performance measures to improve safety.

B. Assessment of Selected Measures for the Highway Safety Improvement Program

The FHWA used a common methodology to assess whether the candidate measure was appropriate for national use and whether the FHWA was ready to implement the measure in an accurate, reliable, and credible

manner. This methodology included 12 criteria that the FHWA used to assess both the appropriateness and readiness of each measure. The FHWA conducted an assessment to rate the extent to which the measure, as used in current practice, met each of the 12 criteria. As a result of the assessment, FHWA assigned one of the following three ratings to each criterion.

- Green Rating—Criterion is fully met for the candidate measure.
- Yellow Rating—Criterion is partially met for the candidate measure and work is underway to fully meet the criterion.
- Red Rating—Criterion is not fully met or no work is underway or planned that would allow the criterion to be met.

The FHWA used the results of this assessment to identify gaps that the FHWA could address through this rulemaking to improve the effectiveness of the measure to be used to carry out the HSIP and to assess safety performance. A description of the methodology used for this assessment is provided in the rulemaking docket.

The FHWA evaluated the four safety measures that it is proposing in this NPRM based on existing state-of-practice, using the assessment process described earlier in this section. The following table includes a summary of this assessment:

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G=Green Y= Yellow R=Red

Assessment Factor	Fatalities per VMT	Serious Injuries per VMT	No. of Fatalities	No. of Serious Injuries
A1) Is the measure focused on comprehensive performance outcomes?	G	G	G	G
A2) Has the measure been developed in partnership with key stakeholders?	G	Y	G	Y
A3) Is the measure maintainable to accommodate changes?	G	R	G	R
A4) Can the measure be used to support investment decisions, policy making and target establishment?	G	G	G	G
A5) Can the measures be used to analyze performance trends?	G	G	G	G
A6) Has the feasibility and practicality to collect, store, and report data in support of the measures been considered?	G	Y	G	Y
B1) Timeliness	R	R	R	R
B2) Consistency	G	R	G	R
B3) Completeness	G	G	G	G
B4) Accuracy	G	G	G	G
B5) Accessibility	G	Y	G	Y
B6) Data Integration	G	Y	G	Y

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The proposal outlined in this NPRM attempts to address some of the gaps that exist today for lower rated factors so that, as a result of the implementation of these new requirements, the measures would result in an improved assessment rating and thereby better support national

programs. In particular, FHWA considered the following factors:

- Criterion A2—recognize that a common approach to define serious injuries is still being discussed by stakeholders and allow for time to transition to a measure that is based on a more consistent definition.
- Criterion A3—consider an approach that will allow for more consistent

definitions of serious injury to be phased in over a period of time.

- Criterion B1—recognize the time lag of data available in national data sources compared to the availability of data in State-maintained sources in establishing requirements associated with proposed safety measures.
- Criterion B2—consider an approach to defining serious injuries that would

improve consistency in application across the country and recognize that consistency improvements can take time to implement.

- Criteria A6, B5, and B6—recognize that a comprehensive national data source does not exist today for serious injuries and that there could be a cost to Federal, State and local governments to create such a data source.

The FHWA is proposing an approach to define the safety measures in a manner that is more consistent with input received from stakeholders and addresses the various methods used today to define serious injuries. The specifics of these proposals are described in the Section-by-Section portion of this proposed rule.

V. Section-by-Section Discussion of the General Information and Proposed Highway Safety Improvement Program Performance Measures

Section 490.101 General Definitions

This subpart provides definitions of the following terms: Highway Performance Monitoring System, measure, metric, non-urbanized areas, and target.

The FHWA proposes to include a definition for “Highway Performance Monitoring System (HPMS)” because it will be one of the data sources used in establishing a measure and establishing a target. The HPMS is an FHWA-maintained, national level highway information system that includes State DOT-submitted data on the extent, condition, performance, use and operating characteristics of the Nation’s highways. The HPMS database was jointly developed and implemented by FHWA and State DOTs beginning in 1974 and it is a continuous data collection system serving as the primary source of information for the Federal government about the Nation’s highway system. Additionally, the data in the HPMS is used for the analysis of highway system condition, performance, and investment needs that make up the biennial Condition and Performance Reports to Congress. These Reports are used by the Congress in establishing both authorization and appropriation legislation, activities that ultimately determine the scope and size of the Federal-aid highway program, and determine the level of Federal highway taxation. Increasingly, State DOTs, as well as the MPOs, have utilized the HPMS as they have addressed a wide variety of concerns about their highway systems.³⁵

Numerous State DOTs and the MPOs use HPMS data and its analytical capabilities for supporting their condition/performance assessment, investment requirement analysis, strategic and state planning efforts, etc.

The FHWA proposes to include a definition for “measure” because establishing measures is a critical element of an overall performance management approach and it is important to have a common definition that the FHWA can use throughout the Part. To have a consistent definition for “measure,” the FHWA proposes to make a distinction between “measure” and “metric.” Hence, the FHWA proposes to define “metric” as a quantifiable indicator of performance or condition and to define “measure” as an expression based on a metric that is used to establish targets and to assess progress toward achieving the established targets. For illustrative purposes, a metric for fatalities is the annual number of fatalities and the corresponding measure to establish targets is the 5-year rolling average of the metric.

In addition, the FHWA proposes to include a definition for “non-urbanized areas” to provide clarity in the implementation of the provision in 23 U.S.C. 150(d)(2) that allows the State DOTs the option of selecting different targets for “urbanized and rural areas.” As written, the statute is silent regarding the small urban areas that fall between “rural” and “urbanized” areas. Instead of only giving the State DOTs the option of establishing targets for “rural” and “urbanized” areas, FHWA proposes to define “non-urbanized” areas to include both “rural” areas and the small urban areas that are larger than “rural” areas but do not meet the criteria of an “urbanized area.” This would then allow State DOTs to establish different targets throughout the entire State for urbanized and non-urbanized areas. For target-setting purposes, the FHWA believes that these small urban areas are best treated with the “rural” areas, as non-urbanized areas, because both of these areas do not have the same complexities that come with having the population and density of urbanized areas and are generally more rural in characteristic. In addition, neither of these areas are treated as MPOs in the transportation planning process or given the authority under MAP-21 to establish their own targets.

Finally, the FHWA proposes to include a definition for “target” to indicate how measures will be used for

target establishment by State DOTs and MPOs to assess performance or condition.

Subpart B: National Performance Measures for the Highway Safety Improvement Program

Section 490.201 Purpose

The FHWA proposes to include a statement describing the general purpose of the proposed subpart: to implement certain sections of Title 23, U.S.C. that require FHWA to establish measures for State DOTs to use to assess the number of serious injuries and fatalities and the rate of serious injuries and fatalities.

Section 490.203 Applicability

The FHWA proposes to specify that the safety performance measures are applicable to all public roads covered under 23 U.S.C. 130 and the HSIP under 23 U.S.C. 148. While 23 U.S.C. 148 specifically addresses the HSIP, projects that improve railway-highway crossings, consistent with 23 U.S.C. 130, are eligible as highway safety improvement projects under 23 U.S.C. 148. In addition, 23 U.S.C. 148 requires State DOTs to report on the occurrence of fatalities and serious injuries on railway-highway crossings. Because of the connection between 23 U.S.C. 130 and 148, it is important that any developed measures consider public roads covered under both of these provisions. Therefore, the FHWA includes this language to reiterate that the data used for the performance measures needs to include all public roads in the State regardless of ownership or functional classification.

Section 490.205 Definitions

The FHWA proposes to include a definition for “5-year rolling average,” because the FHWA proposes that State DOTs and MPOs use this information in calculating the performance measures for carrying out the HSIP. The 5-year rolling average is the average of five individual, consecutive annual points of data for each proposed performance measure (e.g., 5-year rolling average of the annual fatality rate). Using a multiyear average approach does not eliminate years with significant increases or decreases. Instead, it provides a better understanding of the overall fatality and serious injury data over time. The 5-year rolling average also provides a mechanism for accounting for regression to the mean. If a particularly high or low number of fatalities and/or serious injuries occur in 1 year, a return to a level consistent with the average in the previous year may occur.

³⁵ Highway Performance Monitoring System, FHWA Office of Policy Information. <http://www.fhwa.dot.gov/policyinformation/hpms/nahpms.cfm>.

The FHWA considered annual data, and 3-, 4-, and 5-year rolling averages, evaluating each of these options against the data currently available for all States. States with a small number of fatalities may see wide fluctuations in the number of fatalities from year to year. For those States, a rolling average would reduce short term fluctuations and highlight long term trends. A 5-year rolling average provides a balance between the stability of the data (by averaging multiple years) and providing an accurate trend of the data (by minimizing how far back in time to consider data).

The SHSOs have voluntarily been using a 3- to 5-year rolling average for fatalities, fatality rate, and serious injuries since 2010. Currently in NHTSA's HSP, SHSOs are required to establish performance measures for fatalities, fatality rate, and serious injuries using a 3- to 5-year rolling average. The SHSOs select the rolling average that is appropriate for their State depending on factors unique to each State. This NPRM proposes that all State DOTs use the same 5-year rolling average time period in the HSIP. In proposing that performance measures common to the State's HSP and the HSIP be aligned, SHSOs and State DOTs would be required to use the same rolling average period for common performance measures. Such a requirement in the HSP would be subject to the GHSA coordination process NHTSA must follow under MAP-21.

Stakeholders are encouraged to comment on whether a 3-, 4- or 5-year rolling average should be required for the HSIP performance measures. Stakeholders are also encouraged to comment on whether the use of moving averages is appropriate to predict future metrics.

The FHWA's objective is for State DOTs to establish achievable performance targets that focus on improving safety results. State DOTs that do not achieve or have not made significant progress toward achieving their targets would be subject to restricted obligation authority for use only on HSIP projects and the establishment of an implementation plan pursuant to 23 U.S.C. 148(i) and implemented under section 490.211(c).

The FHWA proposes to add a definition of "Fatality Analysis Reporting System (FARS)" because it would be used to determine if a State has achieved its target and, if necessary, as part of the evaluation of whether a State DOT has made significant progress toward achieving its target. The

proposed definition clarifies that final FARS data will be used.

The FHWA is proposing a definition of "historical trend line" because it would be an element of FHWA's evaluation of whether a State DOT has made significant progress toward achieving its target. The FHWA proposes the use of 10 years of data in order to provide sufficient historical context for the analysis and projection. Including more years of data would inappropriately impact the analysis by incorporating factors that are no longer relevant. Including fewer years of data would provide an insufficient foundation upon which to conduct the analysis.

The FHWA proposes a definition for "KABCO" because FHWA would be requiring States to begin reporting serious injuries by using the '(A)' coding convention on the KABCO injury classification scale. For serious injuries reported prior to adoption of MMUCC, latest edition, States would use a set of conversion tables to convert data to a consistent serious injury '(A)' coding classification on the KABCO scale. For data reported in compliance with MMUCC, latest edition, States would report data according to the "Suspected Serious Injury (A)" definition and attribute. The conversion tables, developed by NHTSA, are included in the docket and would be used to convert State serious injury crash data to a consistent KABCO coding convention.

Developed by the National Safety Council in 1976, the KABCO is a system used to standardize the coding for the level of the injury severity for any person involved in a crash as determined by law enforcement at the scene. The KABCO is a coding and classification scale that used, or in some cases still uses, the following classifications for the injury codes: K-fatality, A-incapacitating injury, B-non-incapacitating injury, C-possible injury, O-no injury. However, different agencies may use different classifications for injury codes (e.g., "A" for incapacitating injury or "A" for suspected serious injury) and different definitions for each injury code (e.g. in one agency a serious injury is defined as "an injury other than a fatal injury which results in broken bones, dislocated or distorted limbs, severe lacerations, or unconsciousness" and in another agency a serious injury is defined as "an injury, other than a fatal, which prevents the injured person from walking, driving or normally continuing the activities which he was capable of performing prior to the motor vehicle traffic accident." Still, KABCO is an effective tool used to standardize injury

severity across jurisdictions by law enforcement officers investigating and reporting on crashes at the scene.

The FHWA recognizes that States currently use a wide variety of coding conventions and associated definitions to report on injury severity. In order to collect and use the most consistent data to support the National Goals, the FHWA proposes that the highest severity injury category in the State's motor vehicle crash database would conform to the KABCO injury code '(A)'. To conform, the State would convert the injury crash data using the conversion tables developed by the NHTSA. The NHTSA developed an initial set of KABCO conversion tables to enable sampling in areas of the State where NHTSA collects injury crash data for the National Automotive Sampling System (NASS). For the purposes of this rulemaking, NHTSA has created similar tables, using the NASS methodology, for all States, and FHWA will make the tables available for States to use to report serious injury data. The FHWA recognizes that the conversion tables cannot account for all past and current differences between State definitions of injury levels. However, they will provide the most consistent available data for serious injuries for the States' past and current crash data until all States comply with the MMUCC requirement proposed in this rule.

The FHWA proposes a definition for "made significant progress" to distinguish that the FHWA would not use the statistical definition of the term "significant" to determine whether a State has made significant progress toward achieving their safety performance targets under 23 U.S.C. 148(i). Recognizing that there is a limit to the direct impact the State can have on safety outcomes, the risk in setting targets, and the resultant difficulty in determining a projected appropriate level of progress for the State DOT, the FHWA is proposing to use a specific set of calculations to determine whether a State DOT has made significant progress. Those calculations are described in Section 490.211, Determining Whether a State DOT has Made Significant Progress Towards Achieving Performance Targets.

The FHWA proposes a definition for the "number of fatalities" because it would be used to establish one of the measures for State DOTs and MPOs to use to assess safety performance related to fatalities and for the purpose of carrying out the HSIP. The FHWA also proposes a definition for the "number of serious injuries" because it would be used to establish one of the measures for State DOTs and MPOs to use to assess

safety performance related to serious injuries for the purpose of carrying out the HSIP.

The FHWA is proposing a definition of “prediction interval” because it would be an element of the evaluation of whether a State DOT has made significant progress toward achieving its target. The FHWA proposes to use the term prediction interval as it is applied for statistical evaluation.

The FHWA proposes a definition for “projection point” because it would be an element of FHWA’s evaluation of whether a State DOT has made significant progress toward achieving its target.

The FHWA proposes a definition for the “rate of fatalities” because it would be used to establish one of the measures for State DOTs and MPOs to use to assess safety performance related to fatalities for the purpose of carrying out the HSIP. The FHWA also proposes a definition for the “rate of serious injuries” because it would be used to establish one of the measures for State DOTs and MPOs to assess as a measure for safety performance related to serious injuries for the purpose of carrying out the HSIP.

The FHWA also proposes a definition of “serious injuries.” In defining the term “serious injuries,” the FHWA recognizes there are many disparities between States’ definitions of serious injuries and the coding convention used to report them. These discrepancies have long been recognized as a problem in collecting and analyzing data at the national level, and may be a problem in measuring progress toward the national goal of “significantly reducing fatalities and serious injuries on all public roads.”³⁶ The proposed definition would result in a consistent definition of “serious injuries,” which would standardize and improve the quality of data, and improve the ability to evaluate State DOT and national progress in achieving safety on the Nation’s roads.

The FHWA proposes that the definition and attribute for “serious injuries” is a “suspected serious injury” (A) as identified in the latest edition of the MMUCC.³⁷ The MMUCC definition of a suspected serious injury (A) is any injury, other than fatal, which results in one or more of the following:

- Severe laceration resulting in exposure of underlying tissues, muscle, organs, or resulting in significant loss of blood;
- Broken or distorted extremity (arm or leg);

- Crush injuries;
- Suspected skull, chest, or abdominal injury other than bruises or minor lacerations;
- Significant burns (second and third degree burns over 10 percent or more of the body);
- Unconsciousness when taken from the crash scene; or
- Paralysis.

The FHWA proposes that States would convert to KABCO, through use of the NHTSA conversion tables, only the serious injury crash data necessary to comply with the reporting requirements under 23 CFR 924 that are not compliant with the proposed serious injury definition within 18 months of the effective date of this rule. The FHWA also proposes that States must use the MMUCC, latest edition, definition and attribute for “suspected serious injury” within 18 months of the effective date of this rule. Depending on the effective date of this rule, the date requirements may be modified in order to align with the HSIP reporting cycle. As the MMUCC definition uses the KABCO scale, a State DOT would be in compliance with this definition if a State converts to the MMUCC definition for “suspected serious injury” prior to the 18-month requirement.

However, for data in the State crash database that was not MMUCC compliant, the State would convert its serious injury data to KABCO through use of the NHTSA serious injury conversion tables.

The FHWA considered the Abbreviated Injury Scale (AIS), the Maximum Abbreviated Injury Scale (MAIS), the International Statistical Classification of Diseases and Related Health Problems (ICD), and the Injury Severity Score (ISS) as potential coding conventions and definitions for reporting Serious Injuries data to replace MMUCC and KABCO. These injury classification systems are not being proposed because they would not offer the ease and opportunity to convert historical and future data into a consistent framework such as is available in using KABCO, NHTSA conversion tables, and MMUCC.

Those agencies that would need to comply with this requirement (e.g., State DOTs, SHSOs, law enforcement agencies) would not be expected to have the ability to use systems such as AIS, ICD, or ISS at the crash scene. Use of each of these systems would require either individual medical follow-up for each person injured in a crash, or some sort of manual or electronic linkage of crash records to hospital inpatient and emergency department records with injury diagnoses. The FHWA expects

the burden and time to set up such systems would be considerably greater than it would be for States to comply with the latest edition MMUCC’s Suspected Serious Injury definition as proposed in this rulemaking. Therefore, under this rulemaking, the FHWA would not require States to gather level of injury assessments from hospitals or other emergency medical service providers. As the MMUCC is a recommended standard for law enforcement crash reports and uses the KABCO scale, its definition was determined to be most appropriate for the immediate purposes of this proposed rule. The FHWA solicits comment on whether some other injury classification and coding system would be more appropriate.

Section 490.207 National Performance Measures for the Highway Safety Improvement Program

In section 490.207(a), FHWA proposes to describe the four performance measures for the purpose of carrying out the HSIP under 23 U.S.C. 150. The four performance measures would include: 1) number of fatalities, 2) rate of fatalities, 3) number of serious injuries, and 4) rate of serious injuries. The FHWA also proposes to specify that each performance measure would be based on the calendar year, rather than a State’s fiscal year or the Federal fiscal year, because safety statistics are already reported by calendar year.

In section 490.207(b), FHWA proposes the use of a rolling average for each of the performance measures and specifies that only the total number be rounded to the hundredth decimal place. The FHWA proposes the use of the hundredth decimal place because the industry standard in FARS for reporting fatality crash rates is to the hundredth decimal place. As FARS reports fatality rates by 100 million VMT, the FHWA proposes that the term “VMT” used in the calculation of fatality and serious injury rates also refer to 100 million VMT, rather than “per vehicle mile traveled” as expressed in 23 U.S.C. 150(c)(4).

The following items describe the calculation for each of the four performance measures. In subparagraph (1), the FHWA proposes that the performance measure for the number of fatalities would be the 5-year rolling average of the total number of fatalities for each State and would be calculated by adding the number of fatalities for the most recent 5 consecutive calendar years in which data are available and dividing by 5. As stated in the definitions section, the total number of fatalities for each State would be based

³⁶ 23 U.S.C. 150(b).

³⁷ The Model Minimum Uniform Crash Criteria, available at: <http://www.mmucc.us/>.

on the data reported by the FARS database for each calendar year. The FARS database is recognized as the standard for reporting fatalities and is already used by the State DOTs and the DOT.

In subparagraph (2), the FHWA proposes that the performance measure for fatalities per VMT would be the 5-year rolling average of the State's fatality rate per VMT and would be calculated by first calculating the number of fatalities per 100 million VMT for each of the most recent 5 consecutive years in which data are available, adding the results, and dividing by 5. As stated in the definitions, the VMT is as reported by a State DOT to the HPMS (expressed in 100 million vehicle miles) in a calendar year.

In subparagraph (3), the FHWA proposes that the performance measure for the number of serious injuries would be the 5-year rolling average of the total number of serious injuries for each State, and would be calculated by adding the number of serious injuries for the most recent 5 consecutive years in which data are available and dividing by 5.

In subparagraph (4), the FHWA proposes the performance measure for the number of serious injuries per VMT would be the 5-year rolling average of the total number of serious injuries per VMT, and would be calculated by first calculating the number of serious injuries per 100 million VMT for each of the most recent 5 consecutive years in which data are available, adding the results, and dividing by 5. The number of serious injuries would be equivalent to that in subparagraph (3) and the rate would be determined by VMT as reported by HPMS (expressed in 100 million vehicle miles) in a calendar year.

In section 490.207(c), the FHWA proposes that by the effective date of this rule, serious injuries shall be coded (A) in the KABCO injury classification scale through use of the NHTSA serious injuries conversion tables; and that within 18 months of the effective date of this rule, serious injuries must be determined using the latest edition of MMUCC.

Finally, in section 490.207(d), the FHWA recommends, but would not require, that States prepare themselves so that no later than calendar year 2020, serious injuries data is collected through and reported by a hospital records injury outcome reporting system that links injury outcomes from hospital inpatient and emergency discharge databases to crash reports. An example of a crash outcome data linkage system

is the NHTSA Crash Outcome Data Evaluation System (CODES).

The DOT is an active liaison to the NCHRP Project 17–57 *Development of a Comprehensive Approach for Serious Traffic Crash Injury Measurement and Reporting Systems*. The project's goals are to identify an injury scoring system for further consideration, develop a roadmap to assist States in developing and implementing an interim system, and ultimately develop a State-based framework to perform comprehensive linkage of records related to motor vehicle crashes resulting in serious injuries, and incremental steps and priorities for achieving the linkage (<http://apps.trb.org/cmsfeed/TRBNetProjectDisplay.asp?ProjectID=3179>). The DOT anticipates that this project will be completed by 2014, and the recommendations could then be effectively implemented in all States. To the extent possible, DOT would work with States that implement a data linkage system prior to the recommended date. This rulemaking would not prohibit a State from using a data linkage system like CODES, but this rulemaking would require States to use the MMUCC definition of "suspected serious injury" and the KABCO system, through use of the NHTSA conversion tables, for reporting serious injuries data.

In summary, defining serious injuries in a manner that would provide for greater consistency requires:

- (1) a common coding convention;
- (2) a consistent definition of a serious injury; and
- (3) a method to accurately determine the severity level of an injury.

This rulemaking proposes, with reference to the above list, the establishment of items 1 and 2, and a recommended approach for item 3. More specifically, this rulemaking proposes: (1) KABCO as the required convention to code a serious injury as "A" using conversion tables developed by NHTSA; and (2) a requirement to use the MMUCC definition of a "suspected serious injury" to define what injuries qualify as a serious injury. This rulemaking would not propose a required use of a single method to accurately determine the level of injury but recommends that States prepare to use a crash to medical outcome data linkage methodology. This rulemaking would not prohibit a State from using such an approach before or after the effective date of this rule to determine the severity of injuries.

The DOT also recognizes that as serious injury data is migrated to the MMUCC definition, variances may occur in the data collected and reported

by States and that States should make necessary adjustments in establishing targets to accommodate these changes.

Section 490.209 Establishment of Performance Targets

The FHWA proposes in section 490.209(a) for State DOTs to establish quantifiable targets for each performance measure identified in section 490.207(a). The declared policy under 23 U.S.C. 150(a) is to transform the Federal-aid highway program by refocusing on national transportation goals and increasing accountability. Furthermore, the first national goal under 23 U.S.C. 150(b)(1) is to "achieve a significant reduction in traffic fatalities and serious injuries on all public roads." To this end, the FHWA strongly encourages State DOTs to establish targets that represent improved safety performance in order to support the national goals.

Consistent with the objectives in the NHTSA IFR, the FHWA is proposing in subparagraph (1) that the targets under this section be identical to the targets established for common measures reported in the States HSP, subject to the GHSA coordination process NHTSA must follow under MAP–21. The FHWA proposes in subparagraph (2) that the performance targets established by the State represent the safety outcomes anticipated for the calendar year following each HSIP annual report.

The FHWA recognizes that State DOTs would use the most current data available to them in order to establish targets required in this rule. However, as specified in section 490.211(a), the FHWA proposes to use the data in the final FARS database and HPMS to assess the State DOTs' performance targets for the fatality measures. State DOTs should recognize there are differences in the final FARS and HPMS databases and their most current data, in particular the potential time lag in the data needed for establishing targets.

For the serious injuries number measure, this lag is not an issue as this measure and reported outcomes are based on data contained in the State's motor vehicle crash database. However, there is a time lag for the remaining proposed safety measures.

The current time lag (time period between the end of the calendar year in which the data were collected to the date the data is available in the national system for the final FARS and HPMS data) is approximately 24 months. The FHWA recognizes the challenges to State DOTs in dealing with the uncertainty of data available in national data sources and how this uncertainty

would need to be considered in the target establishment process.

The following scenario is provided as an example to illustrate the potential time lag between State and national data sources for the fatality number measure and the fatality and serious injury rate measures. Targets that represent anticipated fatality outcomes for Calendar Year (CY) 2017 would need to be established by the State DOT and reported in its 2016 HSIP annual report by August 31, 2016. The State DOT may have current fatality data available through its motor vehicle crash database to develop targets. However, the fatality data reported by FARS, which would be used to assess fatality outcomes, would not be current due to the time lag needed to process, review, and validate data in FARS. Likewise, the VMT data available to calculate rate-based measures in the HPMS would face similar time lag issues. For this example, the most current information available in FARS and HPMS in August 2016 would be based on CY 2013 data. Therefore, the most current reported performance outcome for fatalities for the State would represent the data reported from 2009–2013 (data needed to calculate the 2013 5-year rolling average for fatalities). The FHWA recognizes the challenge this time lag would present to State DOTs as the State DOT would need to establish a target that represents a 5-year rolling average for the period from 2013–2017. The DOT seeks comments on whether this time lag is an issue, any impacts it may have on a State DOT's ability to establish targets, and any suggestions that can help address this issue.

The FHWA proposes in subparagraph (3) that State DOTs establish targets that represent the safety performance of all public roadways within the State boundary regardless of ownership and functional classification. The FHWA recognizes that there is a limit to the direct impact the State DOT can have on the safety outcomes resulting on all public roadways and that the State DOT would need to consider this uncertainty in their establishment of targets.

The FHWA proposes in subparagraph (4) that State DOTs begin reporting targets in the HSIP annual report that is due on or after 1 year from the effective date of this final rule and then each year thereafter in subsequent HSIP annual reports.

The FHWA recognizes that in its determination of targets, the State DOT would need to consider a wide range of factors that may either constrain its ability to impact outcomes or may adversely impact outcomes (such as the population growth of an area). State

DOTs should consider these factors in establishing targets and should provide an explanation as to how the factors were addressed in reporting their targets in the HSIP annual report.

In subparagraph (5), the FHWA proposes that for the purpose of evaluating serious injury measures targets, the State DOT would report each year, in their HSIP Report, 10 years of serious injury data for the equivalent years that final FARS data were available at the time the target was established.

As proposed in subparagraph (6), the FHWA believes that an annual target establishment frequency would not present a need for State DOTs to adjust or modify their targets during the year. It is anticipated that adjustments would be made through the establishment of new targets each year as State DOTs would be required to establish new targets incorporating the next year of performance.

In section 490.209(b), the FHWA proposes that State DOTs may, as appropriate, establish one additional performance target for all urbanized areas and one additional performance target for all non-urbanized areas within the State for each performance measure. Thus, the established urbanized target and non-urbanized targets would cover the entire State boundary. The FHWA proposes that State DOTs may use different performance targets for urbanized and non-urbanized areas to implement 23 U.S.C. 150(d)(2). For example, in accordance with section 490.209(a), a State DOT would be required to establish four performance targets for: (1) number of fatalities; (2) rate of fatalities; (3) number of serious injuries; and (4) rate of serious injuries. In addition to these four performance targets, the State DOT may elect to also establish different performance targets for urbanized and non-urbanized areas. Should the State elect to do so, the State would be required to establish both urbanized and non-urbanized performance targets. As a result, while a State DOT will establish a minimum of four safety performance targets, it could choose to establish 6, 8, 10, or 12 safety performance targets, depending on which, if any, performance measures it chooses to establish urbanized and non-urbanized targets.

Historically, the Census has defined urbanized areas every 10 years. The FHWA recognizes that each Census defined urbanized area can be adjusted to facilitate the planning process, and this could be done on varying schedules. Designation of new urbanized areas or changes to the boundary of existing urbanized areas

may lead to changes in the functional classification of the roads, which in turn may affect measures and the target achievement or making significant progress toward achieving targets. The FHWA intends to issue guidance regarding the voluntary establishment of performance targets for urbanized and non-urbanized areas. If a State DOT chooses to establish separate urbanized and non-urbanized performance targets, it would increase the number of performance targets that it reports. At a minimum, State DOTs would be required to establish four performance targets each year (one for each performance measure). State DOTs can increase the number of targets that are established if they elect to break out urbanized and non-urbanized areas. Some State DOTs may find it beneficial to establish separate performance targets for urbanized and non-urbanized areas to highlight the different nature of, causes of, and countermeasures for crash types in those areas.

In section 490.209(c), the FHWA proposes that MPOs establish targets to address the performance measures established in section 490.207(a), where applicable, each time the State DOT reports targets in their HSIP annual report. The FHWA proposes in subparagraph (1) that not later than 180 days after issuance of the State's HSIP annual report, which establishes the State DOT targets (section 490.213(a)), the MPO establish targets. The FHWA anticipates that State DOTs and MPOs would coordinate on the establishment of targets as required under 23 U.S.C. 134(h)(2)(B)(i)(II) and 23 U.S.C. 135(d)(2)(B)(i)(II). The MPO and State DOT should agree on how they would coordinate on the reporting of targets. The FHWA recognizes the need for State DOTs and MPOs to have a shared vision on expectations for future safety performance in order for there to be a jointly owned target establishment process. It is anticipated that State DOTs and MPOs would collectively identify strategies to reduce or eliminate safety hazards and would jointly decide how these strategies would impact performance outcomes across the State DOTs and within different areas of the State. The FHWA proposes in subparagraph (2) that after the MPO reports these targets to the State, the FHWA expects that, upon request, the State DOT can provide the MPO's most recently submitted targets to the FHWA in accordance with the Metropolitan Planning Agreement, developed under 23 CFR 450.

The FHWA recognizes the burden on MPOs to establish their own performance targets, especially where

the targets are annual targets. As such, the FHWA proposes in subparagraph (3) that MPOs establish targets by either agreeing to plan and program safety projects so that they contribute toward the accomplishment of 1 year safety targets established by the State DOT, or committing to a quantifiable 1 year safety target specific to the roadways within the metropolitan planning area.

Recognizing that the resource level and capability of some MPOs to reliably predict safety performance outcomes varies across the country, the FHWA is proposing an approach that would give flexibility for MPOs to establish targets by supporting the State DOT targets for performance through their investment decision making. Further, the FHWA recognizes that MPOs may need to work jointly with relevant State DOTs to access and analyze crash records for their planning area. Consequently, the MPOs may establish their targets using either of the proposed options in proposed subparagraph (3). The FHWA proposes in subparagraph (4) that, the established MPO targets under subparagraph (3) represent all public roadways within the metropolitan planning area boundary regardless of ownership or functional classification.

Annual target establishment for safety performance is being proposed to align the target establishment requirements of 23 U.S.C. 150 with those of 23 U.S.C. 402(k), subject to the GHSA coordination process NHTSA must follow under MAP-21. The FHWA recognizes that an annual frequency for target establishment is not consistent with typical planning cycles for MPOs and, as such, expects the State DOT to closely coordinate with their partner MPOs to make the target establishment decision. The FHWA will propose to provide for a longer target establishment time horizon, which is more aligned with the typical metropolitan planning cycle, for the other measures in which targets are required to be established under 23 CFR 450.

Pursuant to 23 U.S.C. 134(h)(2)(B)(i)(II) and 23 U.S.C. 135(d)(2)(B)(i)(II), the FHWA proposes in section 490.209(d) that State DOTs coordinate with relevant MPOs in the selection of targets to ensure consistency, to the maximum extent practical. The requirements to consider this coordination in the planning process should be addressed as State DOTs and MPOs work together to jointly identify performance expectations for the State and, if appropriate, specific areas of the State. The DOT recognizes the challenges associated with the coordination of quantifiable targets between the State

and relevant MPOs due to the differences in the geographical boundaries of areas in which targets would be established. The State DOT, as discussed previously in this section, would be required to establish a quantifiable target for the entire State boundary and would have the option of establishing 2 additional quantifiable targets: 1 for all urbanized areas, and 1 for all non-urbanized areas within the State. Additionally, an MPO would have the option to establish a quantifiable target for their metropolitan planning area. One of the coordination challenges facing States and MPOs would be how they consider the different geographical boundaries of urbanized areas and metropolitan planning areas, especially in cases where urbanized and metropolitan planning areas cross multiple State boundaries. To illustrate these differences the following is provided regarding the target establishment boundary differences that could exist in the State of Maryland today.

- **Urbanized Areas:** Based on the 2010 Census, 11 urbanized areas intersect or are contained within the geographic boundary of the State of Maryland. Of these areas, 5 extend into neighboring States.

- **Metropolitan Planning Areas:** Currently, 6 metropolitan planning areas intersect or are contained within the geographic boundary of the State. Of these areas, 4 extend into neighboring States.

- **Statewide Urbanized Area Target Extent:** A State DOT target for urbanized areas would represent the anticipated safety outcome of all public roads in those 11 urbanized areas within the geographic boundary of the State of Maryland.

- **MPO Target Extent:** Each of the 6 MPOs would establish targets for representing the anticipated safety outcome of relevant metropolitan planning area regardless of State boundary. In the case of Maryland, the metropolitan planning area boundaries used by MPOs to establish targets will represent an area that is larger than the area used by the State DOT to establish an urbanized target and will represent areas in several adjoining States.

As illustrated above, many differences in target setting boundaries could exist that would require State DOTs and MPOs to coordinate on quantifiable targets between them using the proposed target setting requirements in this section. As part of the coordination process, State DOTs and MPOs are encouraged to consider how the data will be reported. The FHWA is seeking comment on alternative approaches that

could be considered to effectively implement 23 U.S.C. 134(h)(2)(B)(i)(I) and 23 U.S.C. 150(d)(2) considering the need for coordination required under 23 U.S.C. 134(h)(2)(B)(i)(II) and 23 U.S.C. 135(d)(2)(B)(i)(II).

Section 490.211 Determining Whether a State DOT Has Made Significant Progress Toward Achieving Performance Targets

In section 490.211, the FHWA proposes the method in which the FHWA would determine whether a State DOT has met or made significant progress toward the achievement of its HSIP performance targets. Although this determination could directly impact State DOTs, as discussed in this section, MPOs could also be indirectly impacted as a result of the link between metropolitan and statewide planning and programming decision making. This rulemaking discusses the approach that would be taken by the FHWA to assess State DOT safety performance progress, but it does not include a discussion on the method that may be used by the FHWA to assess the safety performance progress of MPOs. Interested persons should refer to the updates to the Statewide and Metropolitan Planning regulations for any discussions on the review of MPO performance progress.

In section 490.211(a), the FHWA proposes that the determination for having achieved or made significant progress toward achieving the performance targets would be based on FARS data for the fatality number, FARS and HPMS data for the fatality rate, State reported data for the serious injuries number, and State reported data and HPMS data for the serious injury rate. The HSIP report, as proposed in 23 CFR 924, would require State DOTs to report general highway safety trends for the number and rate of fatalities and serious injuries. The State reported serious injury data would be taken from the HSIP report. The FHWA also proposes that reporting of safety performance targets be done as part of the HSIP report.

In section 490.211(b), the FHWA proposes that it would evaluate achievement of each performance target. The FHWA considered a number of different approaches to implement the State DOT performance targets provision specified in 23 U.S.C. 148(i). This provision requires State DOTs that have not achieved or made significant progress toward achieving the State DOT performance targets obligate a portion of their HSIP funding in accordance with 23 U.S.C. 148(i)(1) only for highway safety improvement projects, and to develop and submit an

annual implementation plan to document how State DOTs intend to improve performance using HSIP funds. The FHWA recognizes the risks associated with target establishment and the factors that could impact the ability to achieve a target that could be outside of a State DOT's control. The FHWA considered these risks and factors in its evaluation of different approaches to implement this provision. For example, a number of factors were raised as part of the performance management stakeholder outreach sessions regarding target establishment and progress assessment, such as the impact of funding availability on performance outcomes, the reliability of the current state-of-practice to predict outcomes resulting from investments at a system level, the impact of uncertain events or events outside the control of a State DOT on performance outcomes, the need to consider multiple performance priorities in making investment trade-off decisions, and the challenges associated with balancing local and national objectives.

The FHWA wants to implement an approach that considers the risks to a State DOT in achieving a target while meeting the need to provide for a fair and consistent process to determine compliance with this statutory provision. The FHWA realizes that there are some factors outside of a State's control (e.g. natural disaster, weather, technological safety improvements) that could impact the ability to achieve a target. The use of a rolling average as the basis for all of the measures will smooth the impacts of those factors that could result in any single year period.

Basing the assessment on quantifiable results would ensure a fair and consistent approach to making the determination. The FHWA believes that this principle is particularly important as the consequence for non-compliance will further restrict how a State DOT can use its HSIP funding. In developing the criteria for evaluating significant progress toward achieving performance targets, the FHWA considered how output measures (e.g., miles of rumble strips, number of impaired driving arrests) could be used in the determination. Although output measures are important in delivering the Federal-aid highway program, they do not sufficiently reflect the purpose of the HSIP as provided in 23 U.S.C. 148(c), or the "National Goals" in 23 U.S.C. 150(b)(1), which is to achieve a significant reduction in traffic fatalities and serious injuries. Output measures were therefore excluded from the proposed metric.

Following the principles above, the FHWA is proposing the following approach to assess if a State DOT has achieved or has made significant progress toward the achievement of their targets. The FHWA would evaluate each State DOT's progress toward achieving their performance targets based on the final FARS data for fatality performance targets, the State DOT's reported results in the HSIP annual report for serious injury performance targets, and the HPMS for performance targets for rate-based measures.

The FHWA proposes to use national datasets that are considered standards for statistics to base the determination of a State DOT's progress toward the achievement of targets so the process is conducted uniformly using a consistent and credible data set.

The FHWA recognizes that there is a time lag in receiving the final data from FARS and HPMS. Consequently, the FHWA would make appropriate timing adjustments to comply with the requirements of 23 U.S.C. 148(i). As an example, when a State DOT establishes their target in August 2016 for CY 2017, the latest available FARS and HPMS data would be for CY 2013, since that data becomes available in December 2015. The final FARS and HPMS data for CY 2017 would be available in December 2019. The FHWA would review and evaluate this data and notify State DOTs if they achieved or made significant progress toward achieving their performance targets by March 1, 2020. This time frame is necessary to ensure that the assessment of whether a State achieved or made significant progress toward achieving targets is conducted based on a final data set (final FARS) for the fatality number, fatality rate, and serious injury rate measures. The FHWA proposes the use of this data to ensure that the requirements in 23 U.S.C. 148(i) are applied consistently and to ensure that the requirements are not imposed on States in error.

As proposed in section 490.211(b), the FHWA would review each performance measure to determine if each target was achieved. Targets that have been achieved would not undergo any additional review or evaluation. As proposed in subparagraph (1), the FHWA would only evaluate performance targets not achieved to determine if the State DOT made significant progress toward achieving the target.

The FHWA proposes in subparagraph (2) to evaluate significant progress³⁸ for each performance target not achieved. First, the FHWA would determine a historical trend line based on FARS, State reported serious injury, and HPMS data for the State. In determining the historical trend line, the FHWA would plot 5-year rolling averages for 10 consecutive years using the most recent data available at the time the State sets the target. For example, the historical trend line for the first assessment of significant progress under this regulation would consist of six data points from the following 5-year rolling averages: 2004–2008, 2005–2009, 2006–2010, 2007–2011, 2008–2012, 2009–2013.

Trend lines are used to chart the prevailing direction of an event or events (e.g., fatalities or serious injuries by number or rates) and can be projected forward to predict future events. The historical trend line proposed to evaluate significant progress is a linear regression trend line. The FHWA considered different options for the historical trend line as well as time series analysis. We identified challenges with each option, particularly related to the use of rolling average data and the number of data points required to obtain meaningful results. Since FHWA must establish a uniform procedure to use for all States to assess, if necessary, whether the State made significant progress, the FHWA proposes to use a linear regression trend line. Stakeholders are encouraged to comment on the appropriateness of the trend line methodology proposed for the significant progress analysis.

The FHWA proposes that 10 years of serious injury data, for equivalent years that final FARS data were available at the time the target was established, be made available for purposes of determining a historical trend line. Ten years of historical data would provide a sufficient set of data points for the purposes of projecting out for future years while balancing the need to use recent data.

After the FHWA determines the historical trend line, the FHWA would then plot a projection point based on the historical trend line data and calculate the prediction interval for the projection point.

When predicting a future point (projection) or estimate, there is an element of uncertainty. A prediction interval acknowledges these uncertainties and provides a range in

³⁸ The methodology is based on Chapter 3 in Neter, Wasserman, and Kutner (*Applied Linear Statistical Models*, 3rd Edition, 1990).

which the actual point should fall. The prediction percentage describes the probability that the actual point will fall within the given range. The determination of the interval size is a statistical process that includes consideration of several factors including previous years of actual data.

There are any number of variables that impact safety performance, many of which are outside the control of the State DOT. For the “rate” measures, the FHWA further recognizes that it is a projection (e.g., number of fatalities) divided by a projection (i.e., VMT), and as such, there is even less certainty in the projection. Recognizing the uncertainty in setting the projection point, the FHWA proposes that a 70 percent prediction interval be used and that the actual outcome fall at or below the upper bound of that interval for significant progress to be achieved. If the actual outcome is above the upper bound of the prediction interval for the projection point, significant progress was not achieved. The FHWA proposes a 70 percent prediction interval to assess significant progress because a prediction interval below 70 percent would be too small to allow for the uncertainty in the prediction. Similarly, prediction intervals above 70 percent belie the fact that a projection point is merely a projection. The FHWA seeks comment on whether the underlying methodology of the prediction interval is appropriate. An Example Application describing how the historical trend line, projection point, and prediction interval are developed to assess achievement of significant progress is presented at the end of this section.

In subparagraph (3), the FHWA proposes to specify that a State DOT is determined to overall have achieved or made significant progress toward achieving its performance targets when at least 50 percent of the total number of performance targets the State DOT established for the respective reporting year are achieved or the FHWA has determined the State DOT has made significant progress toward achieving its targets under proposed section 490.211(b). This means that if a State DOT has four performance targets, then the State DOT would need to achieve or make significant progress toward achieving at least two of those targets in order for the State DOT to be evaluated as overall having achieved its targets or made significant progress toward achieving its targets in carrying out the HSIP. As an example, if a State DOT chooses to establish urbanized and non-urbanized performance targets for the number of fatalities and for the rate of serious injuries, it would have

established eight performance targets. The State DOT would need to have achieved or made significant progress toward achieving at least four of those targets for the FHWA to determine a State has overall achieved its targets or made significant progress toward achieving its targets. The FHWA proposes at least 50 percent for the achievement of overall significant progress because it would provide a meaningful way to evaluate progress while providing State DOTs the flexibility to establish aggressive targets to achieve the national goals defined in 23 U.S.C. 150. The FHWA seeks comment on whether 50 percent is the appropriate threshold for determining if a State has overall achieved or made significant progress toward achieving its performance targets.

In section 490.211(c), the FHWA proposes that if it determines that a State has not overall achieved or made significant progress toward achieving safety performance targets, the State DOT would need to comply with 23 U.S.C. 148(i). The provisions in 23 U.S.C. 148(i) require that State DOTs that have not achieved or made significant progress toward achieving safety performance targets must: (1) Use obligation authority only for HSIP projects equal to the HSIP apportionment for the fiscal year prior to the year for which the overall performance targets were not achieved or significant progress was not made, and (2) submit an annual implementation plan that describes actions the State DOT will take to achieve targets based on a detailed analysis, including analysis of crash types. The implementation plan must: (a) Identify roadway features that constitute a hazard to road users; (b) identify highway safety improvement projects on the basis of crash experience, crash potential, or other data-supported means; (c) describe how HSIP funds will be allocated, including projects, activities, and strategies to be implemented; (d) describe how the proposed projects, activities, and strategies funded under the State HSIP will allow the State DOT to make progress toward achieving the safety performance targets; and (e) describe the actions the State DOT will undertake to achieve the performance targets.

The following example illustrates how these provisions could be carried out. A State DOT establishes targets for performance measures for CY 2017. The FHWA would make a determination and inform the State DOT if it achieved or made significant progress toward achieving CY 2017 performance targets by March 1, 2020. This schedule takes

into account the time delay in obtaining final FARS and HPMS data, which in this example would not be available until December 2019. State DOTs would have the result of FHWA’s evaluation for preparing their HSIP reports for the 2021 reporting cycles, which would be due to the FHWA by August 31, 2020. If a State had not achieved or made significant progress toward its overall 2017 performance targets, then that State DOT would need to use obligation authority in FY 2021 equal to its FY 2016 HSIP apportionment (1 year prior to 2017) for use only on HSIP projects. The State DOT would also need to submit an implementation plan describing the actions that the State DOT will take to achieve its targets.

For any year the FHWA determines that a State DOT has overall achieved or made significant progress toward achieving the performance targets of the State DOT, that State DOT would not be required to use obligation authority or submit an implementation plan for the subsequent year. If, in some future year, the FHWA determines that a State DOT does not overall achieve or make significant progress toward achieving its performance targets, the State DOT would at that time need to submit an implementation plan as well as use obligation authority as required in section 23 U.S.C. 148(i).

In section 490.211(d), as required by 23 U.S.C. 148(i), the FHWA proposes that it will evaluate progress within 3 months of the date that final FARS data is available for the first year State DOTs set performance targets. Because of the delay in availability of final FARS data, the FHWA can conduct the evaluation 3 years after the State DOT establishes the target. The FHWA would continue to evaluate achievement of each performance target every year thereafter.

Section 490.213 Reporting of Targets for the Highway Safety Improvement Program

In section 490.213(a), the FHWA proposes that State DOT reporting of the safety performance measures and targets be done in accordance with 23 CFR part 924. State DOT targets would be reported in accordance with 23 CFR 924.15(a)(1)(iii) in the proposed HSIP regulation (RIN 2125–AF56).

In section 490.213(b), the FHWA proposes that the manner in which MPOs report their established targets be documented within the Metropolitan Planning Agreement, which is regulated under 23 CFR part 450. The MPOs would report their established safety targets to the relevant State DOTs in a manner that is agreed upon by both

parties and documented in the Metropolitan Planning Agreement.

In paragraph (c), the FHWA also proposes that MPOs report baseline safety performance and progress toward the achievement of their safety targets in the system performance report in the metropolitan transportation plan, as provided in 23 U.S.C. 134(i)(2)(C).

Example Application of Proposed Target Assessment and Significant Progress Determination

This fictional example demonstrates the State DOT process for establishing targets and the FHWA process to evaluate whether a State DOT has achieved or made significant progress toward achieving the performance targets of the State DOT in accordance with 23 U.S.C. 148(i). The example explains how the historical trend line, projection point, and prediction interval are developed by the FHWA to assess achievement of significant progress in cases where State performance targets are not achieved. The example assumes an effective date for the rule in the spring of 2015.

Step 1: The State establishes targets and reports them to FHWA.

The State DOT submits its targets for each of the performance measures for CY 2017 in the HSIP report due by August 31, 2016. The targets would be

identical for equivalent measures in the HSP, in keeping with section 490.209 and the NHTSA IFR, subject to the MAP-21 requirement that the performance measures in the HSP are coordinated with the GHSA.

The FHWA recognizes that there are numerous methods for developing and establishing performance targets to comply with this subpart. In this example, consistent with 23 U.S.C. 148 and 23 U.S.C. 402, the State DOT uses an evidence-based, data-driven approach to establish its targets for all measures. In doing so, the State DOT recognizes that a new primary seat belt law takes effect in CY 2016 and calibrates its fatality targets by reducing the anticipated number of fatalities for CY 2017. The State DOT makes this calibration to its trend line by using evidentiary data contained in the NHTSA Research Note “States With Primary Enforcement Laws Have Lower Fatality Rates.”³⁹ Based on the passage of the law and information in the Research Note, the State estimates a 10 percent increase in seat belt use rate, which equates to an anticipated reduction of 59 fatalities. The State DOT does not believe other external factors beyond a State’s control (e.g. economic conditions, weather patterns, technological safety improvements) will have a significant effect on the crash

numbers during the year and did not use these factors to calibrate the trend line further. The State DOT does not elect to set urbanized and non-urbanized targets for any of the performance measures.

Table 1 shows the data available to the State DOT and the targets established for the 2013–2017 period. Note that the target for the fatality number performance measure is less than the projection point to account for the estimated reduction in fatalities in CY 2017 attributable to the passage of a primary seat belt law. The small change in the fatality number, however, did not affect the fatality rate target. For this example, the State DOT had CY 2013 final FARS data available to calculate the 2009–2013 5-year rolling average for the subject measures.

The FHWA recognizes that a State DOT may have partial data to calculate the 2010–2014, 2011–2015 and 2012–2016 5-year rolling averages and thereby estimate a stronger target. For this example, the 2010–2014 and 2011–2015 data is estimated and the 2012–2016 data were not available. Figure 1 shows graphs of the trend lines developed by the State DOT when establishing its targets. In this example, the State DOT does not elect to separate urbanized and non-urbanized measures.

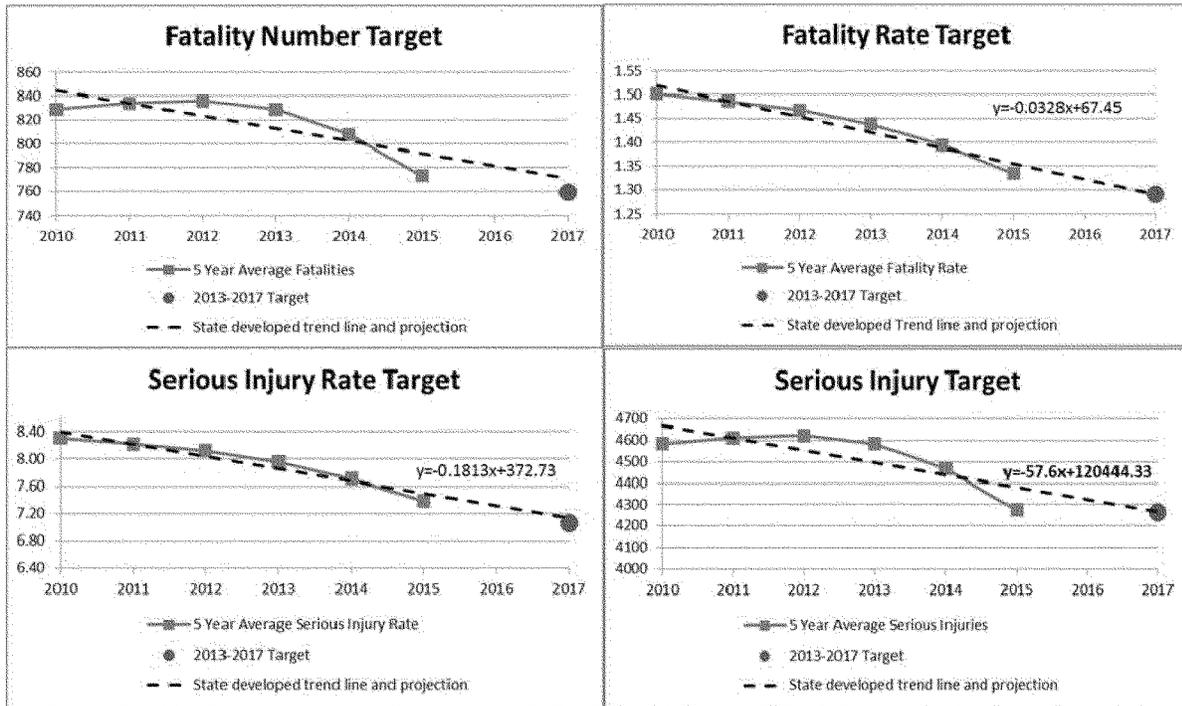
TABLE 1—AN EXAMPLE OF THE DATA AVAILABLE TO A STATE DOT AND THE TARGETS ESTABLISHED FOR CY 2017 [For Illustration Purposes]

State data for setting CY2017 targets									
Dates for 5-year rolling average	2006–2010	2007–2011	2008–2012	2009–2013	2010–2014	2011–2015	2012–2016	2013–2017 Projection	2013–2017 Target
Calendar year	2010	2011	2012	2013	2014	2015	2016	2017	2017
Number of Fatalities.	629	834	836	829	808	773	Unavailable	770	759
Rate of Fatalities	1.50	1.49	1.47	1.44	1.39	1.33	Unavailable	1.29	1.29
Number of Serious Injuries.	4584	4612	4623	4584	4468	4275	Unavailable	4265	4625
Rate of Serious injuries.	8.31	8.22	8.12	7.95	7.71	7.38	Unavailable	7.05	7.05
VMT (in millions)	55183	56112	56960	57640	57974	57941	Unavailable	N/A	N/A

³⁹ States With Primary Enforcement Laws Have Lower Fatality Rates, DOT HS 810 923, February

2008, <http://www-nrd.nhtsa.dot.gov/Pubs/810921.pdf>.

Figure 1 An Example of the Trend Lines developed by a State DOT in Establishing Targets (for illustration purposes)



Step 2: FHWA assessment of targets and, if necessary, significant progress.

The FHWA will assess target achievement by the State for CY 2017 beginning in CY 2020 by:

1. Assessing the target for each performance measure.
2. Assessing both the urbanized and the non-urbanized target for each performance measure, if the State elected to establish such targets.
3. If any target is not achieved, assessing whether the State made significant progress for the target.
4. Making an overall assessment for achieving targets and/or made significant progress.
5. Completing the assessment report on progress and submitting it to the State DOT by March 31, 2020.

The FHWA must wait 3 years, until CY 2020, to assess whether CY 2017 targets were achieved because the FARS and HPMS data are not available until that time as explained in the discussion of section 490.211. Note that although the time lag for assessment will remain constant, target achievement will be assessed annually.

Each target will be evaluated through the use of: Final FARS data for the fatality number measure; State DOT data for the serious injuries number measure; final FARS data and HPMS data for the fatality rate measure; and State DOT and HPMS data for the serious injury rate measure. The State data for the serious injury measures will be taken from the serious injury crash data submitted in the State HSIP report, in accordance

with section 490.213, in this example, due August 31, 2018. For purposes of evaluating whether the State DOT made significant progress for the serious injury measures, FHWA will use 10 years of serious injuries data for equivalent years that final FARS data were available at the time the target was established.

Table 2 provides the actual final FARS, HPMS, and State data used in this example to assess having achieved or made significant progress toward achieving targets. The FHWA will only use final FARS and HPMS data that was available to the State at the time of target establishment. Similarly, FHWA will use serious injury data for this analysis from the same period of time.

TABLE 2—FINAL DATA FOR ASSESSING TARGET ACHIEVEMENT
[For Illustration Purposes]

CY2017 Final 5-year Rolling Average FARS, HPMS and Serious Injuries Data for Assessing Target Achievement		
	Target	Actual
Number of Fatalities	759	769
Rate of Fatalities	1.29	1.29
Number of Serious Injuries	4625	4599
Rate of Serious Injuries	7.05	7.05

The results are as follows:

1. Fatality Number Measure Target—The State DOT target for this measure was 759 and the actual number was 769, so the State DOT did not achieve this

target. The FHWA will evaluate significant progress.

2. Fatality Rate Measure Target—The State DOT target for this measure was 1.29 and the actual rate was 1.29, so the State DOT achieved this target.

3. Serious Injuries Number Measure Target—The State DOT target for this measure was 4625 and the actual number was 4599, so the State DOT achieved this target.

4. Serious Injury Rate Measure Target—The State DOT target for this measure was 7.05 and the actual rate was 7.05, so the State DOT achieved this target.

5. If the State DOT had elected to establish urbanized and non-urbanized

targets for any of the performance measures, the FHWA would next evaluate whether each of these targets were achieved.

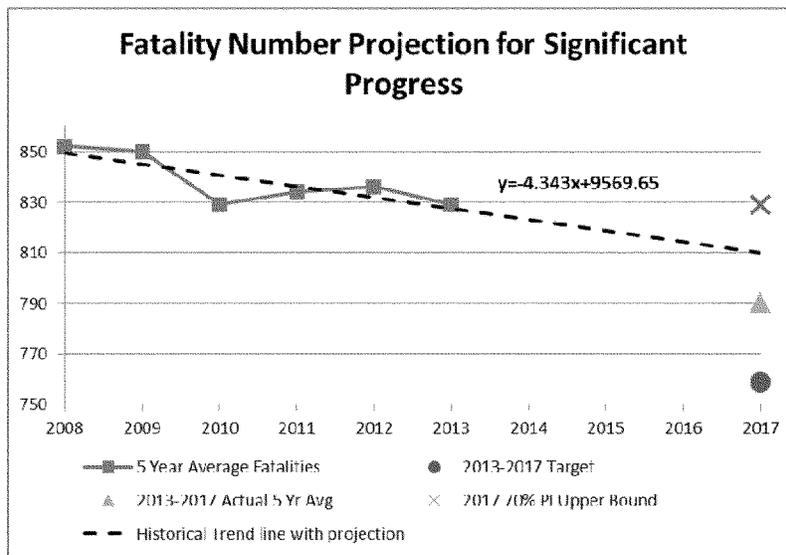
In this case, the State DOT did not achieve its fatality number measure target, so an evaluation of significant progress for that measure is presented below. Although the State DOT has already achieved 50 percent of its targets, the significant progress evaluation is included for illustrative purposes. Note that if the State DOT had elected to establish urbanized and non-urbanized targets for any of the performance measures, the determination of whether the State DOT had already achieved 50 percent of its

targets would be based on the total number of safety performance targets set.

The FHWA will develop a historical trend line, projection point, and prediction interval for this analysis. The historical trend line, as provided in section 490.211(b), requires 10 consecutive years of data. This results in six data points derived from consecutive 5-year rolling averages of the final FARS data that were available at the time the target was established. Table 3 provides the data for the assessment of the fatality number target in this example. Figure 2 provides this information as a graph.

TABLE 3—AN EXAMPLE OF THE DATA FOR THE FATALITY NUMBER MEASURE TARGET [For Illustrative Purposes]

Final FARS 5-year rolling average fatalities, projection, target and upper bound prediction interval data													
2008	2009	2010	2011	2012	2013	2014	2015	2016	2017 Projection	2017 Target	2017 Actual	2017 70% PI Upper Bound	
852	850	829	834	836	829	NA	NA	NA	810.10	759	769	825.66	



The FHWA calculated the 70 percent prediction interval for this analysis to be ± 15.56.⁴⁰ Therefore, the upper bound for the prediction interval for the fatality number measure in this analysis is 825.66. The actual number of fatalities for 2013–2017 5-year rolling average was 769. In this case, the actual number is at or below the upper bound for the prediction interval, so the State DOT made significant progress for this measure.

Finally, the FHWA will evaluate overall achievement or having made

significant progress toward achieving performance targets. As required in section 490.211(b)(3), at least 50 percent of the targets must achieve or make significant progress toward achieving the targets, in order for the State DOT to overall achieve or make significant progress toward achieving targets. In this case, all four performance measures achieved or made significant progress toward achieving targets. The FHWA will report this finding to the State DOT by March 31, 2020. If, however, 50 percent of the targets were not achieved or made significant progress, the requirements in section 490.211(c) would need to be applied. The FHWA

would also notify the State DOT of such action on or before March 31, 2020.

VI. Rulemaking Analyses and Notices

All comments received before the close of business on the comment closing date indicated above will be considered and will be available for examination in the docket at the above address. Comments received after the comment closing date will be filed in the docket and will be considered to the extent practicable. In addition to late comments, the FHWA will also continue to file relevant information in the docket as it becomes available after the comment period closing date, and interested persons should continue to

⁴⁰ A document summarizing the steps used to calculate the prediction interval using *Applied Linear Statistical Models*, 3rd Edition, 1990 may be found in the docket.

examine the docket for new material. A final rule may be published at any time after close of the comment period and after DOT has had the opportunity to review the comments submitted.

Executive Order 12866 (Regulatory Planning and Review), Executive Order 13563 (Improving Regulation and Regulatory Review), and DOT Regulatory Policies and Procedures

The DOT has determined that this proposed rule constitutes a significant regulatory action within the meaning of Executive Order (EO) 12866 and is significant within the meaning of the DOT regulatory policies and procedures. This action complies with EO 12866 and 13563 to improve regulation. This action is considered significant because of widespread public interest in the transformation of the Federal-aid highway program to be performance-based, although it is not economically significant within the meaning of EO 12866. The FHWA is presenting a Regulatory Impact Analysis (regulatory analysis or RIA) in support of the NPRM on Safety Performance Measures for the Highway Safety Improvement Program. The regulatory analysis analyzes the economic impact, in terms of costs and benefits, on Federal, State, and local governments, as well as private entities regulated under this action, as required by EO 12866 and EO 13563. The estimated costs are measured on an incremental basis, relative to current safety performance reporting practices.

This section of the NPRM identifies the estimated costs resulting from the proposed rule—and how many serious injuries and fatalities would need to be avoided to justify this rule—in order to inform policy makers and the public of

the relative value of the current proposal. The complete RIA may be accessed from the rulemaking's docket (FHWA–2013–0020). Each of the three performance measure rulemakings will include a discussion on the costs and benefits resulting from the proposed rules contained in each respective rulemaking; however, the third performance measure rule will provide a comprehensive discussion on the costs and benefits associated with all three performance measure rules for informational purposes.

The cornerstone of MAP–21's highway program transformation is the transition to a performance-based program. In accordance with the law, State DOTs will invest resources in projects to achieve performance targets that will make progress toward national goals. Safety is one goal area where MAP–21 establishes national performance goals for Federal-aid highway programs. The law requires State DOTs to achieve a significant reduction in traffic fatalities and serious injuries on all public roads. The MAP–21 requires the FHWA to promulgate a rule to establish safety performance measures.

Estimated Cost of the Proposed Rule

To estimate costs of the proposed rule, the FHWA assessed the level of effort, expressed in labor hours and the labor categories, needed to comply with each component of the proposed rule. Level of effort by labor category is monetized with loaded wage rates to estimate total costs. Table 1 displays the total cost of the proposed rule for the 10-year study period (2015–2024). Total costs are estimated to be \$66.7 million undiscounted, \$53.9 million discounted

at 7 percent, and \$60.5 million discounted at 3 percent. Costs associated with the establishment of performance targets make up 53 percent of the total costs of the proposed rule. The costs in the tables assume a portion of MPOs, approximately half, would establish their own targets and a portion would adopt State DOT targets. It is assumed that State DOTs and MPOs serving populations greater than 200,000 would use staff to analyze safety trends and establish performance targets on an annual basis and MPOs serving a population less than 200,000 would adopt State DOT targets rather than establish their own safety performance targets and would therefore not incur any incremental costs. The FHWA made this assumption because larger MPOs may have more resources available to develop performance targets. The FHWA believes that this is a conservative estimate as larger MPOs may elect not to set their own targets for any variety of reasons, including resource availability.

In addition, costs associated with the training of law enforcement personnel make up 36 percent of the total costs of the proposed rule. This is estimated to be a one-time incremental cost occurring in 2016 impacting law enforcement agencies (\$58,490 per State law enforcement agency, \$1,207 per local law enforcement agency, and \$1,697 per sheriff's department incurred in 2016 only). These amounts represents less than 3 percent of the unloaded mean wage of a local government law enforcement officer (\$57,670 in May 2012); further, law enforcement officers represent about 10 percent of all local government employees.⁴¹

TABLE 1—TOTAL ESTIMATED COST OF THE PROPOSED RULE

Cost components	10-yr total cost		
	Undiscounted	7%	3%
Cost of Section 490.205**	\$26,336,977	\$24,657,655	\$25,589,318
KABCO Compliance	348,983	348,983	348,983
Minor Revisions to Database	287,758	287,758	287,758
Convert non-KABCO data	61,225	61,225	61,225
MMUCC Compliance	25,669,624	23,990,303	24,921,965
Modifications to Database Platform	624,495	583,640	606,306
Modifications to PAR Report	1,070,213	1,000,199	1,039,042
Law Enforcement Training	23,974,916	22,406,464	23,276,617
Establish 5-Year Rolling Average	318,370	318,370	318,370
Cost of Section 490.209	35,278,769	25,538,819	30,520,482
Establish and Update Performance Targets	35,278,769	25,538,819	30,520,482
Cost of Section 490.211	5,079,514	3,677,135	4,394,406
Develop an Implementation Plan	5,079,514	3,677,135	4,394,406
Total Cost of Proposed Rule	66,695,260	53,873,609	60,504,205

* Totals may not sum due to rounding.

** Costs of Section 490.205 Represent one-time start up costs.

⁴¹ BLS data for local governments (May 2012), http://www.bls.gov/oes/current/naics4_999300.htm#33-0000.

Break-Even Analysis

Currently, there are many disparities in the way State DOTs code and define safety performance measures (e.g., serious injuries). The definitions and terminology (i.e. “incapacitating injury” vs. “severe injury”) that States use can differ greatly. Below are the terminology and definitions that two different States use to code their most serious injury:

- “Incapacitating Injury”: This means that the victim must be carried or otherwise helped from the scene. If the victim needs no help, then either a code 3 or 4 applies even though medical assistance may have been administered at the scene.

- “Severe Injury”: An injury other than a fatal injury which results in broken bones, dislocated or distorted limbs, severe lacerations, or unconsciousness at or when taken from the collision scene. It does not include minor laceration.

These discrepancies have long been recognized as a problem in collecting and analyzing data at the national level. The proposed rulemaking would establish a single terminology and definition for the performance measures for the purpose of carrying out the HSIP to assess serious injuries and fatalities on all public roads. In addition, the rule would establish the processes that (1) State DOTs and MPOs would use to

establish and report safety targets and (2) FHWA would use to assess progress that State DOTs have made toward achieving safety targets. Upon implementation, the FHWA expects that the proposed rule would result in some significant benefits. Specifically, the FHWA expects safety investment decision making to be more informed through the use of consistent and uniform measures, State DOTs to be more accountable to the public for the use of Federal funds to achieve their targets for performance and to reduce fatalities and serious injuries on all public roadways, in the HSIP, and for progress to be made toward the overall achievement of the MAP-21 national goal for safety. Each of these benefits is discussed in further detail in the Regulatory Impact Analysis, which we have placed in the docket. Although these improvements may lead to more effective policies, it is not appropriate to assume that any reductions in fatalities and serious injuries (post-rule implementation) are solely a result of this rule. Decisions regarding use of highway funding are the result of a multitude of factors (e.g. politics, project priorities, or other studies). In addition, these benefits are amorphous and difficult to quantify. Therefore, for this proposed rulemaking, the FHWA performed a break-even analysis as

described in Office of Management and Budget (OMB) Circular A-4 that estimates the number of fatalities and incapacitating injuries the rule would need to prevent for the benefits of the rule to justify the costs. Table 2 displays the results from a break-even analysis using fatalities and incapacitating injuries as the reduction metric. The results show that the proposed rule must prevent approximately 7 fatalities or an equivalent 153 incapacitating injuries, nationwide, over 10 years to generate enough benefits to outweigh the cost of the proposed rule. This translates to approximately 1 avoided fatality or an equivalent 15.3 incapacitating injuries per year nationwide.⁴² The FHWA believes that the requirements proposed in this rule would result in the achievement of this break-even threshold based on the actual performance improvements realized after the implementation of strategic highway safety plans which were first required to be developed as part of the previous surface transportation authorization. The FHWA further believes that the proposed requirements in this rule build on the plan requirements and, as a result, the benefits of the rule would be realized such that they outweigh the costs.

TABLE 2—BREAK-EVEN ANALYSIS USING FATALITIES AND INCAPACITATING INJURIES REDUCTION METRIC

Undiscounted 10-year costs	Reduction in fatalities required for rule to be cost-beneficial	Average annual reduction in fatalities required for rule to be cost-beneficial	Reduction in incapacitating injuries required for rule to be cost-beneficial	Average annual reduction in incapacitating injuries required for rule to be cost-beneficial
a	$b = a \div \$9,100,000$	$c = b \div 10 \text{ years}$	$d = a \div \$435,208$	$e = d \div 10 \text{ years}$
\$66,695,260	7.3	0.7	153.2	15.3

Regulatory Flexibility Act

In compliance with the Regulatory Flexibility Act (Pub. L. 96–354, 5 U.S.C. 601–612), FHWA has evaluated the effects of this NPRM on small entities and anticipates that this action would not have a significant economic impact on a substantial number of small entities. The proposed rule affects three types of entities: State governments, MPOs, and local law enforcement agencies. State governments do not meet the definition of a small entity.

The MPOs are considered governmental jurisdictions, so the small entity standard for these entities is whether the affected MPOs serve less than 50,000 people. As discussed in the

RIA, the proposed rule is expected to impose costs on MPOs that serve populations exceeding 200,000. Further, MPOs serve urbanized areas with populations of more than 50,000. Therefore, the MPOs that incur economic impacts under this proposed rule do not meet the definition of a small entity.

Local law enforcement agencies, however, may be subsets of small governmental jurisdictions. Nonetheless, the RIA estimates minimal one-time costs to local law enforcement agencies, as discussed above, and these costs represent a fraction of a percent of revenues of a small government. Therefore, I hereby certify that this regulatory action would not have a

significant impact on a substantial number of small entities.

Unfunded Mandates Reform Act of 1995

The FHWA has determined that this NPRM would not impose unfunded mandates as defined by the Unfunded Mandates Reform Act of 1995 (Pub. L. 104–4, March 22, 1995, 109 Stat. 48). This rule does not contain a Federal mandate that may result in expenditures of \$143.1 million or more in any one year (when adjusted for inflation) in 2012 dollars for either State, local, and tribal governments in the aggregate, or by the private sector. The FHWA will publish a final analysis, including its

⁴² For reference, according to “NHTSA Traffic Safety Facts 2009,” there were 250,808 severe crashes in 2009.

response to public comments, when it publishes a final rule. Additionally, the definition of “Federal mandate” in the Unfunded Mandates Reform Act excludes financial assistance of the type in which State, local, or tribal governments have authority to adjust their participation in the program in accordance with changes made in the program by the Federal Government. The Federal-aid highway program permits this type of flexibility.

Executive Order 13132 (Federalism Assessment)

The FHWA has analyzed this NPRM in accordance with the principles and criteria contained in EO 13132. The FHWA has determined that this action would not have sufficient federalism implications to warrant the preparation of a federalism assessment. The FHWA has also determined that this action would not preempt any State law or State regulation or affect the States’ ability to discharge traditional State governmental functions.

Executive Order 12372 (Intergovernmental Review)

The regulations implementing EO 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program. This EO applies because State and local governments would be directly affected by the proposed regulation, which is a condition on Federal highway funding. Local entities should refer to the Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction, for further information.

Paperwork Reduction Act

Under the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3501, *et seq.*), Federal agencies must obtain approval from the OMB prior to conducting or sponsoring a collection of information. Details and burdens in this proposed rule would be realized in Planning and HSIP reporting. The PRA activities are already covered by existing OMB Clearances. The reference numbers for those clearances are OMB: 2132–0529 and 2125–0025 with expiration dates of May 20, 2016. Any increase in PRA burdens caused by MAP–21 in these areas were addressed in PRA approval requests associated with those rulemakings.

National Environmental Policy Act

The FHWA has analyzed this action for the purpose of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), and has determined that this action would not have any effect on the quality of the

environment and meets the criteria for the categorical exclusion at 23 CFR 771.117(c)(20).

Executive Order 12630 (Taking of Private Property)

The FHWA has analyzed this proposed rule under EO 12630, Governmental Actions and Interference with Constitutionally Protected Property Rights. The FHWA does not anticipate that this proposed action would affect a taking of private property or otherwise have taking implications under EO 12630.

Executive Order 12988 (Civil Justice Reform)

This action meets applicable standards in sections 3(a) and 3(b)(2) of EO 12988, Civil Justice Reform, to minimize litigation, eliminate ambiguity, and reduce burden.

Executive Order 13045 (Protection of Children)

We have analyzed this rule under EO 13045, Protection of Children from Environmental Health Risks and Safety Risks. The FHWA certifies that this action would not cause an environmental risk to health or safety that might disproportionately affect children.

Executive Order 13175 (Tribal Consultation)

The FHWA has analyzed this action under EO 13175, dated November 6, 2000, and believes that the proposed action would not have substantial direct effects on one or more Indian tribes; would not impose substantial direct compliance costs on Indian tribal governments; and would not preempt tribal laws. The proposed rulemaking addresses obligations of Federal funds to States for Federal-aid highway projects and would not impose any direct compliance requirements on Indian tribal governments. Therefore, a tribal summary impact statement is not required.

Executive Order 13211 (Energy Effects)

The FHWA has analyzed this action under EO 13211, Actions Concerning Regulations That Significantly Affect Energy Supply, Distribution, or Use. The FHWA has determined that this is not a significant energy action under that order and is not likely to have a significant adverse effect on the supply, distribution, or use of energy. Therefore, a Statement of Energy Effects is not required.

Executive Order 12898 (Environmental Justice)

The EO 12898 requires that each Federal agency make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minorities and low-income populations. The FHWA has determined that this rule does not raise any environmental justice issues.

Regulation Identification Number

A RIN is assigned to each regulatory action listed in the Unified Agenda of Federal Regulations. The Regulatory Information Service Center publishes the Unified Agenda in April and October of each year. The RIN number contained in the heading of this document can be used to cross-reference this action with the Unified Agenda.

List of Subjects in 23 CFR Part 490

Bridges, Highway safety, Highways and roads, Reporting and record keeping requirements.

Issued on: February 28, 2014.

Gregory G. Nadeau,
Deputy Administrator, Federal Highway Administration.

In consideration of the foregoing, the FHWA proposes to amend title 23, Code of Federal Regulations, by adding part 490 to read as follows:

PART 490—NATIONAL PERFORMANCE MANAGEMENT MEASURES

Subpart A—General Information

Sec.
490.101 Definitions.

Subpart B—National Performance Measures for the Highway Safety Improvement Program

490.201 Purpose.
490.203 Applicability.
490.205 Definitions.
490.207 National performance measures for the Highway Safety Improvement Program.
490.209 Establishment of performance targets.
490.211 Determining whether a State DOT has made significant progress toward achieving performance targets.
490.213 Reporting of targets for the Highway Safety Improvement Program.

Authority: 23 U.S.C. 134, 135, 148(i) and 150; 49 CFR 1.85.

Subpart A—General Information**§ 490.101 Definitions.**

Unless otherwise specified, the following definitions apply to this part: *Highway Performance Monitoring System* (HPMS) is a national level highway information system that includes data on the extent, condition, performance, use, and operating characteristics of the Nation's highways.

Measure means an expression based on a metric that is used to establish targets and to assess progress toward achieving the established targets (e.g., a measure for flight on-time performance is percent of flights that arrive on time, and a corresponding metric is an arithmetic difference between scheduled and actual arrival time for each flight).

Metric means a quantifiable indicator of performance or condition.

Non-Urbanized Area means any geographic area that is not an "urbanized area" under either 23 U.S.C. 101(a)(34) or 23 CFR 450.104.

Target means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by FHWA.

Subpart B—National Performance Measures for the Highway Safety Improvement Program**§ 490.201 Purpose.**

The purpose of this subpart is to implement the requirements of 23 U.S.C. 150(c)(4), which requires the Secretary of Transportation to establish performance measures for the purpose of carrying out the Highway Safety Improvement Program (HSIP) and for State Departments of Transportation to use in assessing:

- (a) Serious injuries and fatalities per vehicle miles traveled; and
- (b) The number of serious injuries and fatalities.

§ 490.203 Applicability.

The performance measures are applicable to all public roads covered by the HSIP carried out under 23 U.S.C. 130 and 148.

§ 490.205 Definitions.

Unless otherwise specified, the following definitions apply in this subpart:

5-year rolling average means the average of 5 individual, consecutive annual points of data (e.g. the 5-year rolling average of the annual fatality rate).

Fatality Analysis Reporting System (FARS) means the final FARS data and is a nationwide census providing public

yearly data regarding all road user fatalities.

Historical trend line means a trend line, developed by FHWA from 10 years of data, used to plot a projection point for future numbers and rates of serious injuries and fatalities.

KABCO means the coding convention system for injury classification established by the National Safety Council.

Made significant progress means, in accordance with 23 U.S.C. 148(i), an outcome at or below the upper bound of a prediction interval.

Number of Fatalities means the total number of persons suffering fatal injuries in a motor vehicle traffic crash during a calendar year, based on the data reported by the Fatality Analysis Reporting System (FARS) database.

Number of Serious Injuries means the total number of persons suffering at least one serious injury for each separate motor vehicle traffic crash during a calendar year, as reported by the State, where the injury status is MMUCC, latest edition, compliant. For serious injuries that are not MMUCC compliant, the number of serious injuries means serious injuries that are converted to KABCO by use of conversion tables developed by NHTSA.

Prediction Interval means an estimate of the upper and lower bounds within which a future observation will fall, given a specific probability.

Projection point means a future point based on historical trend line data.

Rate of Fatalities means the ratio of the total number of fatalities (as defined above) to the number of vehicle miles of travel (VMT) as reported by the Highway Performance Monitoring System (HPMS) (expressed in 100 million VMT) in a calendar year.

Rate of Serious Injuries means the ratio of the total number of serious injuries (as defined above) to the number of VMT as reported by the HPMS (expressed in 100 million vehicle miles of travel) in a calendar year.

Serious Injuries means in the first 18 months of the effective date of this rule, injuries classified as "A" on the KABCO scale through use of the conversion tables developed by NHTSA; after 18 months of the effective date of this rule, "suspected serious injury" (A) as defined in the Model Minimum Uniform Crash Criteria (MMUCC), latest edition.

§ 490.207 National performance measures for The Highway Safety Improvement Program.

(a) There are four performance measures for the purpose of carrying out the Highway Safety Improvement Program (HSIP). They are:

- (1) Number of fatalities;
- (2) Rate of fatalities;
- (3) Number of serious injuries; and
- (4) Rate of serious injuries.

(b) Each performance measure is based on a 5-year rolling average. The performance measures are calculated as follows, rounding the total to the hundredth decimal place:

(1) The performance measure for the number of fatalities is the 5-year rolling average of the total number of fatalities for each State and shall be calculated by adding the number of fatalities for the most recent 5 consecutive years for which data are available and dividing by five.

(2) The performance measure for the rate of fatalities is the 5-year rolling average of the State's fatality rate per VMT and shall be calculated by first calculating the number of fatalities per 100 million VMT as reported in HPMS for the most recent 5 consecutive years for which data are available, adding the results, and dividing by five.

(3) The performance measure for the number of serious injuries is the 5-year rolling average of the total number of serious injuries for each State and shall be calculated by adding the number of serious injuries for the most recent 5 consecutive years for which data are available and dividing by five.

(4) The performance measure for the rate of serious injuries is the 5-year rolling average of the total number of serious injuries per VMT and shall be calculated by first calculating the number of serious injuries per 100 million VMT as reported in HPMS for each of the most recent 5 consecutive years for which data are available, adding the results, and divided by five.

(c) For purposes of calculating serious injuries performance measures in § 490.207(b)(3) and (4):

(1) By the effective date of this rule, serious injuries shall be coded (A) in the KABCO injury classification scale through use of the NHTSA serious injuries conversion tables.

(2) Within 18 months of the effective date of this rule, serious injuries must be determined using MMUCC, latest edition.

(d) FHWA recommends that States prepare themselves so that no later than January 1, 2020, all States use a medical record injury outcome reporting system that links injury outcomes from medical records to crash reports.

§ 490.209 Establishment of performance targets.

(a) State DOTs shall establish targets annually for each performance measure identified in § 490.207(a) in a manner that is consistent with the following:

(1) The State DOT targets shall be identical to the targets established by the State Highway Safety Office for common performance measures reported in the State's Highway Safety Plan, subject to the requirements of 23 U.S.C. 402(k)(4), and as coordinated through the State Strategic highway safety plan.

(2) State DOT targets shall represent performance outcomes anticipated for the calendar year following the HSIP annual report date, as provided in 23 CFR 924.15.

(3) State DOT performance targets shall represent the anticipated performance outcome for all public roadways within the State regardless of ownership or functional class.

(4) State DOT targets shall be reported in the HSIP annual report that is due after one year from the effective date of this rule and in each subsequent HSIP annual report thereafter.

(5) The State DOT shall include in the HSIP Report 10 years of serious injury data.

(i) The 10 years of data shall be the same years that final FARS data were available at the time the target was established.

(ii) The serious injury data shall be either MMUCC compliant or converted to the KABCO system (A) for injury classification through use of the NHTSA conversion tables.

(6) Unless approved by FHWA, State DOTs shall not change their target once it is submitted in the HSIP annual report.

(b) State DOTs may, as appropriate, establish one additional performance target for all urbanized areas and one additional performance target for all non-urbanized areas within the State for each performance measure.

(c) The Metropolitan Planning Organizations (MPOs) shall establish performance targets for each of the measures identified in § 490.207(a), where applicable, in a manner that is consistent with the following:

(1) The MPOs shall establish targets not later than 180 days after the respective State DOT establishes and reports targets in the State HSIP annual report.

(2) After the MPOs establish the targets, the State DOT must be able to

provide those targets to FHWA, upon request.

(3) The MPO targets shall be established by either:

(i) Planning and programming safety projects so that they contribute toward the accomplishment of the State DOT targets, or

(ii) Committing to quantifiable targets.

(4) The MPO targets established under paragraph (c)(3) of this section specific to the metropolitan planning area shall represent the anticipated performance outcome for all public roadways within the metropolitan planning boundary regardless of ownership or functional class.

(d) The State DOT and relevant MPOs shall coordinate on the selection of targets in accordance with 23 CFR 450 to ensure consistency, to the maximum extent practicable.

§ 490.211 Determining whether a State DOT has made significant progress toward achieving performance targets.

(a) The determination for having made significant progress toward achieving the performance targets under 23 U.S.C. 148(i) will be determined based on final FARS data for the fatality number, final FARS and HPMS data for the fatality rate, State reported data for the serious injuries number, and State reported data and HPMS data for the serious injuries rate. The State-reported serious injury data will be taken from the HSIP report in accordance with 23 CFR 924.15.

(b) FHWA will evaluate whether a State DOT has achieved or made significant progress toward achievement of each performance target.

(1) Only those performance targets not achieved will be evaluated for having made significant progress.

(2) FHWA will evaluate whether a State DOT has made significant progress toward achieving a target by:

(i) Determining a historical trend line, based on 5-year rolling averages, using 10 consecutive years of the most recent FARS, HPMS, and the equivalent serious injury data available at the time the target is established.

(ii) Using that historical trend line, determining a projection point (which is also based on the rolling average) for the target year.

(iii) Determining from that projection point, a prediction interval bounded by a 70 percent upper and lower bound.

(iv) Determining if the outcome is at or below the 70 percent upper bound of the prediction interval.

(3) A State DOT is determined to have overall achieved its targets or made significant progress toward achieving its targets when at least 50 percent of the total number of performance targets is achieved or the State DOT has made significant progress as provided in paragraph (b)(2) of this section (e.g. if a State DOT has four performance targets, then the State DOT is determined to overall achieve its targets or made significant progress toward achieving its targets if it met one target and made significant progress on one target).

(c) If a State DOT has not overall achieved or made significant progress toward achieving safety performance targets in accordance with paragraph (b) of this section, the State DOT must comply with 23 U.S.C. 148(i).

(d) FHWA will evaluate whether a State DOT has overall achieved or made significant progress toward achievement of performance targets annually. The first evaluation will occur within 3 months of the date that final FARS data are available for the first year State DOTs set performance targets.

§ 490.213 Reporting of targets for the Highway Safety Improvement Program

(a) The targets established by the State DOT shall be reported to the FHWA in the State's HSIP annual report in accordance with 23 CFR part 924.

(b) The MPOs shall report their established safety targets to their respective State DOT in a manner that is agreed upon by both parties and documented in the Metropolitan Planning Agreement in accordance with 23 CFR part 450.

(c) The MPOs shall report baseline safety performance and progress toward the achievement of their targets in the system performance report in the metropolitan transportation plan in accordance with 23 CFR part 450.

[FR Doc. 2014-05152 Filed 3-10-14; 8:45 am]

BILLING CODE 4910-22-P

RTP GOALS POLICIES

					Response
#	Comment Date	Topic	Chapt/Pg Reference	Comment	<i>Staff comments in Italics</i>
1	12/5/2013	Goals/Policies	17	Guiding principles are all worthy, but implementation uncertain. Case in point, connectivity and accessibility -- how will we fund even bike lanes on major roadways in a continuous system through all counties?	
6	12/5/2013	Goals/Policies	Pg 14	Great! The inclusion of multimodal transportation increasing bikes and buses, to improve public transit are all wonderful, and needed to reduce Jefferson County's green house gas emissions (currently transportation is 40% of the County's carbon footprint).	<i>Noted</i>
7	12/5/2013	Goals/Policies	Pg 14, 29, 78	Use high schools as a way to inform students now to use transit across county lines. County transit agencies could hold transit scavenger huts as a way to encourage students to engage transit use.	Refer comment to Jefferson County Transit. (Lennea's input by email)
		Goals/Policies	Pg 14	4. To increase efficiency, more emphasis is needed on non-motoized modes, transit, transportation technology, transportation demand management, and educational efforts.	The RTP supports increased use of non-motorized modes and provides specific goals/policies for multimodal, biking, transit and walking. (Lennea's input by email)
		Goals/Policies	Pg 14	5. More creativity is needed to meet the goals of this Regional Transportation Plan. There are many good approaches for increasing the efficiency of transportation. Jefferson County jurisdictions and agencies should seek out the best ideas and start to implement them.	Refer to Jefferson Co and Port Townsend officials. (Lennea's input by email)
15	12/4/2013	Goals/Policies	Pg 14	Bridges and ferry capacity limit amount of economic development on the Peninsula. Safety drives our ability to keep people and goods moving on US 101.	Acknowledged. The RTP provides a goal/policy (#20) to support US 101. (Lennea's input by email)
	12/4/2013	Goals/Policies	Pg 14	Goals and Policies are fine	<i>Noted</i>
	12/4/2013	Goals/Policies	Pg 14	I really like the way RTP follows each policy section with an explanation of why these policies are important, challenges to implementing the policies and measures to support policies.	<i>Noted</i>
22	12/16/2013	Goals/Policies	Pg 14	I like the goal of inter-connection of bus routes and having stations in between places to safely wait for the next connection.	Acknowledged. (Lennea's input by email)
	1/14/2014	PRTPO Goals and Policies	15	<i>Safety Conscious – means</i> <ul style="list-style-type: none"> • <i>Making the system safer for all users. Improving safety performance</i> Recommend this because otherwise it reads the system is now unsafe.	<i>Revised</i>
	1/14/2014	PRTPO Goals and Policies/ 8. Freight mobility	20	<i>Freight Mobility</i> Suggest they monitor the State Freight Mobility Plan and the State Rail Plan and implement appropriate strategies/recommendations	
	1/14/2014	PRTPO Goals and Policies/ 8. Freight mobility	20	<i>8.g Promote the introduction of reduced tolls for freight users to encourage off-peak travel by trucks.</i> There are no toll facilities in this RTPO. This implies there is. What is the issue with tolling?	

RTP GOALS POLICIES

#	Comment Date	Topic	Chapt/Pg Reference	Comment	Response
					<i>Staff comments in Italics</i>
	1/14/2014	PRTPO Goals and Policies/ 9. Streets, Roads and Bridges	21	<p>9.c Limit the addition of travel lanes to those corridors that can demonstrate long-term benefit, and where an increase is determined to be the best alternative .</p> <p>Explain or reference what a long-term benefit means. Suggest adopting Moving Washington strategy to add capacity strategically.</p>	
	1/14/2014	PRTPO Goals and Policies/ 9. Streets, Roads and Bridges	21	<p>9.h Speed limits should be based on objective traffic engineering considerations in order to achieve consistency across the network and to discourage unsafe vehicle speed discrepancy. Does this mean that there needs to be a change to RCW 46.61.405 which requires an engineering and traffic investigation before the secretary can decrease the speed limit? Check with WSDOT Traffic for wording on this.</p>	
	1/14/2014	PRTPO Goals and Policies/10. Federal and State Highways	21	<p>10. Federal and State Highways Goal: Protect the functionality and safety of the Federal and State Highway system on the Olympic Peninsula, especially US 101, as the travel and freight life support of Peninsula communities and economies.</p> <p>This is confusing because US 101 is a state highway not a federal highway (chapter 47.17 RCW). The states own the interstates and US Highways (except one bridge in the Washington DC area). http://www.fhwa.dot.gov/interstate/faq.htm US 101 is part of the National Highway System which makes it eligible for federal surface transportation funds. Before MAP-21 there were federal-aid highways – but MAP-21 incorporated them into the National Highway System – but these are funding designations and not ownership.</p>	Recommend deleting " <u>Federal and State Highway System</u> " and replace with " <u>regional highway system</u> "
	1/14/2014	PRTPO Goals and Policies/10. Federal and State Highways	21	<p>Policies: 10.a Advocate for consistent maintenance and improvement of Federal and State Highways—especially the primacy of US 101—in consideration of the fact that the Olympic Peninsula is particularly reliant on Federal and State Highways due to topographic constraints and alternative routes are not often possible.</p> <p>Did CPDM look at this? This implies that US 101 isn't consistently maintained and improved. Please rewrite this to explain what policy changes the RTPO wants WSDOT and the state legislature to make concerning maintenance and improvement of US 101.</p>	Recommend deleting " <u>Federal and State Highway System</u> " and replace with " <u>regional highway system</u> "
	1/14/2014	PRTPO Goals and Policies/10. Federal and State Highways	21	<p>10.b When intersection improvement is warranted for intersections with Highways of Statewide Significance (HSS), and where channelization and turn lanes are insufficient, consider grade-separated interchanges, underpasses, and roundabouts rather than signalization and all-way stops.</p> <p>Why limit the options without proper study? If this is a proposed policy change, label it as such</p>	
	1/14/2014	PRTPO Goals and Policies/10. Federal and State Highways	21	<p>10.c Coordinate with the Washington State Department of Transportation at the planning level and the development review level to ensure that improvements needed to maintain access to and functionality of the highway system <u>are communicated and look for opportunities to make improvements occur</u> concurrently and are consistent with community development. Due to many factors, no agency can ensure that their improvements occur concurrently with others.</p>	

RTP GOALS POLICIES

#	Comment Date	Topic	Chapt/Pg Reference	Comment	Response
					<i>Staff comments in Italics</i>
	1/14/2014	PRTPO Goals and Policies/10. Federal and State Highways	21	10.d insist <i>Seek changes in federal and state law to allow</i> that the entire US 101 route and State Route connectors to urban areas within the PRTPO region are designated as a critical freight corridor in State and Federal studies, plans, policies, and funding allocation. This requires a change to RCW and Federal laws. If this is what the RTPO wants then it needs to say they prefer changes to state and federal laws. An RTPO can insist – but state and federal agencies cannot violate laws based on this insistence.	
	1/14/2014	PRTPO Goals and Policies/12. Biking	23	Explain how the biking and walking policies are consistent with the state Bicycle Facilities and Pedestrian Walkways Plan.	
	1/14/2014	PRTPO Goals and Policies/14. Rail	24	14.d <i>Work with WSDOT’s Rail Division to P p</i> rioritize the acquisition of right-of-way threatened with abandonment in order to preserve these corridors for potential transportation use in the future. RTPOs do not have this authority in state law – WSDOT does.	Revised
	1/14/2014	PRTPO Goals and Policies/15. Aviation	24	Aviation Explain how the RTPO will coordinate with WSDOT Aviation to support the aviation system and airport development.	
	1/14/2014	PRTPO Goals and Policies/17. Public Involvement	25	17.d Engage in consultation and partnerships with Tribal governments within the region to ensure Tribal participation. Tribal consultation is not public involvement. Move this to 18.	
	1/14/2014	PRTPO Goals and Policies/19. Environmental and Human Health	27	19.h <i>Ensure environmental considerations are not used as justification to hinder non- motorized projects when the impact of those projects in reducing motorized travel outweigh its environmental impacts.</i> 19.k <i>Strive to balance appropriate levels of environmental protection with the costs of achieving it, recognizing that environmental and human health impacts of the transportation system can be offset by engaging the complete range of motorized and non-motorized transportation options.</i> These sound like they conflict with SEPA and NEPA. Recommend deleting or rewriting to explain how this can be accomplished without violation federal and state environmental requirements.	
	1/14/2014	PRTPO Goals and Policies/19. Environmental and Human Health	27	<i>Performance Measures</i> Suggest rewriting to explain that RTPOs will work with WSDOT to develop and implement performance measures. RTPOs shouldn’t go out and develop separate performance measures until US DOT and then the states establish them.	
26	12/19/2013	Finance	Pg 29	In general, this plan seems very comprehensive to me, with the exception of the goals and policies on transportation funding. The plan devotes significant attention to the problem of underfunding of transportation in its “Finance” chapter, but there are few goals and policies addressing this problem. Additional goals or policies could address things like:	
	12/19/2013	Finance	Pg 29	Develop policies on such funding mechanisms as tolling, congestion pricing, use metering on vehicles.	
	12/19/2013	Finance	Page 29	Develop policies on the tradeoffs for priorities for transportation investments when funding falls short. For instance, give greater weight to funding projects in places with good non-motorized plans or public transit.	

Regional Transportation System

The four counties of Kitsap, Mason, Jefferson, and Clallam that comprise the Peninsula Regional Transportation Planning Organization (RTPO) support its existing multimodal transportation system and acknowledge the importance of it to their future land use growth and economic development. The chief goal of the RTPO organization is the preservation and maintenance of the existing multimodal transportation system.

The transportation system covers a large area of Northwest Washington State that includes the Kitsap and Olympic Peninsulas.

The region holds the Olympic National Park, the northern most portion of the West Coast's U.S. 101, the western part of the nation's largest ferry service, and the Hood Canal Bridge – the nation's longest floating bridge in the world located in a saltwater tidal basin. According to Washington State Office of Financial Management's population forecasts, the region's population will continue to grow so careful transportation planning of the region and its local jurisdiction is important to its future.

Transportation Facilities and Services of Statewide Significance

The Washington State legislature enacted the "LOS Bill" (House Bill 1487) in 1998 and a major component of that bill related to designating certain transportation facilities and services to be of statewide significance. These facilities provide and support transportation functions that promote and maintain significant statewide travel and economic linkage.

The legislature declared the following transportation facilities to be of statewide significance (TFSS): interstate highway system, interregional state principal arterials including ferry connections that serve statewide travel, intercity passenger rail services, intercity high-speed ground transportation, major passenger intermodal terminals excluding all airport facilities and services, the freight railroad system, marine port facilities and services that are related solely to marine activities affecting international and interstate trade, and high capacity transportation systems serving regions (RCW. 47.06.140).

Designation of the Regional Transportation System

As designated in RCW 47.80.030 each RTPO must designate a regional transportation system. To be a part of the regional transportation system, a facility or service should have one or more of the following characteristics:

- Physically crosses member county lines and provides significant regional connections.
- Is or will be used by a significant number of people who live or work outside the county in which the facility, service, or project is located.
- Significant impacts are expected to be felt in more than one county.

- Potentially adverse impacts of the facility, service, or project can be better avoided or mitigated through adherence to regional policies, and
- Transportation needs addressed by a project have been identified by the regional transportation planning process and the remedy is deemed to have regional significance.

Given these characteristics, regions shall, at a minimum, include the following transportation facilities and services in the regional transportation system:

- All state transportation facilities and services including highway, rail, and marine.
- Local freeways, expressways, and principal arterials.
- High capacity transit systems (under a broad definition that includes express oriented transit service that operates on an exclusive right of way, including dedicated HOV lanes to separated fixed guide way systems).

In conformity with RCW 47.80.030, the Peninsula RTPO has included in its multimodal system state highways, county roads, city streets, pedestrian and bicycle facilities, airports, transit facilities, limited railroad facilities, and ferry routes.

Regional Roadway Network Component

The Peninsula Region is geographical large and expansive and its roadway system is the primary backbone of the transportation system for carrying people and goods throughout the region. There are many miles of county as well as local roadways that are operated and maintained by local jurisdictions in the region. A critical component of the regional network is state highways which link the region internally, to adjacent regions and the rest of the state.

The Peninsula RTPO has designated its regional roadway system using the following criteria:

The Peninsula Regional Roadway system includes:

All state highways - Highway of State Significance (HSS) and Highway of Regional Significance (HRS)

Roadways -

- with functional classification of *principle arterial*, as defined by the appropriate member government (The higher the functional classification, the greater the likelihood that trips are longer and the roadway connects more than one community).
- that *connect communities and/or principal activity centers*
- that physically crosses member county lines and provides significant regional connections (used by a significant number of people who live or work outside the county in which the facility is located)

The Principal Activity Center is defined by the Peninsula RTPO as geographic locations with urban concentrations of population and employment and/or provides significant employment and economic facilities or service. These include:

- Incorporated cities
- Military Bases
- Water Ports that is freight related
- Washington State Ferry (WSF) ferry terminals
- Airports - includes Commercial, Regional, and Community airports as defined by the Long-term Air Transportation Study (LATS)
- Unincorporated Urban Growth Boundaries (UGA) with populations of at least 1,000

All roadways within the region, regardless their ownership are classified under the federal functional classification system. In addition to being classified under the federal functional classification system various state routes have received other designations.

PRTPO GOALS AND POLICIES

These guiding principles defined the structure of a process that will link Tribes, counties, agencies and municipalities of the Olympic Peninsula. They describe for participants - community members, transportation and transit employees and elected officials - the framework in which decisions come about. They focus on the interdependence of Tribal and county governments, agencies and municipalities needed to achieve an integrated transportation system.

Climate change has and will continue to impact transportation planning and implementation. All evidence suggests enhancing our ability to adapt and to increase our capacity to adapt, to future climatic changes will ensure the Peninsula transportation system survival. Climate change has been considered in this process. These principles, goals and policies will build our long range adaptive capacity while designs themselves adapt to more immediate changes. Interdependence is a dynamic of being mutually and physically responsible to, and sharing a common set of principles with many others.

Principles that guide this process:

Supportive - means

- **Integrating transportation and land use decision-making processes.**
- **Increasing viable, affordable travel choices for people and goods.**
- **Moving people efficiently and cost-effectively among diverse destinations.**
- **Improving access for all people regardless of age, ability or income.**
- **Promoting local economies without compromising other core values.**
- **Making investments that contribute to Peninsula communities' overall sense of place.**

Responsive - means

- **Revising direction as necessary to adapt to changing situations or objectives.**
- **Initiating timely response as substantive issues evolve.**
- **Provide pragmatic, visionary solutions maximizing future adaptability while recognizing today's realities.**

Collaborative – means

- **Fostering on-going and inclusive community involvement and education.**
- **Ensuring affected parties understand issues related to choices, impacts, and timing.**
- **Promoting coordination among municipal, county, state, Tribal and federal authorities.**
- **Coordinating with neighboring communities developing workable strategies that ensure consistency in community interdependence.**

Fiscal Responsibility - means

- Making effective investments maximizing resource potential in the future.
- Ensure system funding is equitable for all Peninsula communities.
- Being realistic about financial capacity and prioritizing accordingly.
- Maintaining existing investments.
- Supporting efficient interdependence of all transportation resources and facilities.
- Evaluating the full cost of alternatives and recommendations.

Safety Conscious – means

- ~~Improving safety performance~~ Making the system safer for all users.
- Building redundancy into critical network links as emergency safeguards.

Emphasize Connectivity and Accessibility – means

- Integrate non-motorized transportation designs into transportation solutions.
- Build multi-modal strategies into Peninsula transportation solutions.
- Implement barrier free accessibility strategies for youth, elders, those with disabilities, low income, and those with limited language.
- Ensure all transportation modes compete on equal footing for development and funding options. (LaHood, June 2011)

Environmentally Sensitive and Sustainable – means

- Minimizing impacts on air and water quality and natural habitat and resources.
- Making investments that add lasting value to our communities and their overall function.

Goals and Policies

Goals and policies guide the region’s principles of interdependent process into a more detailed decision- making at all levels of government. The twenty-one (21) policy elements guide four aspects of Peninsula transportation planning and implementation: *transportation relationships*, *system management*, *system components*, and *process*. Each aspect has components which describe it. Individual components contain single goal and associated policies that help form strategies and actions when invoked. These goals and policies, written for citizen and professional alike, can allow realized expectations to form as to outcomes.

Goals and Policies were developed by a PRTPO sub-committee, approved by the PRTPO Technical Advisory Committee and adopted by the PRTPO Executive Board.

Transportation Relationships

1. Transportation and land use consistency
Goal: Ensure that the design and function of transportation facilities support Peninsula community development vision and that land use supports the Peninsula transportation system.
2. Multimodal transportation system
Goal: Move toward integrated multimodal transportation system that increases travel options, reducing the need to drive alone as well as vehicle miles traveled.
3. Barrier free transportation
Goal: Invest and support travel needs of youth, elders, people with disabilities, literacy or language barriers, and those low income.

Intersystem Management

4. System safety and security
Goal: Promote the safety and security of those who use, operate, and maintain the transportation system.
5. System preservation, maintenance and repair
Goal: Protect investments that have already been made and keep life cycle costs as low as possible.
6. Travel demand management
Goal: Decrease traffic by encouraging people to travel by some other means than driving alone. ← --- Formatted: Indent: First line: 0"
7. Transportation technologies
Goal: Use technology-based approaches to address transportation congestion, safety, efficiency and operations.
8. Freight mobility
Goal: Promote efficient, cost-effective and safe movement of freight in and through the region. ← --- Formatted: Indent: First line: 0"

Intersystem Components

- 9. Streets, Roads and Bridges
Goal: Establish a street and road network that provides for the safe and efficient movement of people and goods while supporting adopted land use goals.
 - 10. Federal and State Highways
Goal: Protect the functionality and safety of the Federal and State Highway system on the Olympic Peninsula, especially US 101, as the travel and freight life support of Peninsula communities and economies.
 - 11. Public Transportation
Goal: Provide an appropriate level of interdependent reliable, effective public transportation options commensurate with the regions evolving needs.
 - 12. Biking
Goal: Increase the share of all trips made safely and conveniently by biking.
 - 13. Walking
Goal: Increase the share of all trips made safely and conveniently by walking only and by integrating walking with other forms of motorized and non-motorized transportation.
 - 14. Rail
Goal: Ensure the long-term viability and continued use of existing rail lines in the region for freight and passenger rail travel.
 - 15. Aviation
Goal: Provide an appropriate level of facilities and services to meet the general aviation needs of residents and businesses in the region.
 - 16. Marine Transportation
Goal: Provide an appropriate level of facilities and services to meet the region's marine transportation needs.
- Process*
- 17. Public Involvement
Goal: Encourage public input into regional transportation planning and decision-making processes.
 - 18. Intergovernmental Coordination
Goal: Support the creation of transportation facilities and programs that function seamlessly across community borders and between regions.
 - 19. Environmental and Human Health
Goal: Minimize transportation impacts on the natural environment and the people who live and work in the Peninsula Region.
 - 20. Performance Measures
Goal: Develop performance measures that are efficient to administer, effective in assessing performance and meaningful to the public.
 - 21. Transportation Funding
Goal: Ensure that transportation revenue provided maximizes public benefit and supports adopted land use strategies.

1. Transportation and land use consistency

Goal: Ensure that the design and function of transportation facilities support Peninsula community development vision and that land use supports the Peninsula transportation system.

Policies:

- 1.a Provide transportation facilities, motorized and non-motorized, that support the location of jobs, housing, industry and other activities as called for in adopted land use plans.
- 1.b Commit to the development and implementation of land use plans and design standards that encourage accessibility via public and private motorized transportation, as well as active transportation opportunities, recognizing the unique needs of all Peninsula communities.
- 1.c Integrate mobility, accessibility and economic goals along transportation corridors with an appropriate combination of investments, policies and land use designations and development standards.
- 1.d Create transportation improvements that have a lasting positive impact on the communities served, reflect the culture of the area, and contribute to the sense of place.
- 1.e Promote land use policies that provide a variety of housing types in core areas near employment and services.

2. Multimodal transportation system

Goal: Move toward an integrated multimodal transportation system that increases travel options, reducing the need to drive alone and vehicle miles traveled.

Policies:

- 2.a Maximize quality transportation choices including walking, biking, public transportation, marine transportation and motor vehicles.
- 2.b Develop transit transfer centers, activity centers, employment centers, schools, marine transportation terminals, the waterfront, and airports to incorporate safe and efficient connections of travel modes.
- 2.c Invest in individual travel modes in ways that meet mode-specific needs while contributing to the overall development of a seamless, interdependent multimodal transportation system.
- 2.d Plan for the integration of non-motorized modes on existing transportation system.
- 2.e Develop and implement a public outreach and marketing effort that informs travelers about all travel options.



Jamestown S'Klallam 1, US 101 Pedestrian Tunnel

3. Barrier-free transportation

Goal: Invest in and support travel needs of youth; elders; people with disabilities, literacy or language barriers and low income needs.

Policies:

- 3.a Ensure that transportation facilities are accessible to those with differing physical capabilities.
- 3.b Provide transportation services, facilities and programs that minimize barriers to people who don't speak or read English.
- 3.c Present information and provide public participation opportunities for people who have limited literacy skills.

4. System safety and security

Goal: Promote the safety and security of those who use, operate, and maintain the transportation system.

Policies:

- 4.a Use a combination of education, enforcement, design features, and investments, such as recoverable slopes, guardrail, etc. to mitigate existing hazards and avoid potential hazards.
- 4.b Support construction of shoulders with width sufficient to accommodate safe, multiple uses.
- 4.c Invest in projects that improve passenger safety and security on public transportation and at associated facilities like park and ride lots and transit centers.
- 4.d Provide for safe school walking routes.
- 4.e Retrofit key transportation facilities to improve their ability to withstand a major earthquake or other natural disaster.
- 4.f Work towards system redundancy (such as parallel corridors), where feasible, to support emergency responses and reduce community disruptions during natural or man-made disasters.
- 4.g Encourage coordination between transportation systems providers and emergency response providers.



Skokomish Indian Tribe 1

5. System preservation, maintenance and repair

Goal: Protect investments that have already been made in the transportation system and keep life-cycle costs as low as possible.

Policies:

- 5.a Prioritize maintenance/ preservation, operations, and repair of existing transportation system with an eye to adapting existing routes to accommodate non-motorized modes of transportation.
- 5.b Use preventive maintenance programs to ensure lowest life-cycle costs.
- 5.c Coordinate utility and road projects to minimize the impact of utility projects on the structural integrity of roads. Where possible, leverage investments for both project types to deliver more cost-effective public facilities.
- 5.d Explore innovative programs that reduce infrastructure life-cycle cost or increase efficiency of service delivery, including use of new materials, technologies, and resource partnerships.
- 5.e Coordinate road projects with neighboring jurisdictions.

6. Travel demand management

Goal: Decrease traffic by encouraging people to travel by some other means than driving alone.

Policies

- 6.a Promote mixed-use and transit-oriented development that reduces the need for auto travel, including financial and other incentives to encourage transportation efficient development and redevelopment.
- 6.b Improve access to public transportation, ridesharing, bicycling and walking.
- 6.c Ensure that travel alternatives are readily available during peak periods.
- 6.d Promote programs and services that encourage employees to commute to work by means other than driving alone or to change commuting patterns through tele-working, flex-time or compressed work weeks.
- 6.e Develop park and ride lots though out the region, including shared use of underutilized parking lots at business and other facilities.
- 6.f Encourage the use of technologies that enable people to participate in activities or meet their needs without having to travel.
- 6.g Use demand management techniques that provide alternatives during temporary congestion resulting from major construction projects.
- 6.h Implement incentive programs to reduce vehicle trips and vehicle miles travelled.
- 6.i Support development patterns and standards that enhance safe accessibility to public transportation.

7. Transportation technologies

Goal: Use technology-based approaches to address transportation congestion, safety, efficiency and operations.

Policies

- 7.a Look for opportunities to invest in short and long range technological solutions, and integrate those solutions into Peninsula transportation projects.
- 7.b Recognize that transmittal of electronic information is an important function of a transportation system, and integrate this into transportation system evaluation, policies and implementation strategies.

- 7.c Coordinate transportation technologies among Peninsula jurisdictions and with other RTPOs and MPOs.

8. Freight mobility

Goal: Promote efficient, cost-effective and safe movement of freight in and through the region.

Policies:

- 8.a Promote access among highways and other major freight corridors, and among the region's intermodal transportation facilities and industrial areas.
- 8.b Increase the amount of freight that is moved by rail or marine modes to enhance efficiency productivity, safety and mobility.
- 8.c Reduce weather-related weight restrictions on streets, roads, and bridges that are important freight routes.
- 8.d Review potential conflicts of transportation and land use with freight movement, and address outstanding issues as part of the action.
- 8.e Minimize conflict caused by the growth of freight movement into and out of industrial areas in highly urbanized settings.
- 8.f Promote policies and designs standards that minimize congestion impacts on local streets caused by commercial delivery trucks, while maintaining economic support to businesses and services.
- 8.g Promote the introduction of reduced tolls for freight users to encourage off peak travel by trucks.
- 8.h Encourage off-peak use by freight by providing signal priority for freight traffic during off-peak hours.
- 8.i Consider introduction of intermodal freight transfer sites near urban centers and other measures to reduce the volume of heavy freight traffic on city streets, improve livability and create employment opportunity.

9. Streets, Roads and Bridges

Goal: Establish a street and road network that provides for the safe and efficient movement of people and goods while supporting adopted land use goals.

Policies:

- 9.a Support "complete streets" design and construction of streets, roads, and bridges which accommodate both motorized and non-motorized (active) modes of transportation.
- 9.b Design transportation networks that facilitate multimodal options for intra- and inter-community travel.
- 9.c Limit the addition of travel lanes to those corridors that can demonstrate long-term benefit, and where an increase is determined to be the best alternative.
- 9.d Use roundabouts as tools for safely and efficiently managing the flow of traffic at



Jefferson County 2 Roundabout

- intersections where they are an appropriate alternative to signalization or signage.
- 9.e Consider the use of access management techniques to preserve roadway capacity, to minimize operating inefficiencies resulting from land use and development pressures, and to increase overall system's safety.
- 9.f Develop an interconnected grid of local streets and roads to increase individual travel motorized and non-motorized options, enhancing community connectivity.
- 9.g Ensure that street, road, and bridge projects adequately meet transportation needs, function in harmony with their surroundings, and add lasting accessibility to the communities they serve.
- 9.h Speed limits should be based on objective traffic engineering considerations in order to achieve consistency across the network and to discourage unsafe vehicle speed discrepancy.

10. ~~Federal and State-Regional~~ Highways

Goal: Protect the functionality and safety of the ~~Federal and State-Regional~~ Highway system on the Olympic Peninsula, especially US 101, as the travel and freight life support of Peninsula communities and economies.

Policies:

- 10.a Advocate for ~~consistent~~ maintenance and improvement of ~~Federal and State-Regional~~ Highways—especially the primacy of US 101—in consideration of the fact that the Olympic Peninsula is particularly reliant on ~~Federal and State-Regional~~ Highways due to topographic constraints and alternative routes are not often possible.
- 10.b When intersection improvement is warranted for intersections with Highways of Statewide Significance (HSS), and where channelization and turn lanes are insufficient, consider grade-separated interchanges, underpasses, and roundabouts rather than signalization and all-way stops.
- 10.c Coordinate with the Washington State Department of Transportation at the planning level and the development review level to ensure that improvements needed to maintain access to and functionality of the highway system occur concurrently and are consistent with community development.
- 10.d Insist that the entire US 101 route and State Route connectors to urban areas within the ~~Peninsula~~ RTPO region are designated as a critical freight corridor in State and Federal studies, plans, policies, and funding allocation.

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11. Public Transportation

Goal: Provide an appropriate level of reliable, effective public transportation options commensurate with the region's evolving needs.

Policies:

- 11.a Support implementation of each Peninsula transit agency's long-range transit plan, emphasizing accessibility via primary routes serving cores areas and regional transportation corridors.

- 11.b Increase the share of all trips made solely by public transportation or in conjunction with other motorized or non-motorized travel modes.
- 11.c Encourage transit agencies to accommodate bicycles in buses so that multimodal trips are possible without limitation.
- 11.d Invest in commuter vanpool program to provide cost effective, flexible alternatives to driving.
- 11.e Develop inter-regional transit partnerships that result in development of Peninsula Express Transit routes across the Peninsula linking it to I-5 corridor.
- 11.f Provide safe, convenient, and cost-effective transportation service to youth, elders, people with disabilities, or other people with special needs.
- 11.g Increase awareness of public transportation strategies through expanded education and public information tailored for various age groups and interests.
- 11.h Consider a broad range of public transportation programs and services including bus rapid transit and flex car programs to ensure a full mix of motorized and non-motorized transportation needs as they evolve.
- 11.i Utilize optical data readers where transit performance can be improved.
- 11.j Utilize information technology to inform travelers about transportation options for intra- and inter-community travel.
- 11.k Support and advocate for the maintenance and enhancement of transit service, including rural areas, rather than reduction of service in periods of financial challenge.
- 11.l When establishing transit stops, consider the need for safe passage for pedestrians across busy highways.



Squaxin Island Tribe 1

12. Biking

Goal: Increase the share of all trips made safely and conveniently by biking.

Policies:

- 12.a Complete a safe and convenient regional bicycle network that functions as an integral part of the overall transportation system.
- 12.b Provide safe and convenient bicycle routes to all schools in the region.
- 12.c Invest in a regional network of contiguous and connected north-south and east-west dedicated corridors to serve as the backbone of the non-motorized system.
- 12.d Provide bicycle parking facilities (“bike-n-rides”) at existing and future transit centers, park and ride locations ferry terminals and other multimodal facilities.



- 12.e Encourage provision of short- and long-term bicycle storage and amenities at schools, employment sites and major activity centers.
- 12.f Develop an education program for bicyclists to increase understanding of bicycling laws and encourage appropriate cycling behavior. Mason Transit 1
- 12.g Consider long-term strategies for funding bicycle facilities and services, encouraging public agency-funded bicycle facilities that support a level of service commensurate with bicycle mode share.
- 12.h Create or support “bike share” programs that allow for temporary use of bicycles for intra-city transportation.

13. Walking

Goal: Increase the share of all trips made safely and conveniently by walking.

Policies:

- 13.a Provide a direct, safe, interconnected transportation and pedestrian network that supports existing desired land uses.
- 13.b Construct safe sidewalks and effective well lit crosswalks within an appropriate radius of every school in the region.
- 13.c Construct frequent well lit pedestrian crossings, especially along primary transit routes and near activity centers.
- 13.d Develop direct, “cut-through” connections for pedestrian and bike travel within and among neighborhoods and destinations such as major transit routes, schools, activity centers and other destination where pedestrian travel is anticipated.
- 13.e Require pedestrian-friendly building and site design in areas where foot travel is likely and encouraged, such as city centers, regional activity centers and residential developments.
- 13.f Provide street lighting, trees, benches and other elements that make walking safe and pleasant.

14. Rail

Goal: Ensure the long-term viability and continued use of existing rail lines in the region for freight.

Policies:

- 14.a Support appropriate short- and long-term opportunities for the potential shared uses of freight rail lines.
- 14.b Facilitate other integration of Peninsula transportation assets with existing rail corridors.
- 14.c Use design techniques, ITS and operations coordination to minimize potential conflicts between trains and other modes of transportation and between trains and adjacent land uses.



Mason County 2

- 14.d [Work with WSDOT's Rail Division to](#) Prioritize the acquisition of right-of-way threatened with abandonment in order to preserve these corridors for potential transportation use in the future.

15. Aviation

Goal: Provide an appropriate level of facilities and services to meet the general aviation needs of residents and businesses in the region.

Policies:

- 15.a Encourage coordination between the Peninsula port districts to maintain consistency between adopted land use plans and long-range airport development strategies, and to encourage land use compatibility in affected areas adjacent to the airport.
- 15.b Maintain and upgrade the Peninsula regional airport assets for small jet and prop aircraft.
- 15.c Support efforts to maintain regional passenger service at Peninsula airports.
- 15.d Develop a multimodal transportation system that better serves the needs of air travelers by including viable travel alternatives between local communities and Peninsula regional airport facilities, and to and from SeaTac International Airport.



Mason County 3, Sanderson Airfield, Mason County

16. Marine Transportation

Goal: Provide an appropriate level of facilities and services to meet the region's marine transportation needs.

Policies:

- 16.a Maintain existing marine terminal facilities for waterborne freight movement.
- 16.b Encourage coordination among all port districts and stakeholders to maintain consistency between adopted land use plans and long-range marine terminal development strategies, including adequate truck and rail access.
- 16.c Consider long-term strategies for



Jefferson County 3, Port Townsend Terminal

integrating maritime passenger service into the Peninsula interdependent transportation system as alternatives develop.

- 16.d Maintain and preserve existing auto and walk on ferry service to Peninsula ports and encourage new service where practical.
- 16.e Consider incorporating information technology in scheduling of marine transportation that coordinates with other public transit mode technologies.

17. Public Involvement

Goal: Encourage public input into regional transportation planning and decision-making process.

Policies:

- 17.a Encourage early and continuing public involvement in all aspects of the interdependent motorized and non-motorized transportation planning process.
- 17.b Ensure equal access to participation, including measures to ensure access to people and groups who have been traditionally underserved by the existing transportation system or public processes.
- 17.c Promote increased community understanding of the relationship between land use choices and the future transportation consequences facing communities at local, tribal, regional and state levels.
- 17.d Engage in consultation and partnerships with Tribal governments within the region to ensure Tribal participation.
- 17.e Explore innovative participation techniques to increase overall public involvement.

18. Intergovernmental Coordination

Goal: Support the creation of transportation facilities and programs that function seamlessly across community borders and between regions.

Policies:

- 18.a Encourage coordination and partnerships among the local, regional, state and Tribal governments in the operation of the transportation system.
- 18.b Work with government agencies to coordinate land uses, implement inter- and intra-county and Tribal planning policies thereby refining the tools needed to accomplish these integrated land use plans and objectives.
- 18.c Coordinate the development and update of local, county, Tribal and state transportation plans to ensure consistency.
- 18.d Serve as a regional forum for the exchange of ideas, information, and



Squaxin Island Tribe 2, Squaxin Island Canoe Journey 2012

issues among local jurisdictions, county, Tribal, state and federal transportation agencies and governments.

- 18.e Encourage government-to-government relations between Tribal and non-Tribal governments within the region to encourage coordination of land use and transportation plans.

19. Environmental and Human Health

Goal: Minimize transportation impacts on the natural environment and the people who live and work in the Peninsula Region.

Policies:

- 19.a Protect water quality by effectively treating and managing runoff.
- 19.b Utilize current technologies to encourage on-site infiltration of stormwater.
- 19.c Minimize road crossings through designated environmentally sensitive areas and habitat corridors to avoid fragmentation and degradation of the Peninsula open spaces and wildlife habitats.
- 19.d Use transportation planning, design, and construction measures that minimize negative impacts on fish-bearing streams.
- 19.e Encourage development of transportation systems that increase regional energy efficiency and reducing environmental impacts.
- 19.f Promote use of alternative fuels and technologies that reduce pollution emissions and other environmental impacts from motorized vehicles.
- 19.g Engage the fullest range of non-motorized forms of transportation as a means of encouraging overall physical activity and community health.
- 19.h Ensure environmental considerations are not used as justification to hinder non-motorized projects when the impact of those projects in reducing motorized travel outweigh its environmental impacts.
- 19.i Ensure that minority populations and people with low income do not incur disproportionately high and adverse human health or environmental effects from transportation programs, policies and investments.
- 19.j Advocate and implement incentives for vehicle trip reduction strategies.
- 19.k Strive to balance appropriate levels of environmental protection with the costs of achieving it, recognizing that environmental and human health impacts of the transportation system can be offset by engaging the complete range of motorized and non-motorized transportation options.

20. Performance measures

Goal: Support the development of performance measures that are efficient to administer, effective in assessing performance and meaningful to the public.

Policies:

- 20.a Use transportation performance measures to evaluate, monitor, and respond to the performance of Peninsula policies and investments.

- 20.b Use transportation performance measures that reflect priority regional objectives, such as consistency of transportation and land use decisions, improved accessibility, adequate maintenance and repair of the existing system, environmental protection, and safety.
- 20.c Adopt performance measures that quantify contributions of motorized and non-motorized modes and transportation technologies in reducing vehicle miles traveled on the Peninsula.
- 20.d. Conduct a study on the feasibility of the development of a regional travel demand model.
- 20. e Conduct analysis on LOS methodologies within the regional planning entities to identify potential conflicts in consistency.
- 20. f Implement recommendations to ensure regional LOS consistency with policies and regulations.

21. Transportation Funding

Goal: Work to ensure that transportation revenue supports adopted land use strategies and goals of this plan.

Policies

- 21.a Strategically prioritize the maintenance and preservation of mobility of the transportation system, to minimize life-cycle costs.
- 21.b Consider costs and benefits in the use of transportation funds to ensure best long-term investment decisions.
- 21.c Encourage strategic transportation investments that reinforce well-planned growth and redevelopment decisions.
- 21.d Support efforts to improve the availability, predictability, and flexibility of transportation revenues.
- 21.e Support increased use of direct pass through of transportation funding to local agencies rather than state directed grant programs.
- 21.f Use transportation funding policies and investments to make development decisions predictable, fair and cost effective.
- 21.g Encourage funding partnerships between Tribal, local and regional entities to accomplish mutual goals through Federal and State grants.