

# AGENDA

**Date:** April 30, 2014  
**Time:** 1:30PM – 3:30PM  
**Location:** Board Room | GoToMeeting  
**Subject:** Steering Committee Meeting No. 6

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1. **Welcome and Sign-in ..... Paul Flavien**
2. **Update on Public Outreach ..... Jorge Valens**
3. **Project Identification and Evaluation ..... Wade White**
4. **Overview of Financial Commitments ..... Wade White**
5. **Proposed Major Capital Projects<sup>1</sup> ..... Todd Brauer**
6. **Review of Programmatic Approach..... Todd Brauer**
7. **Public Comment Period ..... Todd Brauer**
8. **Documentation..... Todd Brauer**
9. **Open Discussion ..... Paul Flavien**

<sup>1</sup> An updated project list will be provided to the Steering Committee prior to the meeting. For reference only, members have been provided a dated list (February 28, 2014) as refinements are being finalized.

### GoToMeeting Information

<https://global.gotomeeting.com/join/975065197>

Dial-in No: +1 (510) 443-0605

Access Code: 975-065-197

Meeting ID: 975-065-197

Agenda Item  
**No. 3**

## PROJECT IDENTIFICATION AND EVALUATION

The approach used to identify transportation problems and potential solutions for *Commitment 2040* recognizes that a multitude of tools would be necessary to identify and balance infrastructure investments that can best move people, create jobs and strengthen communities.

### CORE PRINCIPALS AND GOALS OF THE OVERALL PLAN

The goals and considerations outlined in MAP-21<sup>1</sup>, the *Florida Transportation Plan*<sup>2</sup>, local comprehensive plans and the MPO vision<sup>3</sup>, goals and objectives formed the framework to develop the financially feasible plan evaluation framework.

The following are the primary metrics or minimum criteria that the financially feasible plan satisfies:

- Fully fund the operation and maintenance of existing systems;
- Balance investments in regionally significant assets and local improvements;
- Maximize investments in transit and alternative transportation modes; and
- Minimize the amount of right-of-way acquisition and associated community disruptions it creates.

### IDENTIFYING POTENTIAL PROJECTS

As an update to the current plan, *Transformation 2035*, *Commitment 2040* used a variety of techniques to identify potential projects to solve regional and transportation concerns:

- Outreach to regional agencies;
  - Florida Department of Transportation (FDOT)
  - South Florida Regional Transit Authority (SFRTA)
  - Port Everglades
  - Fort Lauderdale-Hollywood International Airport
  - Broward County Transit
  - Broward County Traffic Engineering
  - Palm Beach MPO
  - Miami-Dade MPO
- Outreach to 31 local municipalities;
- Dozens of public workshops, community meetings and surveys; and
- Review of travel demand patterns from the regional travel forecasting model.

Together, these outreach and technical activities identified a variety of regional and local transportation issues and possible solutions to address current and future challenges.

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<sup>1</sup> For additional information on MAP-21, visit [www.fhwa.dot.gov/map21/](http://www.fhwa.dot.gov/map21/)

<sup>2</sup> For additional information on the *Florida Transportation Plan*, visit [www.dot.state.fl.us/planning/FTP/](http://www.dot.state.fl.us/planning/FTP/)

<sup>3</sup> For additional information on the Broward MPO, visit [www.browardmpo.org/about-us](http://www.browardmpo.org/about-us)

## PROJECT EVALUATION

Transportation investments fall into two broad classes for the sake of the long range transportation plan (LRTP) evaluation: assets that extend beyond the MPO planning area and projects that are under the direction of the MPO Board.

### ASSETS EXTENDING BEYOND THE MPO PLANNING AREA

For investments that extend beyond the MPO planning area, the MPO is part of a collaborative and ongoing process to develop plans for those assets; however, other agencies are statutorily responsible for developing and maintaining those plans. Therefore, all such plans and associated project evaluations are incorporated into *Commitment 2040* by reference. Examples of these plans include the *Strategic Intermodal System (SIS) Long-Range Plans*<sup>4</sup>, the *Port Everglades Master Plan*<sup>5</sup> and the plans of *All Aboard Florida*<sup>6</sup> (a private initiative).

### ASSETS WITHIN THE MPO PLANNING AREA

For assets within the MPO's jurisdiction, where it is responsible for taking the lead on plan development, it collaborates with the public and other agencies in the development of those plans; however, it is ultimately responsible for crafting those elements of the Long Range Transportation Plan. Taking guidance from the MPO Board and the public, projects were evaluated for possible inclusion in *Commitment 2040* using the following process.

1. Identify eligible funding for complete streets, non-motorized and similar local initiatives. Set aside that funding for a single programmatic consideration in *Commitment 2040* and subsequent Transportation Improvement Programs (TIPs). Projects in this category will be evaluated annually against the most current legislative requirements, funding levels, MPO policies and plans to maximize the amount of funding and transportation improvements throughout Broward.
2. Set aside a maximum amount of the remaining funding for major transit capital initiatives. Evaluate potential projects in this category based on how far the project has advanced in project development, the consistency of the project with other plans and programs, the mobility impacts for low-income and minority sectors of the community, overall cost / return on investment and community acceptance.
3. Assign remaining funds to major capital roadway improvements. Assign a high evaluation ranking to projects that have a clearly defined purpose and need consistent with the goals and objectives of the plan, have local support, improve the consistency of the roadway network (fills in gaps), improves operations without the need for right-of-way and demonstrates a commitment to maximizing the flow of people and goods throughout the Broward region.

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For additional information on the Broward MPO and *Commitment 2040*, visit [www.browardmpo.org](http://www.browardmpo.org).

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<sup>4</sup> For additional information on the SIS, visit [www.dot.state.fl.us/planning/sis/](http://www.dot.state.fl.us/planning/sis/)

<sup>5</sup> For additional information on the Port Everglades Master Plan, visit [www.broward.org/port/masterplan/](http://www.broward.org/port/masterplan/)

<sup>6</sup> For additional information on *All Aboard Florida*, visit <http://www.allaboardflorida.com/>

### ASSETS EXTENDING BEYOND THE MPO PLANNING AREA

There are agencies and private entities responsible for the development of transportation plans and projects that extend beyond the MPO planning area. Because each of the following systems (and operators) has the independent statutory authority to develop plans and projects for specific infrastructure, these plans are fully incorporated into *Commitment 2040* by reference.

#### **STRATEGIC INTERMODAL SYSTEM (SIS)**

The Florida Department of Transportation (FDOT) is the agency responsible for the designation, implementation, and management of the Strategic Intermodal System (SIS). The SIS is an intermodal network of transportation facilities that flows from one mode to the next with the goal of providing the highest degree of mobility for people and goods traveling through the State. The SIS is an integral piece of Florida's goal to enhance economic competitiveness and quality of life for its citizens.

Florida Statutes §339.62 through §339.65 defines FDOT's role to designate the SIS, to plan and to fund its components. Components of the SIS include:

- Highway corridors established under Florida Statute §339.65;
- The National Highway System;
- Airport, seaport, and spaceport facilities;
- Rail lines and rail facilities;
- Selected intermodal facilities; passenger and freight terminals; and appropriate components that serve as existing or planned connectors between components; and,
- Other existing or planned corridors that serve a statewide or interregional purpose.

The last major update of the SIS 2040 Cost Feasible Plan was completed in 2013<sup>1</sup>. It identified improvements to Broward's interstates, Turnpike facilities, Port Everglades, Fort Lauderdale-Hollywood International Airport, the Florida East Coast Rail Road (FEC) and the CSX Railway.

#### **SOUTH FLORIDA REGIONAL TRANSPORTATION AUTHORITY (SFRTA)**

The South Florida Regional Transportation Authority (SFRTA), as the successor to the Tri-County Commuter Rail Authority, is the agency responsible for owning, operating and maintaining a transit system in the tri-county area of Broward, Miami-Dade and Palm Beach counties. SFRTA is enabled by Florida Statute §343.54 with the authority and responsibility to develop and adopt a plan for the operation, maintenance, and expansion of the transit system. SFRTA's plan must address the development of public and private revenue sources, the services to be provided and any potential expansions of current service. Per Florida Statute, the SFRTA has the authority to expand service into Monroe County. It is also authorized to operate supporting shuttle services.

SFRTA's most recent Transit Development Plan (TDP) update was completed in 2013<sup>2</sup>. It identified additional new services that could serve eastern Broward County including rail passenger service on the Florida East Coast Rail Road corridor (i.e., Coastal Link), associated station development and supporting shuttle services. At the time of this plan, a financially feasible funding strategy has not been identified to operate these new services.

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<sup>1</sup> For additional information on the SIS, visit [www.dot.state.fl.us/planning/sis/](http://www.dot.state.fl.us/planning/sis/).

<sup>2</sup> For additional information on SFRTA, visit [www.sfrta.fl.gov/](http://www.sfrta.fl.gov/).

### **ALL ABOARD FLORIDA**

Florida East Coast Industries (FECI) is developing a privately owned, operated and maintained passenger rail service known as *All Aboard Florida*<sup>3</sup>. This intercity service will give passengers a new way to travel between Southeast and Central Florida. FECI would own, operate and manage the passenger rail line. All Aboard Florida will provide passenger service along the existing Florida East Coast Corridor (FEC) between Miami and the Space Coast and along new tracks that will be built into Central Florida. Stations are currently planned for the downtowns of Miami, Fort Lauderdale, West Palm Beach and the future Intermodal Station at the Orlando International Airport. Approximately 195 of the 235 miles of Right of Way (ROW) needed are in place. FECI is currently selecting rolling stock, identifying exact station locations and making other decisions to bring the project to fruition.

While the exact details of *All Aboard Florida* are still being finalized at the time of *Commitment 2040*, FECI, as a private owner/operator, is recognized as having the legal authority and responsibility to finalize plans consistent with the requirements of its shareholders and regulators.

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For additional information on the Broward MPO and *Commitment 2040*, visit [www.browardmpo.org](http://www.browardmpo.org).

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<sup>3</sup> For additional information on *All Aboard Florida*, visit [www.allaboardflorida.com/](http://www.allaboardflorida.com/).

Select Year:  

## The 2013 Florida Statutes

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[Title XXVI](#)[Chapter 339](#)[View Entire Chapter](#)

PUBLIC TRANSPORTATION      TRANSPORTATION FINANCE AND PLANNING

**339.62      System components.**—The Strategic Intermodal System shall consist of appropriate components of:

- (1) Highway corridors established under s. [339.65](#).
- (2) The National Highway System.
- (3) Airport, seaport, and spaceport facilities.
- (4) Rail lines and rail facilities.
- (5) Selected intermodal facilities; passenger and freight terminals; and appropriate components of the State Highway System, county road system, city street system, inland waterways, and local public transit systems that serve as existing or planned connectors between the components listed in subsections (1)-(4).
- (6) Other existing or planned corridors that serve a statewide or interregional purpose.

**History.**—s. 47, ch. 2003-286; s. 57, ch. 2012-174.

Select Year:

## The 2013 Florida Statutes

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[Title XXVI](#)

[Chapter 339](#)

[View Entire Chapter](#)

PUBLIC TRANSPORTATION      TRANSPORTATION FINANCE AND PLANNING

### **339.65 Strategic Intermodal System highway corridors.—**

(1) The department shall plan and develop Strategic Intermodal System highway corridors, including limited and controlled access facilities, allowing for high-speed and high-volume traffic movements within the state. The primary function of the corridors is to provide such traffic movements. Access to abutting land is subordinate to this function, and such access must be prohibited or highly regulated.

(2) Strategic Intermodal System highway corridors shall include facilities from the following components of the State Highway System that meet the criteria adopted by the department pursuant to s. [339.63](#):

- (a) Interstate highways.
- (b) The Florida Turnpike System.
- (c) Interregional and intercity limited access facilities.
- (d) Existing interregional and intercity arterial highways previously upgraded or upgraded in the future to limited access or controlled access facility standards.

(e) New limited access facilities necessary to complete a balanced statewide system.

(3) The department shall adhere to the following policy guidelines in the development of Strategic Intermodal System highway corridors. The department shall:

- (a) Make capacity improvements to existing facilities where feasible to minimize costs and environmental impacts.
- (b) Identify appropriate arterial highways in major transportation corridors for inclusion in a program to bring these facilities up to limited access or controlled access facility standards.
- (c) Coordinate proposed projects with appropriate limited access projects undertaken by expressway authorities and local governmental entities.
- (d) Maximize the use of limited access facility standards when constructing new arterial highways.
- (e) Identify appropriate new limited access highways for inclusion as a part of the Florida Turnpike System.
- (f) To the maximum extent feasible, ensure that proposed projects are consistent with approved local government comprehensive plans of the local jurisdictions in which such facilities are to be located and with the transportation improvement program of any metropolitan planning organization where such facilities are to be located.

(4) The department shall develop and maintain a plan of Strategic Intermodal System highway corridor projects that are anticipated to be let to contract for construction within a time period of at least 20 years. The plan shall also identify when segments of the corridor will meet the standards and criteria developed pursuant to subsection (5).

(5) The department shall establish the standards and criteria for the functional characteristics and design of facilities proposed as part of Strategic Intermodal System highway corridors.

(6) For the purposes of developing the proposed Strategic Intermodal System highway corridors, beginning in fiscal year 2012-2013 and for each fiscal year thereafter, the minimum amount allocated shall be based on the fiscal year 2003-2004 allocation of \$450 million adjusted annually by the change in the Consumer Price Index for the prior fiscal year compared to the Consumer Price Index for fiscal year 2003-2004.



(7) Any project to be constructed as part of a Strategic Intermodal System highway corridor shall be included in the department's adopted work program. Any Strategic Intermodal System highway corridor projects that are added to or deleted from the previous adopted work program, or any modification to Strategic Intermodal System highway corridor projects contained in the previous adopted work program, shall be specifically identified and submitted as a separate part of the tentative work program.

History.—s. 60, ch. 2012-174.

Select Year:

## The 2013 Florida Statutes

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[Title XXVI](#)

[Chapter 343](#)

[View Entire Chapter](#)

PUBLIC TRANSPORTATION    REGIONAL TRANSPORTATION AUTHORITIES

### **343.54 Powers and duties.—**

(1)(a) The authority created and established by this part shall have the right to own, operate, maintain, and manage a transit system in the tri-county area of Broward, Miami-Dade, and Palm Beach Counties, hereinafter referred to as the South Florida Regional Transportation Authority.

(b) It is the express intention of this part that the authority be authorized to plan, develop, own, purchase, lease, or otherwise acquire, demolish, construct, improve, relocate, equip, repair, maintain, operate, and manage a transit system and transit facilities; to establish and determine the policies necessary for the best interest of the operation and promotion of a transit system; and to adopt rules necessary to govern the operation of a transit system and transit facilities. It is the intent of the Legislature that the South Florida Regional Transportation Authority shall have overall authority to coordinate, develop, and operate a regional transportation system within the area served.

(c) Notwithstanding subsection (3), the South Florida Regional Transportation Authority may not exercise the powers in paragraph (b) with respect to an existing system for transporting people and goods by any means which is owned by another entity without the consent of that entity. Furthermore, if the authority acquires, purchases, operates, condemns, or inherits an existing entity, the authority shall also inherit and assume all rights, assets, labor agreements, appropriations, privileges, and obligations of the existing entity. This paragraph does not preclude the South Florida Regional Transportation Authority from having the primary responsibility to develop and coordinate the transportation systems within the service area of the South Florida Regional Transportation Authority.

(2) The authority created in this part shall be the successor and assignee of the Tri-County Commuter Rail Authority and shall inherit all rights, assets, labor agreements, appropriations, privileges, and obligations of the Tri-County Commuter Rail Authority.

(3) The authority may exercise all powers necessary, appurtenant, convenient, or incidental to the carrying out of the aforesaid purposes, including, but not limited to, the following rights and powers:

(a) To sue and be sued, implead and be impleaded, complain and defend in all courts in its own name.

(b) To adopt and use a corporate seal.

(c) To have the power of eminent domain, including the procedural powers granted under chapters 73 and 74.

(d) To acquire, purchase, hold, lease as a lessee, and use any franchise or property, real, personal, or mixed, tangible or intangible, or any interest therein, necessary or desirable for carrying out the purposes of the authority.

(e) To sell, convey, exchange, lease, or otherwise dispose of any real or personal property acquired by the authority, including air rights.

(f) To fix, alter, establish, and collect rates, fares, fees, rentals, and other charges for the use of any transit system or transit facilities owned or operated by the authority.

(g) To develop and provide feeder transit services to or from stations within or across counties.

(h) To adopt bylaws for the regulation of the affairs and the conduct of the business of the authority. The bylaws shall provide for quorum and voting requirements, maintenance of minutes and other official records, and preparation and adoption of an annual budget.

(i) To lease, rent, or contract for the operation or management of any part of a transit system or transit facility, including feeder transit services and concessions. In awarding a contract, the authority shall consider, but is not limited to, the following:

1. The qualifications of each applicant.
2. The level of service.
3. The efficiency, cost, and anticipated revenue.
4. The construction, operation, and management plan.
5. The financial ability to provide reliable service.
6. The impact on other transportation modes, including the ability to interface with other transportation modes and facilities.

(j) To enforce collection of rates, fees, and charges, and to establish and enforce fines and penalties for violations of any rules.

(k) To advertise and promote transit systems, transit facilities, and activities of the authority.

(l) To employ an executive director, attorney, staff, and consultants.

(m) To cooperate with other governmental entities and to contract with other governmental agencies, including the Department of Transportation, the Federal Government, regional planning councils, counties, and municipalities.

(n) To enter into joint development agreements.

(o) To accept funds from other governmental sources, and to accept private donations.

(p) To purchase by directly contracting with local, national, or international insurance companies to provide liability insurance which the authority is contractually and legally obligated to provide, the requirements of s. [287.022\(1\)](#), notwithstanding.

(q) To privatize any of the administrative functions of the authority existing as of July 1, 2012, by contracting with a private entity or entities to perform any or all of those functions, which shall require a two-thirds vote of the entire membership of the board.

(4) The authority shall develop and adopt a plan for the operation, maintenance, and expansion of the transit system. Such plan shall address the authority's plan for the development of public and private revenue sources, and the service to be provided, including expansions of current service which are consistent, to the maximum extent feasible, with approved local government comprehensive plans. The plan shall be reviewed and updated annually.

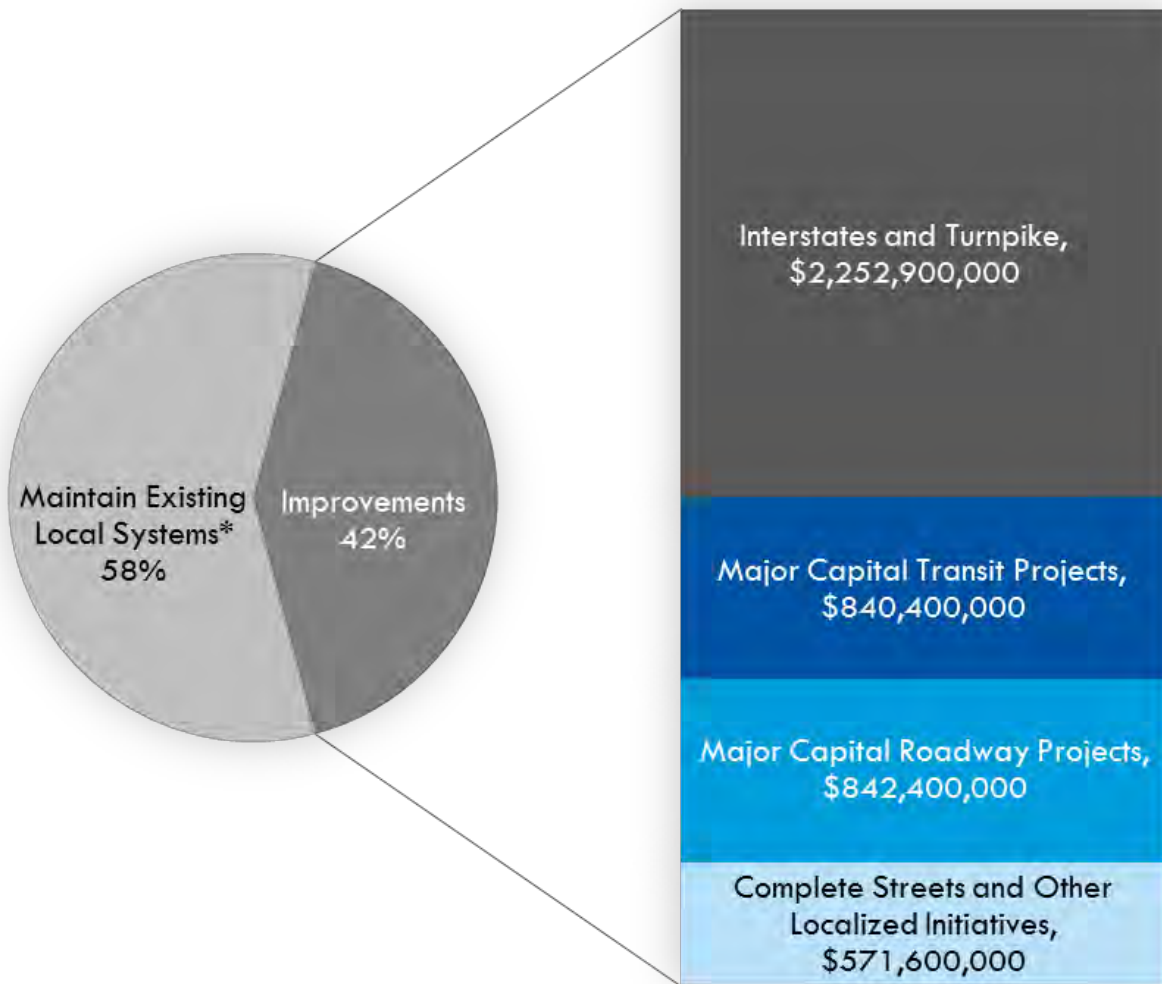
(5) The authority, by a resolution of its governing board, may expand its service area into Monroe County. The board shall determine the conditions and terms of the partnership, except as provided herein. However, the authority may not expand its service area without the consent of the board of county commissioners representing the proposed expansion area, and a county may not be added to the service area except in the year that federal reauthorization legislation for transportation funds is enacted. The authority shall not expand into any county other than Monroe County without the department's prior written approval.

History.—s. 1, ch. 89-351; s. 88, ch. 90-136; s. 76, ch. 92-152; s. 4, ch. 2003-159; s. 1, ch. 2007-255; s. 64, ch. 2012-174.

Agenda Item  
**No. 4**

**OUR FINANCIAL COMMITMENTS**

**Overall Funding Distribution Estimates, 2019 - 2040<sup>1</sup>**



**DRAFT**

<sup>1</sup> The boxes labeled, *Major Capital Transit Projects*, *Major Capital Roadway Projects* and *Complete Streets and other Localized Initiatives* (located at the bottom right of the graphic and highlighted in the *Commitment 2040* logo colors) represent discretionary Federal and State funds allocated to the Broward MPO.

\* Does not include funding programed by the Florida Department of Transportation (FDOT) as estimates are not provided for Broward County, but the larger District area (Broward, Palm Beach, St. Lucie, Martin and Indian River).

## Improvements by Municipality, 2019 - 2040<sup>2</sup>

MUNICIPALITY	INTERSTATES AND TURNPIKES	MAJOR CAPITAL TRANSIT PROJECTS	MAJOR CAPITAL ROADWAY PROJECTS <sup>3</sup>	COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES
Coconut Creek		●	●	●
Cooper City			●	●
Coral Springs		●	●	●
Dania Beach	●	●	●	●
Davie	●	●	●	●
Deerfield Beach	●	●	●	●
Fort Lauderdale	●	●	●	●
Hallandale Beach		●	●	●
Hillsboro Beach			●	●
Hollywood	●	●	●	●
Indian Reservation		●	●	●
Lauderdale-by-the-Sea			●	●
Lauderdale Lakes		●	●	●
Lauderhill		●	●	●
Lazy Lake			●	●
Lighthouse Point		●	●	●
Margate		●	●	●
Miramar	●	●	●	●
North Lauderdale		●	●	●
Oakland Park	●	●	●	●
Parkland			●	●
Pembroke Park			●	●
Pembroke Pines	●	●	●	●
Plantation	●	●	●	●
Pompano Beach	●	●	●	●
Sea Ranch Lakes			●	●
Southwest Ranches			●	●
Sunrise		●	●	●
Tamarac		●	●	●
Unincorporated	●	●	●	●
West Park			●	●
Weston	●		●	●
Wilton Manors	●	●	●	●

For additional information on the Broward MPO and *Commitment 2040*, visit [www.browardmpo.org](http://www.browardmpo.org).

<sup>2</sup> For additional information on major capital transit and roadway projects, visit [www.wgjanalytics.net/IMAP/](http://www.wgjanalytics.net/IMAP/).

<sup>3</sup> Improvements include both added capacity and Intelligent Transportation Systems (ITS) projects.

# Overall Financial Resources Available

FUNDING SOURCES (DOLLARS IN MILLIONS)	2019-2020	2021-2025	2026-2030	2031-2040	TOTAL
<b>DEDICATED TO BROWARD</b>					
Federal & State*	292.0	689.6	677.7	1441.4	<b>\$3,100.7</b>
Local	243.9	581.2	531.0	967.4	<b>\$2,323.5</b>
<b>Subtotal - Broward Dedicated</b>	<b>\$535.9</b>	<b>\$1,270.8</b>	<b>\$1,208.7</b>	<b>\$2,408.8</b>	<b>\$5,424.2</b>
<b>POTENTIAL (REGIONAL / COMPETITIVE)</b>					
Federal & State**	11.6	33.6	33.6	67.3	<b>\$146.1</b>
<b>TOTAL</b>	<b>\$547.5</b>	<b>\$1,304.4</b>	<b>\$1,242.3</b>	<b>\$2,476.1</b>	<b>\$5,570.3</b>

\*Excludes SIS Funding

\*\*Includes TALT, TRIP and State Matching New Starts Transit Funding

move people • create jobs • strengthen communities



# Federal & State Resources Available

FUNDING SOURCES (DOLLARS IN MILLIONS)	2019-2020	2021-2025	2026-2030	2031-2040	TOTALS
<b>DEDICATED TO BROWARD</b>					
Other Arterials Construction & ROW - Capacity	140.6	314.1	296.9	649.6	<b>\$1,401.2</b>
Other Arterials Construction & ROW - Preliminary Eng.	30.9	69.1	65.3	142.9	<b>\$308.2</b>
Transit	68.5	176.5	185.6	389.1	<b>\$819.7</b>
TMA Funds (Broward MPO discretionary)	47.3	118.3	118.3	236.6	<b>\$520.5</b>
TALU (> 200,000 Population)	4.7	11.6	11.6	23.2	<b>\$51.1</b>
<b>Subtotal - Broward Dedicated</b>	<b>\$292.0</b>	<b>\$689.6</b>	<b>\$677.7</b>	<b>\$1,441.4</b>	<b>\$3,100.7</b>
<b>POTENTIAL (REGIONAL / COMPETITIVE)</b>					
TALT (Any Area)	4.7	11.7	11.7	23.3	<b>\$51.4</b>
TRIP Funds	0.6	4.6	4.6	9.1	<b>\$18.9</b>
New Starts Transit Funds (State Share)	6.3	17.4	17.4	34.9	<b>\$76.0</b>
<b>Subtotal - Potential</b>	<b>\$11.6</b>	<b>\$33.7</b>	<b>\$33.7</b>	<b>\$67.3</b>	<b>\$146.3</b>
<b>TOTAL</b>	<b>\$303.6</b>	<b>\$723.3</b>	<b>\$711.4</b>	<b>\$1,508.7</b>	<b>\$3,247.0</b>



# Financial Resources Workshop

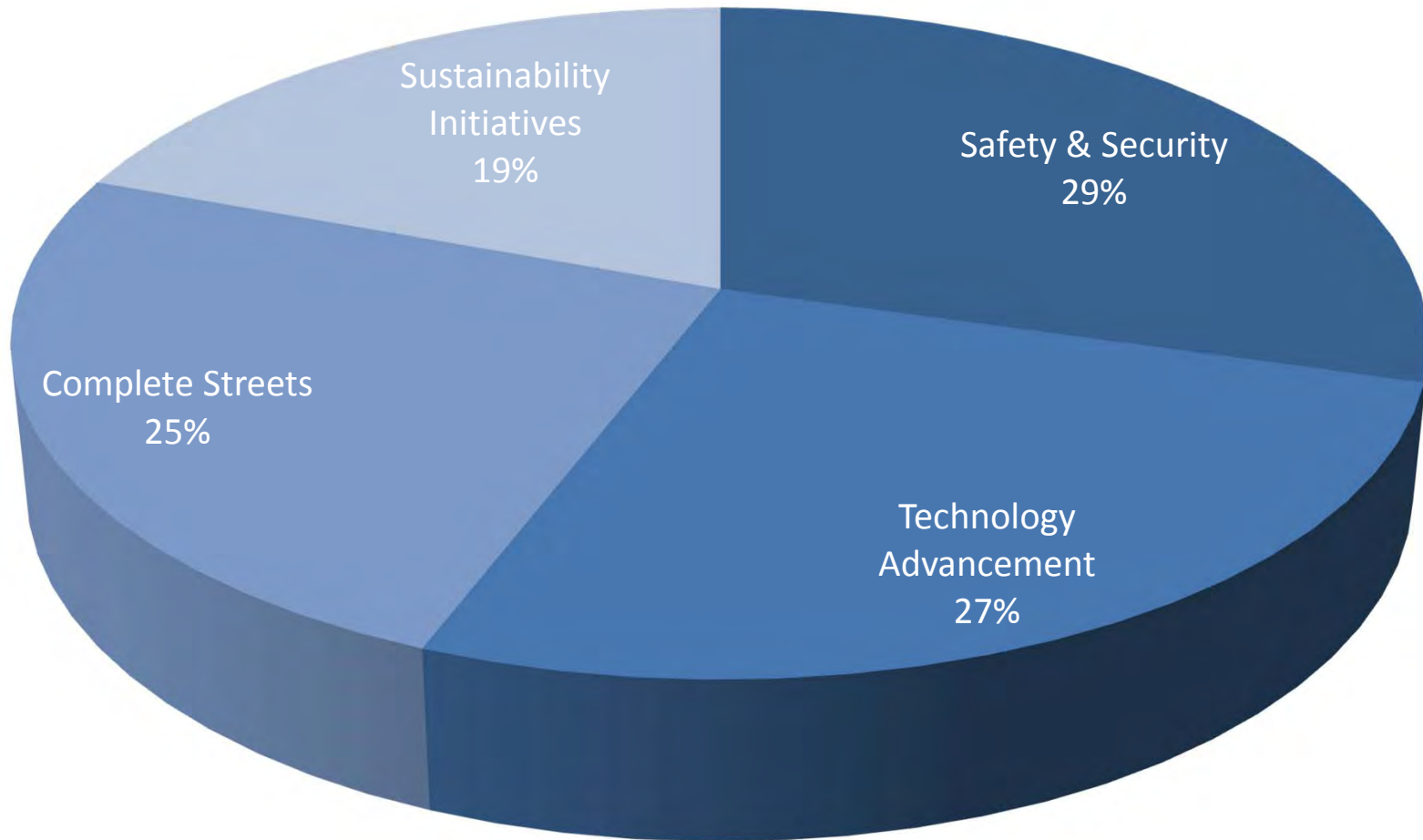
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Broward MPO Board - November 21, 2013



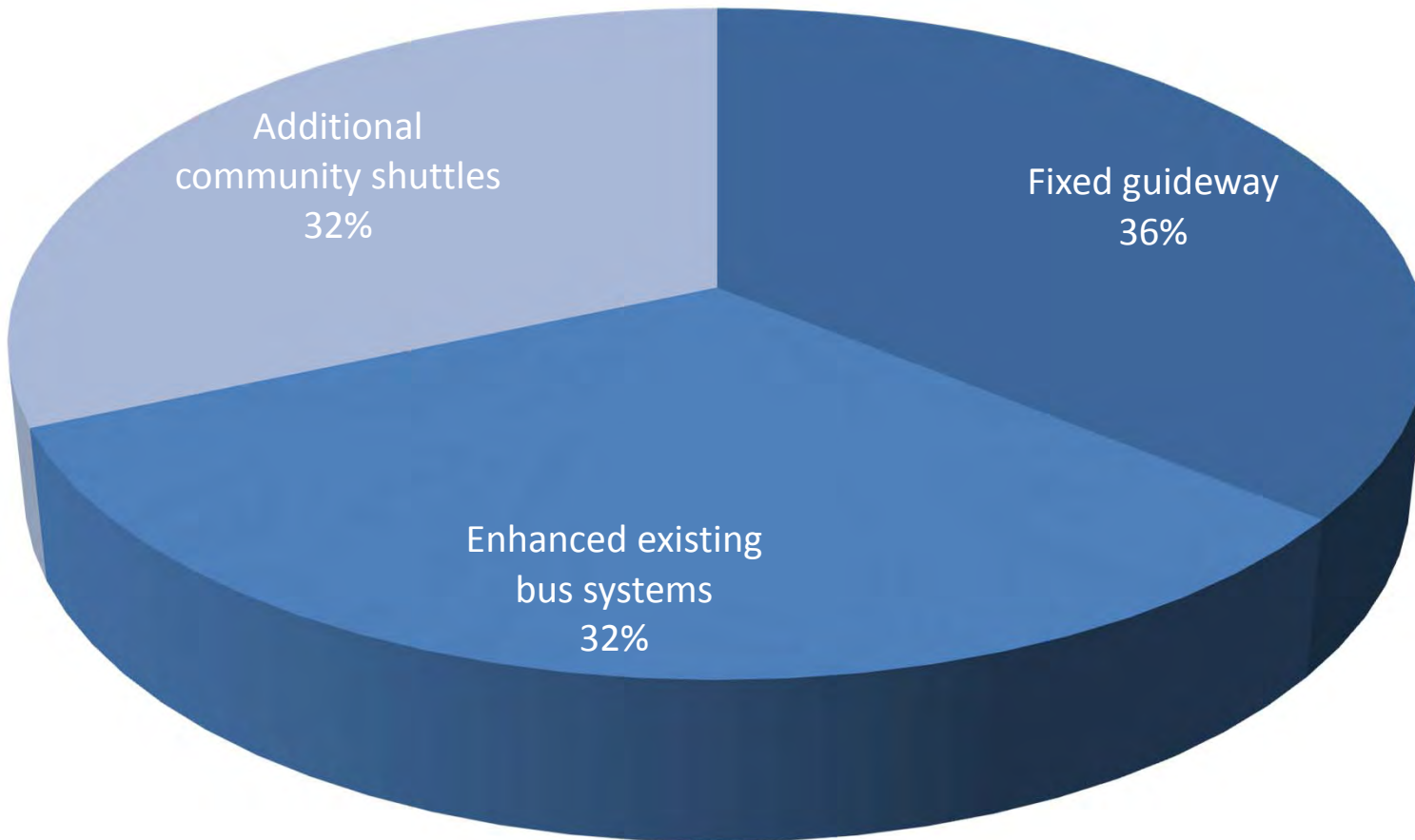
# Commitment 2040 - Program Funding Targets per Board Guidance

Question 1: Rank the following non-regional programs per your funding priority



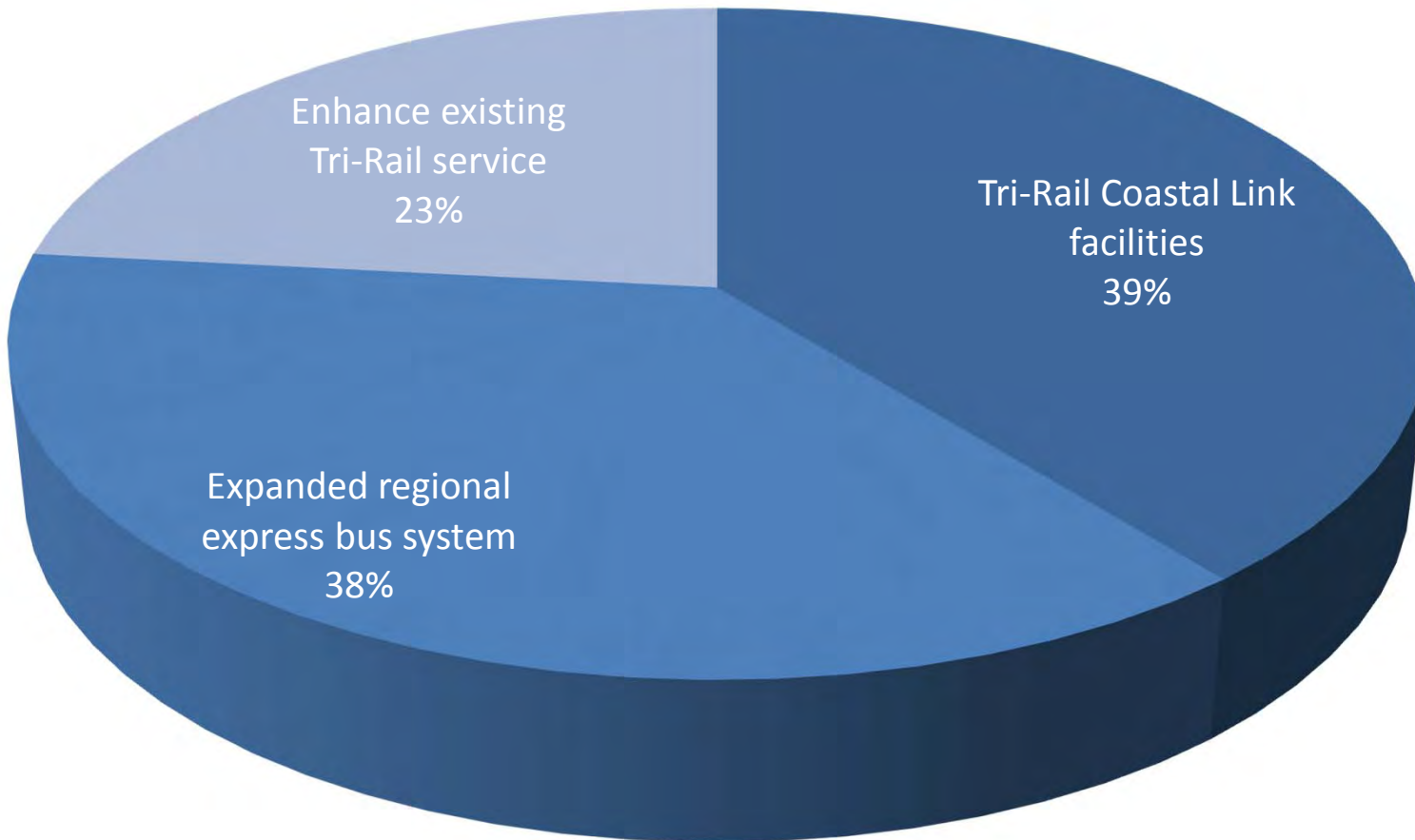
## Commitment 2040 - Board Priorities for Funding Broward Systems

Question 5: What should be the Broward MPO's funding priorities?



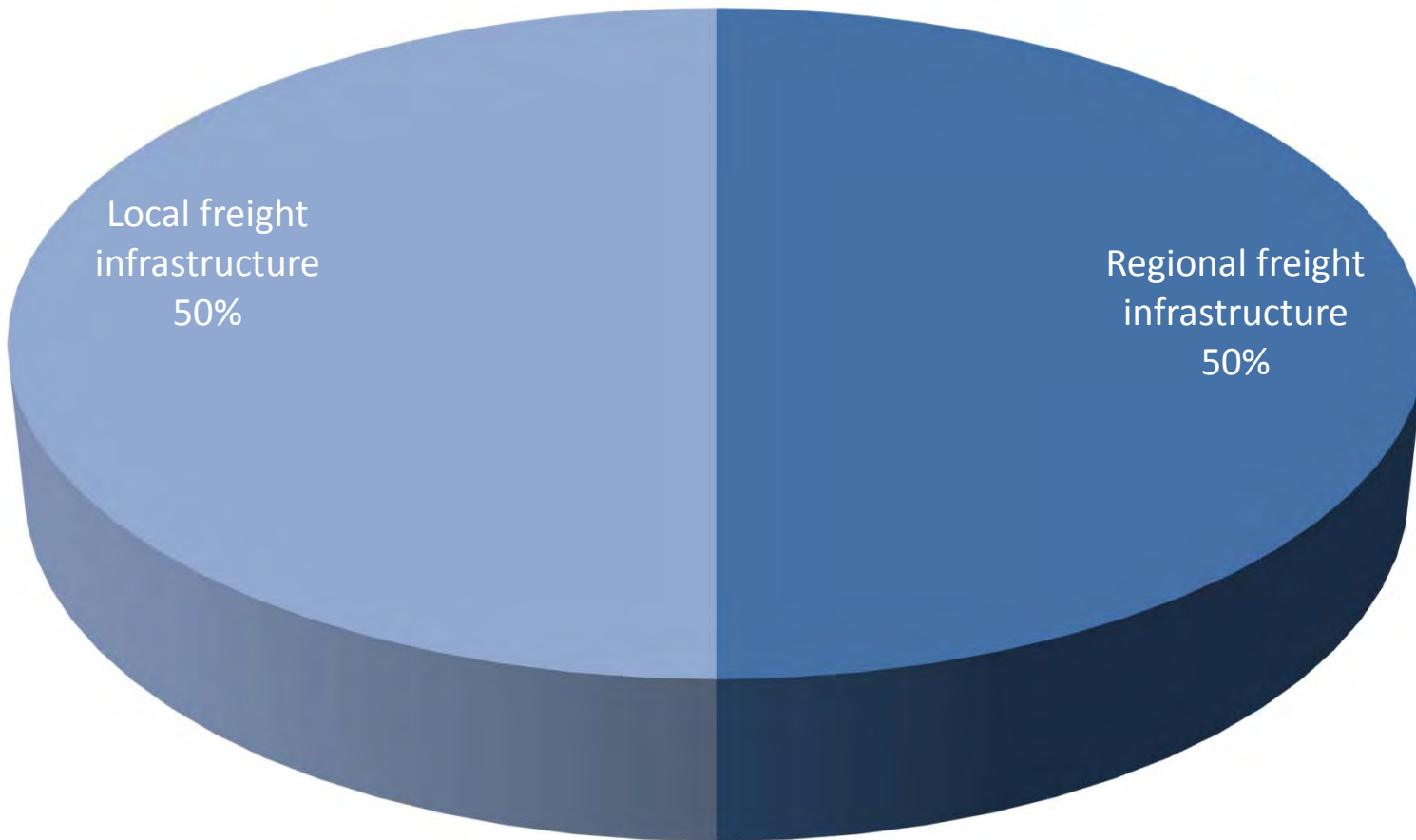
## Commitment 2040 - Board Priorities for Funding Regional Systems

Question 9: What should be the Broward MPO's funding priorities?



## Commitment 2040 - Board Preferences on Funding Freight Projects

Question 10: Which would you prefer to fund?



## Supplement to the 2040 Revenue Forecast Handbook

### 2040 Revenue Forecast for Broward Metropolitan Area

Prepared by District 4 and Office of Policy Planning, Florida Department of Transportation

This supplement contains estimates of state and federal transportation funds for the metropolitan area through 2040. The estimates were prepared by the Florida Department of Transportation (FDOT), based on a statewide estimate of revenues that fund the state transportation program, and are consistent with “Financial Guidelines for MPO 2040 Long Range Plans” adopted by the Metropolitan Planning Organization Advisory Council (MPOAC) in January 2013. Florida’s MPOs are encouraged to use these estimates in updates of long range plans.

These estimates are based on the 2040 Revenue Forecast prepared in Spring 2013. See the *2040 Revenue Forecast Handbook*, dated July 2013, for more information on the statewide revenue forecast, revenue sources, definitions of major program categories, and methodology. All estimates are expressed in Year of Expenditure dollars.

#### ESTIMATES FOR CAPACITY PROGRAMS

Table 1 contains metropolitan area estimates for various time periods for certain state programs that affect the capacity of the transportation system to move people and goods.

#### Programs that FDOT Takes in Lead in Planning

Estimates for SIS Highways Construction & Right of Way will be available by August 21, 2013. No metropolitan estimates for Aviation, Rail, Seaport Development and Intermodal Access programs for years beyond those in the FDOT Work Program have been developed.

#### Other Capacity Programs

Estimates for Other Arterials Construction & Right of Way and Transit programs are shown in Table 1. MPOs are encouraged to plan for the mix of highway and transit improvements that best meets metropolitan needs with these funds. The MPO may combine the estimates for these two programs for the years 2019-2040 and consider them as “flexible” funds.

Computation of Funds for Other Arterials Construction & Right of Way – the estimates were developed as follows:

- The average share of total statewide TMA (also known as SU) Funds programmed on Other Arterials Construction & Right of Way in Fiscal Years 2013 (current year) and 2014-2018 (the Tentative Work Program) were taken “off the top” from total statewide estimates for Other Arterials & Right of Way for all forecast years.
- Transportation Alternatives (TA) estimates were taken “off the top” from total statewide estimates for Other Arterials Construction & Right of Way for all forecast years.
- Remaining funding estimates for this program (i.e., after the shares of TMA and TA estimates were taken “off the top”) were distributed to district and county levels using current statutory formula factors.

TMA Funds – Funds distributed to Transportation Management Areas, as defined by MAP-21, are shown in Table 2. They are the same as “SU” funds in the 5-year Work Program. The

estimates are based on Schedule A<sup>1</sup> of the Work Program Instructions for Fiscal Years 2014-2018 and long range estimates of federal funds. These funds are not included in the estimates for Other Arterials Construction & Right of Way shown in Table 1. Guidance regarding planning for these funds in the long range plan is included in the *2040 Revenue Forecast Handbook*.

Transportation Alternatives Funds – Table 3 provides estimates of Transportation Alternatives funds, as defined by MAP-21, to assist MPOs in developing their plans. The estimates are based on Schedule A of the Work Program Instructions for Fiscal Years 2014-2018 and long range estimates of federal funds. These funds are not included in the estimates for Other Arterials Construction & Right of Way shown in Table 1. Guidance regarding planning for these funds in the long range plan is included in the *2040 Revenue Forecast Handbook*. Use of these funds in the long range transportation plan must be consistent with federal and state policy.

### **INFORMATION RELATED TO CERTAIN STATE FUNDS AND PROGRAMS**

Additional estimates are provided for certain state funds and programs. See guidance in the *2040 Revenue Forecast Handbook* for planning for use of these funds. Tables 4 and 5 provide estimates of funds for state programs that have matching funds, and other, requirements.

Transportation Regional Incentive Program (TRIP) Funds – these are estimates of districtwide funds for the TRIP program that are not included in an FDOT Work Program as of July 1, 2013.

New Starts Transit Funds – these are estimates of statewide funds for the New Starts program that are not included in an FDOT Work Program as of July 1, 2013.

### **NON-CAPACITY PROGRAMS**

Table 6 contains districtwide estimates for State Highway System Operations and Maintenance expenditures for information purposes. These estimates are provided pursuant to an agreement between FDOT and the Federal Highway Administration Division Office regarding the reporting of estimates of Operations and Maintenance costs for the State Highway System at the district level in MPO long range plans. Guidance on documenting these funds is included in the *2040 Revenue Forecast Handbook*.

No metropolitan estimates for these or other non-capacity programs have been developed. Consistent with MPOAC “Financial Guidelines for MPO 2040 Long Range Plans”, the Department will prepare a summary of these program estimates and state objectives (to be entitled “Appendix for the Metropolitan Long Range Plan, 2040 Revenue Forecast”) and provide the Appendix to each MPO for inclusion in the documentation of the metropolitan long range transportation plan.

### **FORECAST YEARS**

Tables 1-5 contain revenue estimates for Fiscal Years 2019-2040. The MPO should use the TIP/STIP to summarize estimates for Fiscal Years 2014-2018. Table 6 contains revenue estimates for Fiscal Years 2014-2040 because this summary information is not readily available in the 5-Year Work Program.

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<sup>1</sup> “Schedule A” specifies and distributes estimated funds legally available in the years covered by the FDOT 5-year Work Program. FDOT’s Work Program Instructions contain Schedule A and a “Program Allocation Guide” which describes the processes, assumptions, and requirements used to develop Work Program fund allocations.

## Revenue Estimates for Broward Metropolitan Area

**Table 1**  
**Capacity Program Estimates**  
 State and Federal Funds from 2040 Revenue Forecast (Millions of Dollars)  
 Florida Department of Transportation

Capacity Programs	2040 Revenue Forecast				
	FYs 2019-20	FYs 2021-25	FYs 2026-30	FYs 2031-40	22 Year Total
SIS Highways Construction & ROW <sup>1,2</sup>	N/A	N/A	N/A	N/A	N/A
Other Arterials Construction & ROW <sup>2</sup>	140.6	314.1	296.9	649.6	1,401.3
Transit <sup>2</sup>	68.5	176.5	185.6	389.1	819.6

<sup>1</sup> To be provided separately.

<sup>2</sup> May be supplemented with TMA Funds. See Table 2 and guidance in the *2040 Revenue Forecast Handbook* for use of these funds.

**Table 2**  
**TMA Estimates<sup>1</sup>**  
 State and Federal Funds from 2040 Revenue Forecast (Millions of Dollars)  
 Florida Department of Transportation

Transportation Management Area	2040 Revenue Forecast				
	FYs 2019-20	FYs 2021-25	FYs 2026-30	FYs 2031-40	22 Year Total
TMA Funds	47.3	118.3	118.3	236.6	520.6

<sup>1</sup> See guidance in the *2040 Revenue Forecast Handbook* for use of these funds.

**Table 3**  
**Transportation Alternatives Estimates<sup>1</sup>**  
 State and Federal Funds from 2040 Revenue Forecast (Millions of Dollars)  
 Florida Department of Transportation

Transportation Alternatives	2040 Revenue Forecast				
	FYs 2019-20	FYs 2021-25	FYs 2026-30	FYs 2031-40	22 Year Total
TALU (>200,000 Population)	4.7	11.6	11.6	23.2	51.2
TALL (<200,000 Population)	N/A	N/A	N/A	N/A	N/A
TALT (Any Area) <sup>2</sup>	9.3	23.3	23.3	46.6	102.5

<sup>1</sup> Use of these funds must be consistent with federal and state policy. See guidance in the *2040 Revenue Forecast Handbook*.

<sup>2</sup> For informational purposes. Estimates are for the entire District.



**Revenue Estimates for Broward Metropolitan Area  
For Information Purposes**

**Table 4  
TRIP Estimates<sup>1</sup>**  
State and Federal Funds from 2040 Revenue Forecast (Millions of Dollars)  
Florida Department of Transportation

<b>Transportation Regional Incentive Program</b>	<b>2040 Revenue Forecast</b>				
	FYs 2019-20	FYs 2021-25	FYs 2026-30	FYs 2031-40	22 Year Total
Districtwide TRIP Funds	1.2	9.1	9.1	18.2	37.5

<sup>1</sup> For informational purposes. Estimates are for TRIP Funds not included in an FDOT Work Program as of July 1, 2013. See guidance in the *2040 Revenue Forecast Handbook* for planning for use of these funds.

**Table 5  
New Starts Transit Estimates<sup>1</sup>**  
State and Federal Funds from 2040 Revenue Forecast (Millions of Dollars)  
Florida Department of Transportation

<b>New Starts Transit</b>	<b>2040 Revenue Forecast</b>				
	FYs 2019-20	FYs 2021-25	FYs 2026-30	FYs 2031-40	22 Year Total
Statewide New Starts Transit Funds	63	174	174	349	760

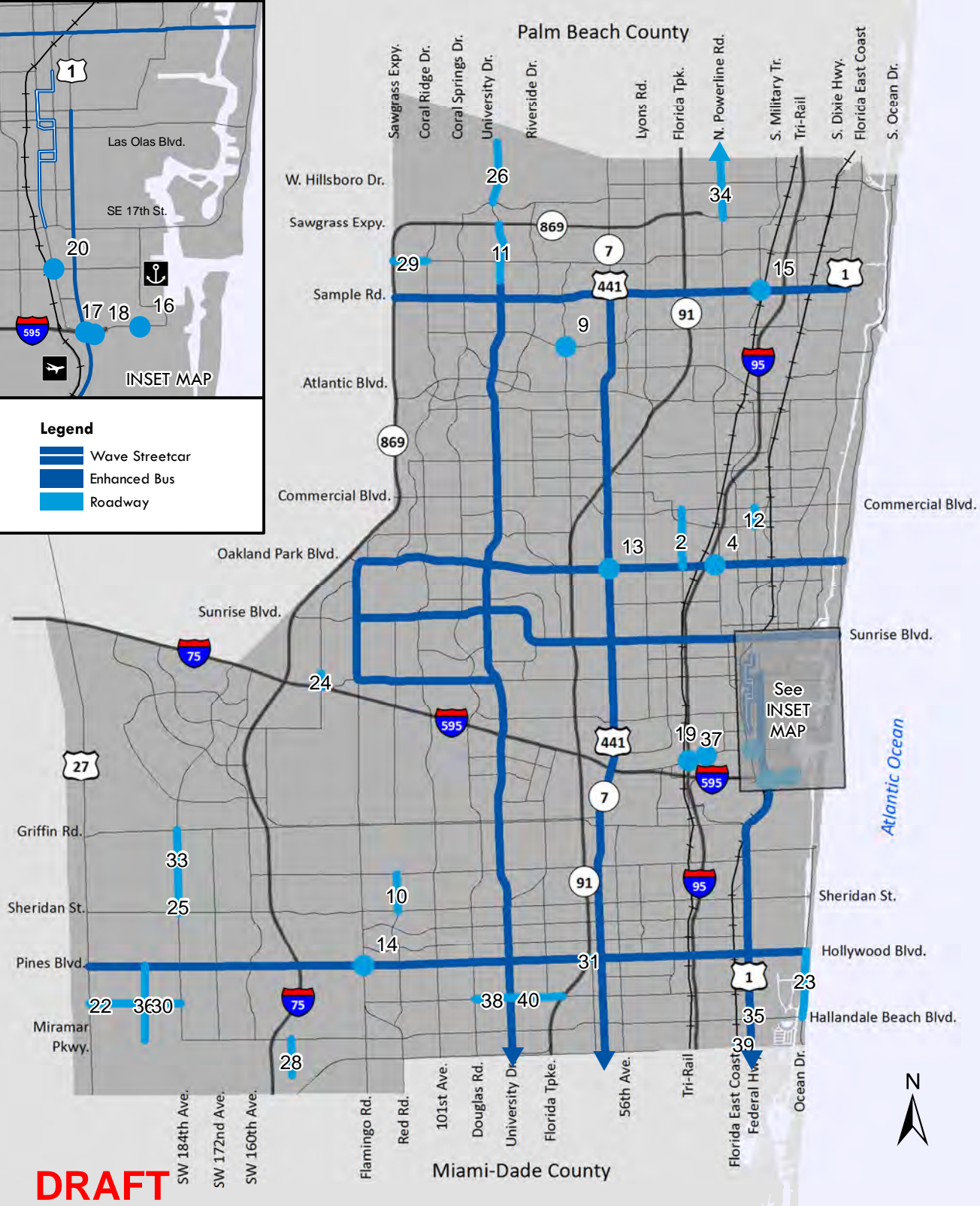
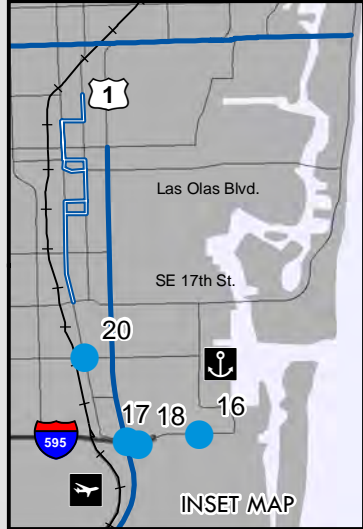
<sup>1</sup> For informational purposes. Estimates are for New Starts Funds not included in an FDOT Work Program as of July 1, 2013. See guidance in the *2040 Revenue Forecast Handbook* for planning for use of these funds.

**Table 6  
State Highway System Operations and Maintenance Estimates<sup>1</sup>**  
State and Federal Funds from 2040 Revenue Forecast (Millions of Dollars)  
Florida Department of Transportation

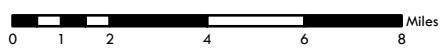
<b>State Highway System Operations &amp; Maintenance</b>	<b>2040 Revenue Forecast</b>					
	FYs 2014-15	FYs 2016-20	FYs 2021-25	FYs 2026-30	FYs 2031-40	27 Year Total
Districtwide SHS O&M Funds	556	1,534	1,566	1,716	3,770	9,141

<sup>1</sup> For informational purposes. See guidance for documenting these funds in the *2040 Revenue Forecast Handbook*.

Agenda Item  
**No. 5**



**DRAFT**



Broward MPO | February 28, 2014

*This product is for informational purposes only and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and sources to ascertain the usability of the information. The Broward MPO assumes no liability for improper use.*

For more information: <http://www.wgianalytics.net/IMAP/>

**Financially Feasible Projects**  
Major Capital, 2019 - 2040



MapID	Type	Project	Description	Purpose and Need	Location	Cost*	TimePeriod
n/a	Program	Complete Streets and other Localized Initiatives	Non-major capital projects	Improve non-auto systems, safety, sustainability and implementation of technology	Broward County	\$52.0	2019 - 2020
n/a	Roadway	ATMS Design Group 6	Install ITS system components	Improve systemwide traffic operations	Southwest Broward County	\$38.3	2019 - 2020
1	Transit	Wave Streetcar	Construct new streetcar route	Provide multi-modal alternative to support high-density development	SE 17th to Andrews	\$30.6	2019 - 2020
2	Roadway	NW 21 <sup>st</sup> Avenue	Add 2 lanes (from 2 to 4)	Improve level-of-service	SR 816/Oakland Park to SR 870/Commercial	\$23.1	2019 - 2020
3	Transit	SR 816/Oakland Park	Corridor upgrades to support enhanced bus service	Provide passenger amenities, improve reliability, reduce passenger wait time	Sawgrass Mills Mall to SR A1A	\$138.7	2019 - 2025
4	Roadway	Intersection Improvement	Reconstruct intersection	Improve traffic flow	SR 845/Powerline (up to I-95) and SR 816/Oakland Park	\$14.5	2019 - 2020
5	Transit	SR 820/Hollywood/Pines	Corridor upgrades to support enhanced bus service	Provide passenger amenities, improve reliability, reduce passenger wait time	US 27 to SR A1A	\$85.3	2019 - 2025
6	Transit	SR 842/Broward	Corridor upgrades to support enhanced bus service	Provide passenger amenities, improve reliability, reduce passenger wait time	Sawgrass Mills Mall to SR 817/University Drive	\$5.9	2019 - 2020
n/a	Roadway	ATMS Design Group 2	Install ITS system components	Improve systemwide traffic operations	West Broward County	\$35.8	2019 - 2025
n/a	Transit	Modern Trolleys	Purchase 15 trolley vehicles	Improve community circulation and connections to regional transit systems	City of Fort Lauderdale	\$5.7	2019 - 2020

MapID	Type	Project	Description	Purpose and Need	Location	Cost*	TimePeriod
7	Transit	SR 5/US 1	Corridor upgrades to support enhanced bus service	Provide passenger amenities, improve reliability, reduce passenger wait time	Aventura Mall to Downtown Terminal	\$3.7	2019 - 2020
n/a	Roadway	Wayfinding Program	Install Wayfinding	Improve systemwide traffic operations	City of Fort Lauderdale	\$1.5	2019 - 2020
n/a	Roadway	Downtown ITS System	Install ITS system components	Improve systemwide traffic operations	Downtown Fort Lauderdale	\$1.1	2019 - 2020
8	Transit	SR 834/Sample	Corridor upgrades to support enhanced bus service	Provide passenger amenities, improve reliability, reduce passenger wait time	Sawgrass Express to SR A1A	\$5.8	2019 - 2025
9	Roadway	Intersection Improvement	Reconstruct intersection	Improve traffic flow	Rock Island and Royal Palm	\$0.5	2019 - 2020
n/a	Program	Complete Streets and other Localized Initiatives	Non-major capital projects	Improve non-auto systems, safety, sustainability and implementation of technology	Broward County	\$129.9	2021 - 2025
n/a	Roadway	ATMS Design Group 3	Install ITS system components	Improve systemwide traffic operations	Northeast Broward County	\$43.6	2021 - 2025
n/a	Roadway	ATMS Design Group 4	Install ITS system components	Improve systemwide traffic operations	Southeast Broward County	\$43.6	2021 - 2025
n/a	Roadway	ATMS Design Group 5	Install ITS system components	Improve systemwide traffic operations	Northwest Broward County	\$44.9	2021 - 2030
10	Roadway	Hiatus Road	Add 2 lanes (from 2 to 4)	Improve level-of-service	Sheridan to Stirling	\$21.7	2021 - 2025
11	Roadway	SR 817/University	Add 2 lanes (from 4 to 6)	Improve level-of-service	Sawgrass Expressway to NW 40 <sup>th</sup> (Cardinal)	\$35.0	2021 - 2030
12	Roadway	NE 6 <sup>th</sup> Avenue	Reconstruct roadway	Improve Safety, Improve Level-of-Service	Prospect to Commercial	\$1.9	2021 - 2025

MapID	Type	Project	Description	Purpose and Need	Location	Cost*	TimePeriod
13	Roadway	Intersection Improvement	Reconstruct intersection	Provide passenger amenities, improve reliability, reduce passenger wait time	SR 7/US 441 and Oakland Park	\$1.8	2021 - 2025
14	Roadway	Intersection Improvement	Reconstruct intersection	Improve traffic flow	Flamingo and SR 820/Pines	\$1.4	2021 - 2025
15	Roadway	Intersection Improvement	Reconstruct intersection	Improve traffic flow	Military and SR 834/Sample	\$1.4	2021 - 2025
16	Roadway	Intersection Improvement	Reconstruct intersection	Improve traffic flow	McKintosh and Eller	\$0.6	2021 - 2025
17	Roadway	Intersection Improvement	Reconstruct intersection	Improve traffic flow	Eller and SR 84/I-595 Frontage	\$0.6	2021 - 2025
18	Roadway	Intersection Improvement	Reconstruct intersection	Improve traffic flow	Eller Extension and SR 84/ I-595 Frontage	\$0.6	2021 - 2025
19	Roadway	Intersection Improvement	Reconstruct intersection	Improve traffic flow	SW 15th and SR 84	\$0.6	2021 - 2025
20	Roadway	Intersection Improvement	Reconstruct intersection	Improve traffic flow	Andrews and SR 84	\$0.2	2021 - 2025
n/a	Program	Complete Streets and other Localized Initiatives	Non-major capital projects	Improve non-auto systems, safety, sustainability and implementation of technology	Broward County	\$129.9	2026 - 2030
21	Transit	SR 817/University	Upgrade corridor to support enhanced bus service	Provide passenger amenities, improve reliability, reduce passenger wait time	Golden Glades to just north of Sample	\$174.3	2026 - 2030
n/a	Roadway	Traveler Information	Install DMS components	Improve systemwide traffic operations	Airport exits	\$57.7	2026 - 2030
22	Roadway	Pembroke Road	Add 2 lanes (from 4 to 6)	Improve level-of-service	US 27 to SW 184 <sup>th</sup>	\$28.9	2026 - 2030

MapID	Type	Project	Description	Purpose and Need	Location	Cost*	TimePeriod
23	Roadway	SR A1A	Reconstruct roadway, add bike lanes and sidewalks	Improve multi-modal level-of-service	SR 858/Hallandale Beach to SR 820/Hollywood	\$16.1	2026 - 2030
24	Roadway	NW 136 <sup>th</sup> Avenue	Add turn-lanes	Improve traffic flow	I-595 to NW 2 <sup>nd</sup>	\$10.3	2026 - 2030
25	Roadway	SW 188 <sup>th</sup> Avenue	Add 2 lanes (from 4 to 6)	Improve level-of-service	Sheridan to SW 63 <sup>rd</sup>	\$9.7	2026 - 2030
26	Roadway	SR 817/University	Add 2 lanes (from 2 to 4)	Improve level-of-service	Holmberg to County Line Road	\$34.1	2026 - 2040
n/a	Roadway	Bridge Improvements	Reconstruct bridges	System preservation	Oakland Park, citywide	\$4.5	2026 - 2030
27	Transit	SR 838/Sunrise	Corridor upgrades to support enhanced bus service	Provide passenger amenities, improve reliability, reduce passenger wait time	Sawgrass Mills Mall to SR A1A	\$4.1	2026 - 2030
28	Roadway	SW 148 <sup>th</sup> Avenue	Add 2 lanes (from 2 to 4)	Improve level-of-service	Bass Creek to Miramar	\$27.3	2026 - 2040
29	Roadway	Wiles Road	Reconstruct roadway, add bike lanes and sidewalks	Improve multi-modal level-of-service	Sawgrass Expressway to Coral Ridge	\$3.5	2026 - 2030
30	Roadway	Pembroke Road	Add 2 lanes (from 4 to 6)	Improve level-of-service	SW 196 <sup>th</sup> and SW 184 <sup>th</sup>	\$3.1	2026 - 2030
31	Roadway	Intersection Improvement	Reconstruct intersection, including the eliminate eastbound turn-lane	Improve traffic flow	SR 820/Hollywood and 62 <sup>nd</sup>	\$0.3	2026 - 2030
n/a	Program	Complete Streets and other Localized Initiatives	Non-major capital projects	Improve non-auto systems, safety, sustainability and implementation of technology	Broward County	\$259.8	2031 - 2040
32	Transit	SR 7/US 441	Corridor upgrades to support enhanced bus service	Provide passenger amenities, improve reliability, reduce passenger wait time	Golden Glades to Sample	\$386.2	2031 - 2040

MapID	Type	Project	Description	Purpose and Need	Location	Cost*	TimePeriod
33	Roadway	SW 184 <sup>th</sup> Avenue	Construct new 4 lane roadway	Improve level-of-service	Sheridan to SR 818/Griffin	\$72.4	2031 - 2040
34	Roadway	SR 845/Powerline	Reconstruct roadway to include multimodal alternatives	Improve multi-modal level-of-service	SW 10 <sup>th</sup> to Palmetto Park	\$64.9	2031 - 2040
35	Roadway	SE 2 <sup>nd</sup> Street Extension	Construct new 2 lane roadway	Complete roadway network	SR 5/US 1 to Layne	\$56.6	2031 - 2040
36	Roadway	SW 196 <sup>th</sup> Avenue	Add 2 lanes (from 2 to 4)	Improve level-of-service	Miramar to Pines	\$47.5	2031 - 2040
37	Roadway	Interchange Modification	Reconstruct interchange, including improved turning radii at ramps	Improve safety, improve level-of-service, facilitate goods movement	I-95 and SR 84	\$38.6	2031 - 2040
38	Roadway	Pembroke Road	Add 2 lanes (from 4 to 6)	Improve level-of-service	Douglas to University	\$25.3	2031 - 2040
39	Roadway	SE 9 <sup>th</sup> Street	Upgrade railroad crossing	Improve safety, improve level-of-service, facilitate goods movement	FEC and SE 9 <sup>th</sup> Street	\$15.6	2031 - 2040
40	Roadway	Pembroke Road	Restripe to 6 lanes	Improve level-of-service	SR 7/US 441 to Florida Turnpike	\$13.1	2031 - 2040
<b>TOTAL</b>						<b>\$2,254.1</b>	

\* Millions in year of expenditure.



## Federal Strategies for Implementing Requirements for LRTP Update for the Florida MPOs

November 2012

The Federal Highway Administration (FHWA), in cooperation with the Federal Transit Administration (FTA), developed the following summary to provide clarification to the Florida Department of Transportation (FDOT) and Florida's Metropolitan Planning Organizations (MPOs) regarding our expectations for meeting some of the requirements to be addressed in the next cycle of Long Range Transportation Plan (LRTP) updates. 23 CFR 450.306, 316 and 322 describe the basic requirements of the metropolitan transportation planning process, including a documented public participation plan and development and content of the metropolitan transportation plans respectively. The following information is presented to highlight notable areas for improvement, as well as those of potential concern, and to assist the MPOs in meeting federal planning requirements. Additional areas may be addressed on an individual MPO basis as needed throughout the LRTP development process.

Because projects in a Transportation Improvement Program (TIP) are required to demonstrate planning consistency with the LRTP, the requirements for project inclusion in a TIP must also be considered when developing the LRTP. As a reminder, projects that need to be included in the TIP are: all projects using FHWA and/or FTA funds; all regionally significant projects requiring an FHWA or FTA action regardless of funding source; and regionally significant projects to be funded with Federal funds other than those administered by FHWA or FTA or regionally significant projects funded with non-federal funds (23 CFR 450.324(d)). There are exceptions for certain projects such as emergency relief and state planning and research projects. All of the exempt project categories can be found in 23 CFR 450.324(c). The reference to regionally significant projects applies to capacity and non-capacity projects. Capacity projects are projects that expand the capacity of existing transportation systems, such as adding lanes to roadways, new/expanded rail service and intermodal facilities. Non-capacity projects are activities that are designed to support, operate and maintain the state transportation system (See Appendix 1 for a list of capacity and non-capacity programs/activities).

Projects in the LRTP: Recently we have been responding to several questions regarding types of projects that need to be included in the LRTP. As stated in 23 CFR 450.322(f), the LRTP is required to include the projected transportation demand in the planning area, the existing and proposed transportation facilities that function as an integrated system, operational and management strategies, consideration of the results of the Congestion Management Plan, strategies to preserve the existing and projected future transportation infrastructure, pedestrian and bicycle facilities, and transportation and transit enhancement activities.

As noted in 23 CFR 450.104, a regionally significant project means a transportation project (other than projects that may be grouped in the TIP and/or STIP or exempt projects as defined in EPA's transportation conformity regulation (40 CFR part 93.126, 127 and 128)) that is on a facility which serves regional transportation needs (such as access to and from the area outside the region; major activity centers in the region; major planned developments such as new retail malls, sports complexes, or employment centers; or transportation terminals) and would normally be included in the modeling of the metropolitan area's transportation network. At a minimum, this includes all principal arterial highways and all fixed guideway transit facilities that offer a significant alternative to regional highway travel.

If a project meets the definition of regionally significant, then the project must be included in the Cost Feasible LRTP regardless of the project's activities (i.e. construction, facility widening, ITS installations, etc.).

Grouped Projects in the LRTP: Federal regulations allow a specifically defined type of project(s) to be grouped in the TIP. Similar groupings in the LRTP would be permissible. However, the ability to group project(s) depends on the regional significance of the project(s). Grouped projects in the TIP are typically ones that are not of an appropriate scale to be individually identified and can be combined with other projects which are similar in function, work type, and/or geographic area. Classifications of these grouped project types are listed under 23 CFR 771.117(c) and (d) and/or 40 CFR part 93. Examples are: activities which do not involve or lead directly to construction (such as planning and technical studies or grants for training and research programs); construction of non-regionally significant bicycle and

pedestrian lanes, paths, and facilities; landscaping; installation of fencing, signs, pavement markings, small passenger shelters, traffic signals, and railroad warning devices where no substantial land acquisition or traffic disruption will occur; rest areas and truck weigh stations; ridesharing activities; and highway safety or traffic operations improvement projects. Therefore, if grouping projects in the LRTP, the groups need to be specific enough to determine consistency between the LRTP and the TIP.

### Fiscal Constraint

*Operations & Maintenance:* LRTP cost estimates need to be provided for the Operations and Maintenance (O&M) activities for the entire timeframe of the LRTP. System level estimates for O&M costs may be shown for each of the five-year cost bands or may be provided as a total estimate for the full LRTP timeframe. System level is interpreted to mean the system within the MPO planning boundaries. Local agencies, working with the MPO, need to provide cost estimates for locally-maintained facilities covered in the Plan. FDOT, working with the MPO, needs to provide cost estimates for the state-maintained facilities covered in the Plan. System level estimates at the FDOT District level are acceptable for the state-maintained facilities. The LRTP will also need to identify the general source of funding for the O&M activities. Since O&M costs and related revenues are not available to balance the fiscal constraint of capital investment projects, a clear separation of costs for operations and maintenance activities from other grouped and/or regionally significant projects will need to be shown in order to demonstrate fiscal constraint. (23 CFR 450.322(f)(10)(i)).

*Total Project Costs:* For total project costs, all phases of a project must be described in sufficient detail to estimate and provide an estimated total project cost and explain how the project is expected to be implemented. Any project which will go beyond the horizon year of the LRTP must include an explanation of the project elements beyond the horizon year and what phases/work will be performed beyond the horizon year of the plan. The costs of work and phases beyond the horizon year of the plan must be estimated using Year of Expenditure (YOE) methodologies and the estimated completion date may be described as a band (i.e. Construction expected 2040-2050, \$40M). If there is more than one phase remaining to be funded, these may be shown as a combined line item for the project (i.e. ROW/Construction expected 2040-2050,

\$50M). FHWA does not expect that this paragraph will apply to routine system preservation or maintenance activities. Total project costs will be shown for capacity expansion projects and for regionally significant projects. (23 CFR 450.322(f)).

Cost Feasible Plan: Revenues to support the costs associated with the work/phase must be demonstrated. For a project to be included in the cost feasible plan, an estimate of the cost and source of funding for each phase of the project being funded (including the Project Development and Environment (PD&E) phase) must be included. The phases to be shown in LRTPs include Preliminary Engineering, ROW and Construction (FHWA and FTA support the option of combining PD&E and Design phases into “Preliminary Engineering”). Boxed funds can be utilized as appropriate to finance projects. **However, the individual projects utilizing the box need to be listed, or at a minimum, described in bulk in the LRTP (i.e. PD&E for projects in Years 2016-2020).** (23 CFR 450.322(f)(10)).

New Revenue Sources: If the LRTP assumes a new revenue source as part of the cost feasible plan, the source must be clearly explained, why it is considered to be reasonably available, when it will be available, what actions would need to be taken for the revenue to be available, and what would happen with projects if the revenue source was not available. If, for example, the most recent action of a governing body or a referendum of the public defeated a similar revenue source, then the new revenue source may not be included in the Cost Feasible LRTP unless the MPO can justify the revenue source and explain the difference between the action that failed and the action being proposed (for further details, please see FHWA Guidance Financial Planning and Fiscal Constraint for Transportation Plans and Programs issued by Gloria Shepherd, Associate Administrator for Planning, Environment and Realty on April 17, 2009). This applies to all revenue sources in the LRTP (i.e. federal, state, local, private, etc.)

Federal Revenue Sources: Federal and state participation on projects in the Cost Feasible LRTP can be shown as a combined source for the cost feasible projects. Projects within the first ten years of the Plan must be notated or flagged to identify which projects are planned to be implemented with federal funds. Beyond the first ten year period, the specific federal funding notation is not expected. The project funding, however, must be clearly labeled as a combined Federal/State source in the Cost Feasible LRTP. (23 CFR 450.322(10)f(iii))

For FTA funded projects, MAP-21 has repealed eight programs from SAFETEA-LU and shifted many of the eligible activities to formula programs. Repealed programs (or uses consolidated in other formula programs) include Clean Fuels (5308), Fixed Guideway Modernization (5309), Bus and Bus Facilities (5309), JARC (5316), New Freedom (5317), Paul Sarbanes Transit in the Parks (5320), Alternatives Analysis (5339) and Over the Road Bus (3038). Formula programs now include Metropolitan Planning and State Planning (5305); Urbanized Area Formula (5307); Enhanced Mobility of Seniors and Persons with Disability (5310); Rural Area Formula (5311) and RTAP (5311); Formula Grants for Public Transportation on Indian Reservations (5311); Research and Development, Demonstration and Deployment (5312), State of Good Repair (5337), Bus and Bus Facilities Formula Grants (5339). Eligible new uses which are notable include Safety Programs and Transit Asset Management, Operations in areas with 200,000 or more population with up to 100 buses; Transit Oriented Development Planning and Bus Rapid Transit demonstration projects; Core Capacity Improvements and several others.

Discretionary awards that have been repealed under MAP-21 however, may have unspent funds awarded under SAFETEA-LU in the repealed programs that still must be shown in the LRTP, TIP and STIP to obligate the funds in FTA's TEAM system. Hence, project categories such as Bus Livability, Clean Fuels, Alternatives Analysis, Transit in the Parks, etc.) may still need to be described and/or pursued by the transit grantee within the LRTP for FFY 2011 and FFY 2012 funds remaining. However, MAP-21 greatly reduced the number and type of discretionary awards through FTA. As such, the MPO and the transit grantee may no longer need to consider how to account for the possibility of placing a discretionary transit project through a competitive award (as well as formula funds) as part of the cost feasible LRTP except for New Starts, Small Starts, Core Capacity, Bus Rapid Transit Demonstration or Transit Oriented Development Demonstration Planning programs.

The purpose, need and perceived benefit of the transit project as well as geographic distribution of funds may play a role in project selection. As such, a transit needs plan with projects which may be unfunded when the LRTP is prepared may need to be considered, especially for major New Start/Small Start and other capital projects like the new Core Capacity program which must

eventually be placed within the cost feasible LRTP to have funds awarded. Regardless, discretionary awards if any must also be eventually listed within the cost feasible LRTP for FTA to obligate the awarded funds in a grant to a transit grantee.

Full Timespan of the LRTP: The LRTP is a document that has a planning horizon of at least 20 years. The LRTP is based upon the region's visioning of the future within the bounds of the financial resources that are available to the region during that timeframe. The LRTP is not a programming document, but rather a planning document that describes how the implementation of projects will help achieve the vision. Therefore, the MPOs will need to show all the projects and project funding for the entire time period covered by the LRTP, from the base year to the horizon year. (23 CFR 450.322(a))

Environmental Mitigation: For highway projects, the LRTP must include a discussion on the types of potential environmental mitigation activities and opportunities which are developed in consultation with Federal, State and Tribal wildlife, land management and regulatory agencies. This discussion should occur at more of a system-wide level to identify areas where mitigation may be undertaken (perhaps illustrated on a map) and what kinds of mitigation strategies, policies and/or programs may be used. This discussion in the LRTP would identify broader environmental mitigation needs and opportunities that individual transportation projects might later take advantage of. MPOs should be aware that the use of ETDM alone is not environmental mitigation. That effort would be considered project screening and is not a system-wide review. Documentation of the consultation with the relevant agencies should be maintained by the MPO. (23 CFR 450.322(f)(7) and (g))

For transit capital projects, the environmental class of action is usually considered by FTA regional offices in concert with transit grantees as the projects are analyzed and developed. Transit maintenance and transfer facilities and major capacity projects like light, heavy or commuter rail, BRT, etc. may require a separate National Environmental Policy Act (NEPA) document while acquisition of vehicles, provision of repairs, planning studies, engineering, etc, would not require a document. As such, environmental mitigation issues would tend to be developed as part of the NEPA document for specific projects with a NEPA decision made prior

to the award of FTA funds. Likewise, transit environmental benefits like reduction in SOV trips and VMT, reduction in greenhouse gases, pedestrian and bicycle linkages, transit oriented/compact development (which is more walkable) may need to be stated within the broad parameters in the LRTP. Most FTA planning studies are required to be listed in the Unified Planning Work Program (UPWP) and not necessarily the TIP and STIP (although many MPO's still list the studies in the TIP and STIP). Preliminary engineering, final design, right of way, utility relocation, construction, etc. for transit capital projects would need to be listed in the LRTP, TIP and STIP.

Linking Planning and NEPA: Since 2008, prior to FHWA approving an environmental document (Type-2 Categorical Exclusion, Finding of No Significant Impact, or Record of Decision) and thereby granting location design concept approval, the project must be determined to be consistent within the LRTP, the TIP and Statewide Transportation Improvement Program (STIP). The project consistency refers to the description (for example project name, termini and work activity) between the LRTP, the TIP and the STIP (23 CFR 450.216(k), 450.324(g) and 450.216(b)). The NEPA document must also describe how the project is going to be implemented and funded. The project implementation description in the NEPA document needs to be consistent with the implementation schedule in the LRTP and TIP/STIP as well.

LRTP Documentation/Final Board Approval: FHWA and FTA expect that at the time the MPO board adopts the LRTP, a substantial amount of LRTP analysis and documentation will have been completed, and all final documentation will be available for distribution no later than 90 days after the plan's adoption. The Board and its advisory committees, as well as the public should have periodically reviewed and commented on products from interim tasks and reports that culminate into the final Plan. Finalizing the LRTP and its supporting documentation should be the last activity in a lengthy process. All final documents should be posted online and available through the MPO office no later than 90 days after adoption. The MPOs' schedules for this round of LRTP development are expected to allow for the Board to adopt the final LRTP no later than 5 years from the MPOs' adoption of the previous LRTP.

Documented LRTP Modification Procedures: If not already in place, MPOs need established written and Board approved procedures that document how modifications to the LRTP are addressed after Board adoption. The procedures should specifically explain what qualifies as a modification as opposed to an amendment as defined in 23 CFR 450.104. These procedures can be included as part of the LRTP, the PPP, or provided elsewhere as appropriate. FHWA is currently beginning work with FDOT and the MPOs on an LRTP amendment process which will include statewide procedures and thresholds, similar to the STIP amendment process. This effort will assist the MPOs in determining when LRTP amendments are required.

LRTP & STIP/TIP Amendment Consistency: The STIP and TIPs must be consistent with the relevant LRTPs. When amendments to the STIP/TIP are made, the projects must also be consistent with the LRTP from which they are derived. FHWA and FTA staff will be checking for this consistency. Projects with inconsistencies between the STIP/TIP and the respective LRTP will not be approved for use of federal funds or federal action until the issue is addressed. (23 CFR 450.328 and 23 CFR 450.216(b))

FHWA and FTA understand that when developing project cost estimates in an LRTP, the cost is an estimate which becomes more refined as a project advances. Projects being refined between plans **will not be required to update their costs in the existing LRTP if new, more accurate information regarding project cost becomes available.** However, it is expected that upon the next scheduled adoption of the LRTP, the latest project cost estimates shall be used.

### Transit Projects and Studies

Major Transit Capital Projects: For LRTP development purposes, federal funding sources for major transit capital projects must be proposed and may not currently be identifiable (or currently allocated) for use in the urbanized area. The Federal Transit Administration funds projects such as New Start rail and BRT, as well as major capital facilities such as administrative buildings or maintenance facilities with formula and/or discretionary program dollars allocated on an annual basis. As mentioned, MAP-21 made changes to and reductions in transit discretionary programs. Therefore in order to plan for a transit “New Start” in the LRTP, the MPO must assume they will be successful in competing for discretionary FTA New Starts



program dollars. A reasonable funding mix might be to assume 50% FTA/25% Local/25% State funding, as is currently the norm in Florida. Also, MAP-21 greatly expands the use of TIFIA loans. Grantees may be proposing use of a TIFIA loan or other loan to help bridge the gap in capital financing for a New Start which in some cases for large projects in multiple phases may take up to five years to design and build (per phase).

With regard to the planning of a major capital transit facility other than a New Start, the assumption must be made that FTA program funds such as “State of Good Repair” or “Bus and Bus Facilities” will be awarded to the transit system based on formula. As mentioned, large discretionary awards will be fewer under MAP-21. In most cases, a likely funding mix for State of Good Repair or Bus and Bus Facilities might be 80% FTA/20% local, or up to 100% FTA matched with toll revenue credits.

*Transit Facility:* The transit grantee may propose a specific transit maintenance facility, transfer facility, multi-modal station, park n ride lot with transit service or other transit facility for rehabilitation, renovation or new construction. Generally, such facility improvements remain eligible for FTA 5307, 5309, 5337 (new State of Good Repair formula program), 5339 (new bus and bus facility formula program) funds from FTA, or for FLEX funds from FHWA flexed to FTA for the transit use by the transit grantee. At a minimum, such facilities should be contained within the TIP, STIP and be “consistent with” the LRTP. For example, consistent with the LRTP might mean a general statement, paragraph, line item or section on the specific facilities and their general location if known. Inclusion might also mention feasibility studies, preliminary engineering, appraisals, final design, property acquisition and relocation (if any) and NEPA documents and perhaps the intent to seek local, state or federal funding for same. The award of such funds may require an LRTP amendment to show such funds in the constrained LRTP.

*Transit Service including Fixed Route Bus, Deviated Route, Para-transit, Enhanced or Express Bus:* The transit grantee may propose a specific new transit service for a new area or corridor. Generally, such new service is eligible for 5307 or 5310 funds from FTA, or for L230 FLEX funds from FHWA to the transit grantee. At a minimum, such new service should be “consistent with” the LRTP. For example, consistent with the LRTP might mean a general statement, paragraph, line item or section on the specific service improvements to be undertaken (and the general location if known). Inclusion might also mention feasibility studies, operational

plans, strategic plans and perhaps the intent to seek local, state or federal funding for same. The award of such funds may require an LRTP amendment to show such funds.

*Transit Service Including Bus Rapid Transit (BRT), Light Rail Transit (LRT) Heavy Rail Transit (HRT), Commuter Rail Transit (CRT), Streetcar through the New Starts/Small Starts Program:*

The transit grantee may propose a specific new fixed guideway transit service (like BRT, LRT, HRT, CRT or Streetcar) to serve a new area or corridor as part of FTA's New Starts/Small Starts or Core Capacity Program. Generally, such new service is eligible for 5307 or 5309 funds from FTA, or for FLEX funds from FHWA to the transit grantee. At a minimum, such new service should be "consistent with" the LRTP. As such service may be a large capital expenditure, the project, termini and cost would need to be specified in the constrained LRTP. Inclusion might also mention feasibility studies, NEPA studies, preliminary engineering and final design, right of way acquisition, operational plans, modeling improvements, strategic plans and perhaps the intent to seek local, state or federal funding for same. **The award of such funds would require an LRTP amendment to show such funds in the constrained LRTP.**

Emerging Issues

This section describes topics that may not currently be required by federal laws and rules to be addressed in LRTPs. **As such, MPOs are not required to include these considerations in their current planning processes and plans.** However, these issues are receiving considerable attention in discussions related to the passage of Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21). Each MPO has the discretion to determine whether or not to address these topics in their LRTP at this time, and the appropriate level of detail. Depending upon when MAP-21 implementing guidance is released, the new requirements may have to be addressed within a short timeframe. So beginning to address these issues early on may potentially minimize the level of effort needed to achieve future compliance.

*Safety and Transit Asset Management:* MAP-21 also includes significant additions to safety planning and transit asset management on the part of transit grantees and the states. Federal Register guidance is expected on transit safety and transit asset management within the near future.

*Performance Measurement:* FHWA and FTA encourage the MPOs to consider ways to incorporate performance measures/metrics for system-wide operation, as well as more localized measures/metrics into their LRTPs. As funding for transportation capacity projects becomes more limited, increasing emphasis will be placed on maximizing the efficiency and effectiveness of our current transportation system. Consequently, measures to assess the LRTP's effectiveness in increasing system performance will be needed. Per the recent passage of MAP-21, USDOT will establish performance measures in consultation with State DOTs, MPOs and other stakeholders within 18 months of MAP-21's enactment. Once performance measures are identified, the States will have up to one year to set state level targets. Once state level targets have been set, MPOs will have up to six-month to set local level targets that support the state targets. The process and schedule for performance measure implementation and LRTP documentation is expected to evolve over the next two years.

*Freight:* The planning process is required to address the eight planning factors as described in 23 CFR 450.306(a). The degree to which each factor is addressed will vary depending upon the unique conditions of the MPO areas, but efforts should be made to think through and carefully consider how to address each factor. The importance of freight to the nation's economic well-being and global competitiveness, as well as its support and promotion of job creation and retention has heightened its status at the national and regional level. MPOs should be aware that discussions in MAP-21 have largely included a reference to the increasing importance of freight, including the development of Statewide Freight Plans. While this is part of one of the eight planning factors, special emphasis should be given to the freight factor, as it is anticipated to play a more prominent role in future planning requirements.

*Sustainable Transportation and Context Sensitive Solutions:* The MPOs are encouraged to identify and suggest contextual solutions for appropriate transportation corridors. For example, Context Sensitive Solutions (CSS) may be appropriate for historic parkways, historic districts, town centers, dense "walkable" neighborhood areas, arterial "gateways", greenway trails and pedestrian ways, environmentally sensitive areas or simply where right of way is not readily available. Under MAP-21, Transportation Alternatives like bicycle and pedestrian

improvements and trails remain eligible under the formula programs while transportation enhancement set-asides have been removed and some uses like historic building renovation and scenic easements may be more restrictive. The value of the resources present may suggest the need for alternative or special treatments (or even accepting a level of congestion and lower speeds that respects the resources). In these instances, specific livability principles adopted by the MPO might be employed for improved pedestrian and transit access – especially to schools and even traffic calming.

Also, spatial relationships that support public transit like transit oriented development and the “trip not taken” while reducing greenhouse gases might be recognized as characteristics of a town center or mixed use area with public transit access. Other livability planning goals might also need to be recognized like preserving affordable housing, improving/preserving special resources like parks, monuments and tourism areas, increasing floor area ratios and reducing parking minimums in select corridors to encourage walking trips and public transit, transportation demand management, etc.

### Proactive Improvements

This section describes topics that are not currently required by federal laws and rules to be addressed in LRTPs. As such, MPOs are not required to include these considerations in their current planning processes and plans. These areas are intended to be a proactive change in the LRTPs to help Florida continue to make positive strides in long range planning.

*Linking Planning and NEPA:* For highway projects, we are continually looking for strategies that improve the linkage between planning and environmental processes. For the inclusion of regionally significant projects in the Cost Feasible Plan of the LRTP, MPOs should strongly consider including a purpose and need statement for the project in the LRTP. This purpose and need statement will be carried into the National Environmental Policy Act (NEPA) process and will be one way to enhance the linkage between planning and NEPA. For example, this purpose and need statement could briefly provide the rationale as to why the project warranted inclusion in the LRTP. (450.324 (d); 450 Appendix A to Part 450, Section II Substantive Issues, 8)

*Climate Change:* MPOs may also wish to give consideration to climate change and strategies which minimize impacts from the transportation system. FHWA supports and recognizes the importance of exploring the effects of climate change on transportation, as well as the limited environmental resources and fuel alternatives. State legislation now encourages each MPO to consider strategies that integrate transportation and land use planning in their LRTP to provide for sustainable development and reduce greenhouse gas emissions, as well as include energy considerations in all state, regional and local planning. As a result, MPO LRTP Updates are encouraged to include discussions and strategies aimed at addressing this issue.

*Scenario Planning:* Pursuant to MAP-21, MPOs may elect to develop multiple scenarios for consideration in the development of the LRTP. If the MPO chooses to develop these scenarios, it is encouraged to consider a number of factors including potential regional investment strategies, assumed distribution of population and employment, a scenario that maintains baseline conditions for identified performance measures, revenue constrained scenarios, and estimated costs and potential revenue available to support each scenario.

Appendix 1

Description of the Major Programs Included in the 2035 Revenue Forecast

Capacity Programs	Non-Capacity Programs
<u>SIS Highways/ FIHS Construction &amp; ROW</u> - Construction, improvements, and associated right of way on SIS highways and the FIHS (i.e., Interstate, the Turnpike, other toll roads, and other facilities designed to serve interstate and regional commerce including SIS Connectors).	<u>Safety</u> - Includes the Highway Safety Improvement Program, the Traffic Safety Grant Program, Bicycle/Pedestrian Safety activities, the Industrial Safety Program, and general safety issues on a Department-wide basis.
<u>Aviation</u> - Financial and technical assistance to Florida's airports in the areas of safety, capacity improvements, land acquisition, planning, economic development, and preservation.	<u>Resurfacing</u> - Resurfacing of pavements on the State Highway System and local roads as provided by state law.
<u>Rail</u> - Rail safety inspections, rail-highway grade crossing safety, acquisition of rail corridors, assistance in developing intercity and commuter rail service, and rehabilitation of rail facilities.	<u>Bridge</u> - Repair and replace deficient bridges on the state highway system. In addition, 15% of federal bridge funds must be expended off the federal highway system (e.g., on local bridges not on the State Highway System).
<u>Intermodal Access</u> - Improving access to intermodal facilities and acquisition of associated rights of way.	<u>Product Support</u> - Planning and engineering required to "produce" FDOT products and services (i.e., each capacity program; Safety, Resurfacing, and Bridge Programs).
<u>Seaport Development</u> - Funding for the development of eligible ports, including projects such as land acquisition, dredging, construction of storage facilities and terminals, and acquisition of container cranes and other equipment used in moving cargo and passengers.	<u>Operations &amp; Maintenance</u> - Activities to support and maintain transportation infrastructure once it is constructed and in place.
<u>Other Arterial Construction/ROW</u> - Construction, improvements, and associated right of way on State Highway System roadways not designated as part of the SIS or FIHS. Also includes funding for the Economic Development Program, the County Incentive Grant Program., and the Small County Outreach Program.	<u>Administration</u> - Resources required to perform the fiscal, budget, personnel, executive direction, document reproduction, and contract functions. Also includes the Fixed Capital Outlay Program, which provides for the purchase, construction, and improvement of non-highway fixed assets (e.g., offices, maintenance yards).
<u>Transit</u> - Technical and operating/capital assistance to transit, paratransit, and ridesharing systems.	<u>Other</u> - Technically, this category is not a "program." It primarily represents FDOT financial commitments such as debt service and reimbursements to local governments.

Agenda Item  
**No. 6**

## COMPLETE STREETS AND OTHER LOCALIZED INITIATIVES

<b>PURPOSE:</b>	<i>Commitment 2040</i> consolidates eligible classes of non-major capital projects into one (1) program with (4) primary classifications: Complete Streets, Safety and Security, Sustainability Initiatives, and Technology Advancement. This program is intended to “fast track” delivery of projects that typically qualify as categorical exclusions (CE) or 4(f) conditions under the National Environmental Protection Act (NEPA). An annual process will evaluate <sup>1</sup> and fund these projects based on consistency with the plan’s goals and objectives.
<b>ENABLING LEGISLATION:</b>	23 USC § 134 (J)(3)(2) and 23 USC § 134 (I)
<b>FUNDING SOURCE(S):</b>	Approximately \$571.6 million (\$27.2 million/yearly) of discretionary Federal and State funds allocated to the Broward MPO
<b>EXAMPLES OF CANDIDATE PROJECTS:</b>	<p><u>Complete Streets:</u> Bicycle, pedestrian, transit facilities and amenities, etc.</p> <p><u>Safety and Security:</u> Education, intersection improvements, traffic calming, safe routes to schools, etc.</p> <p><u>Sustainability Initiatives:</u> Mobility hubs, greenways, quiet zones, etc.</p> <p><u>Technology Advancement:</u> Signalization, Transit Signal Priority (TSP), Intelligent Transportation Systems (ITS), etc.</p>
<b>MATCH REQUIREMENT:</b>	None
<b>ELIGIBLE USES:</b>	Planning <sup>2</sup> , design, right-of-way, construction
<b>ELIGIBLE RECIPIENTS:</b>	Local governments, regional transportation authorities, transit agencies, natural resource or public land agencies, school districts, local education agencies, schools and tribal governments
<b>AWARD PROCESS:</b>	(1) Broward MPO opens periodic award/funding cycle, (2) the MPO receives applications, (3) the MPO ranks projects based on MPO policy and project eligibility <sup>3</sup> , and (4) the budgeted amount of funding will be added to the subsequent TIP as a single line item. This program, including evaluation and ranking methodologies, will be developed within six (6) months of plan adoption.

**DRAFT**

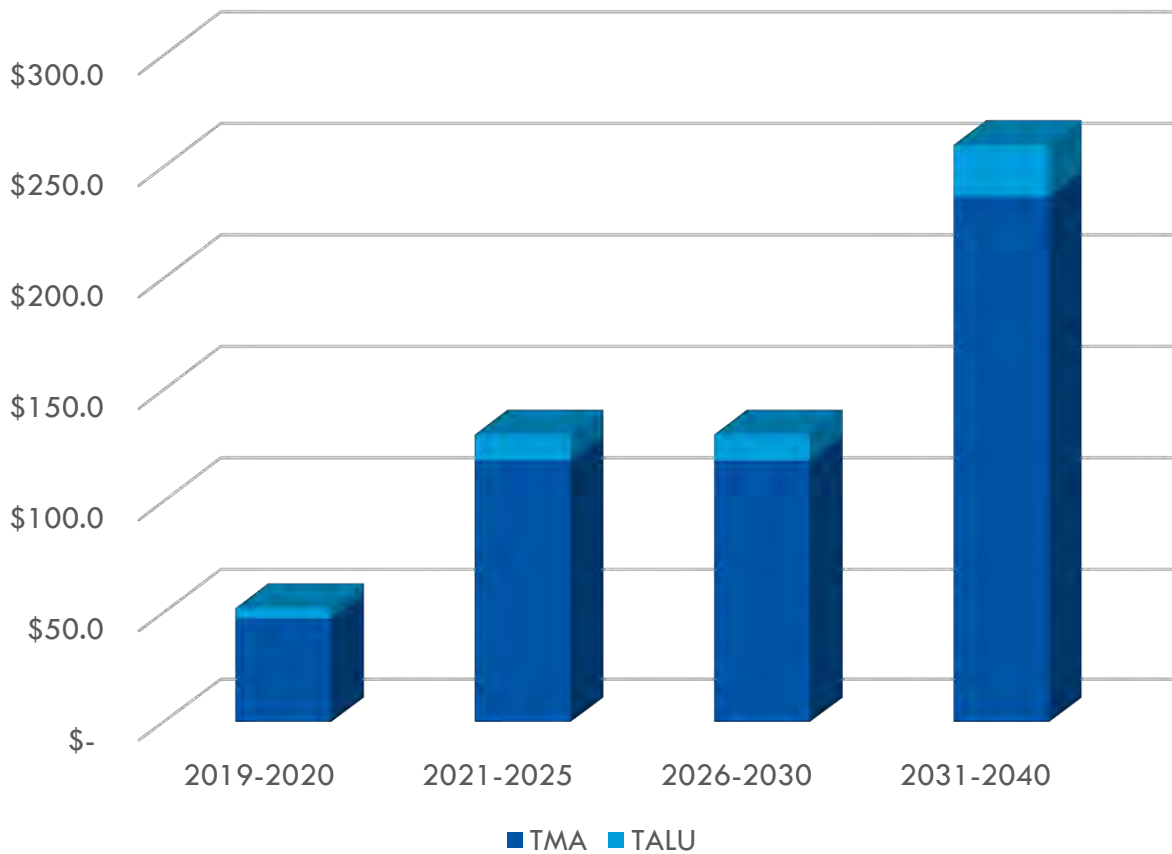
<sup>1</sup> The evaluation process includes a consistency check with adopted Comprehensive Plans, the Strategic Highway Safety Plan, ITS architecture(s), bike/pedestrian plans, etc., depending on the project being evaluated.

<sup>2</sup> Planning is an eligible activity only under certain funding categories.

<sup>3</sup> A consultative process will determine the project selection methodology based on criteria established from the *Commitment 2040* public outreach process, applicable regulations and other criteria including Title VI and Environmental Justice directives.



**ESTIMATES OF AVAILABLE FUNDING BY SOURCE AND FISCAL YEAR (MILLIONS OF DOLLARS)<sup>4</sup>**



**FUNDING TARGETS PROVIDED BY THE BROWARD MPO BOARD BY FISCAL YEAR (MILLIONS OF DOLLARS)<sup>5</sup>**

CLASSIFICATIONS	2019-2020	2021-2025	2026-2030	2031-2040	TOTALS
Complete Streets	\$13.0	\$32.5	\$32.5	\$65.0	<b>\$142.9</b>
Safety and Security	\$15.1	\$37.7	\$37.7	\$75.3	<b>\$165.8</b>
Sustainability Initiatives	\$9.9	\$24.7	\$24.7	\$49.4	<b>\$108.6</b>
Technology Advancement	\$14.0	\$35.1	\$35.1	\$70.1	<b>\$154.3</b>
<b>TOTALS</b>	<b>\$52.0</b>	<b>\$129.9</b>	<b>\$129.9</b>	<b>\$259.8</b>	<b>\$571.6</b>

For additional information on the Broward MPO and *Commitment 2040*, visit [www.browardmpo.org](http://www.browardmpo.org).

<sup>4</sup> Transportation Management Area (TMA) and Transportation Alternatives Urban Area (TALU) funds are allocated to the Broward MPO through the Florida Department of Transportation (FDOT) for localized improvements.

<sup>5</sup> Funding targets for each classification were developed from the results of an interactive polling session conducted at a *Financial Resources Workshop* with Broward MPO Board on November 21, 2013.

## **US Code**

*(Unofficial compilation from the Legal Information Institute)*

### **TITLE 23—HIGHWAYS**

*Please Note: This compilation of the US Code, current as of Jan. 4, 2012 , has been prepared by the Legal Information Institute using data from the U.S. House of Representatives, Office of the Law Revision Counsel. It is not an official U.S. government publication. For more details please see: <http://www.law.cornell.edu/uscode/uscpint.html>.*

*Notes on this document: The content in this document is taken directly from the US Code, with the following exceptions: page headers and footers, page numbering, and all formatting are artifacts of this presentation. Divider lines have been inserted between sections. The notes are set off by a vertical line and a larger left margin. The table of contents immediately following this title page is machine-generated from the headings in this portion of the Code. Commonly available fonts are used.*

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<b>TITLE 23 - HIGHWAYS</b>	<b>1</b>
<b>CHAPTER 1 - FEDERAL-AID HIGHWAYS</b>	<b>6</b>
§ 101. Definitions and declaration of policy	9
§ 102. Program efficiencies	46
§ 103. Federal-aid systems	47
§ 104. Apportionment	61
§ 105. Equity bonus program	97
§ 106. Project approval and oversight	100
§ 107. Acquisition of rights-of-way—Interstate System	105
§ 108. Advance acquisition of real property	106
§ 109. Standards	109
§ 110. Revenue aligned budget authority	119
§ 111. Agreements relating to use of and access to rights-of-way—Interstate System	122
§ 112. Letting of contracts	124
§ 113. Prevailing rate of wage	130
§ 114. Construction	131
§ 115. Advance construction	135
§ 116. Maintenance	138
§ 117. High priority projects program	140
§ 118. Availability of funds	142
§ 119. Interstate maintenance program	147
§ 120. Federal share payable	152
§ 121. Payment to States for construction	161
§ 122. Payments to States for bond and other debt instrument financing	162
§ 123. Relocation of utility facilities	163
§ 124. Advances to States	164
§ 125. Emergency relief	165
§ 126. Uniform transferability of Federal-aid highway funds	169
§ 127. Vehicle weight limitations—Interstate System	170
§ 128. Public hearings	179
§ 129. Toll roads, bridges, tunnels, and ferries	180
§ 130. Railway-highway crossings	191
§ 131. Control of outdoor advertising	198
§ 132. Payments on Federal-aid projects undertaken by a Federal agency	206
§ 133. Surface transportation program	206
<b>§ 134. Metropolitan transportation planning</b>	<b>213</b>
§ 135. Statewide transportation planning	227
§ 136. Control of junkyards	236
§ 137. Fringe and corridor parking facilities	238
§ 138. Preservation of parklands	240
§ 139. Efficient environmental reviews for project decisionmaking	243
§ 140. Nondiscrimination	249
§ 141. Enforcement of requirements	252
§ 142. Public transportation	254
§ 143. Highway use tax evasion projects	258
§ 144. Highway bridge program	261
§ 145. Federal-State relationship	275
§ 146. Carpool and vanpool projects	276
§ 147. Construction of ferry boats and ferry terminal facilities	277
§ 148. Highway safety improvement program	278
§ 149. Congestion mitigation and air quality improvement program	283

§ 150. Repealed. Pub. L. 105–178, title I, § 1103(l)(5), as added Pub. L. 105–206, title IX, § 9002(c)(1), July 22, 1998, 112 Stat. 834]	290
§ 151. National bridge inspection program	291
§ 152. Hazard elimination program	291
§ 153. Use of safety belts and motorcycle helmets	293
§ 154. Open container requirements	296
§ 155. Access highways to public recreation areas on certain lakes	298
§ 156. Proceeds from the sale or lease of real property	299
§ 157. Safety incentive grants for use of seat belts	300
§ 158. National minimum drinking age	304
§ 159. Revocation or suspension of drivers' licenses of individuals convicted of drug offenses	305
§ 160. Reimbursement for segments of the Interstate System constructed without Federal assistance	308
§ 161. Operation of motor vehicles by intoxicated minors	310
§ 162. National scenic byways program	311
§ 163. Safety incentives to prevent operation of motor vehicles by intoxicated persons	313
§ 164. Minimum penalties for repeat offenders for driving while intoxicated or driving under the influence	315
§ 165. Puerto Rico highway program	317
§ 166. HOV facilities	318
§§ 181 to 190. Renumbered §§ 601 to 610]	321
<b>CHAPTER 2 - OTHER HIGHWAYS</b>	<b>322</b>
§ 201. Authorizations	322
§ 202. Allocations	323
§ 203. Availability of funds	331
§ 204. Federal Lands Highways Program	332
§ 205. Forest development roads and trails	338
§ 206. Recreational trails program	338
§§ 207 to 209. Repealed. Pub. L. 97–424, title I, § 126(d), Jan. 6, 1983, 96 Stat. 2115]	343
§ 210. Defense access roads	343
§ 211. Repealed. Pub. L. 100–17, title I, § 133(e)(1), Apr. 2, 1987, 101 Stat. 173]	346
§ 212. Inter-American Highway	346
§ 213. Repealed. Pub. L. 100–17, title I, § 133(e)(1), Apr. 2, 1987, 101 Stat. 173]	347
§ 214. Public lands development roads and trails	347
§ 215. Territorial highway program	347
§ 216. Darien Gap Highway	349
§ 217. Bicycle transportation and pedestrian walkways	350
§ 218. Alaska Highway	354
§ 219. Repealed. Pub. L. 100–17, title I, § 133(e)(1), Apr. 2, 1987, 101 Stat. 173]	355
<b>CHAPTER 3 - GENERAL PROVISIONS</b>	<b>356</b>
§ 301. Freedom from tolls	357
§ 302. State transportation department	357
§ 303. Management systems	357
§ 304. Participation by small business enterprises	360
§ 305. Archeological and paleontological salvage	360
§ 306. Mapping	360
§ 307. Repealed. Pub. L. 105–178, title V, § 5119(b), June 9, 1998, 112 Stat. 452]	361
§ 308. Cooperation with Federal and State agencies and foreign countries	361
§ 309. Cooperation with other American Republics	362
§ 310. Civil defense	362

§ 311. Highway improvements strategically important to the national defense	363
§ 312. Detail of Army, Navy, and Air Force officers	363
§ 313. Buy America	364
§ 314. Relief of employees in hazardous work	366
§ 315. Rules, regulations, and recommendations	366
§ 316. Consent by United States to conveyance of property	367
§ 317. Appropriation for highway purposes of lands or interests in lands owned by the United States	367
§ 318. Highway relocation due to airport	367
§ 319. Landscaping and scenic enhancement	368
§ 320. Bridges on Federal dams	369
§ 321. Signs identifying funding sources	372
§ 322. Magnetic levitation transportation technology deployment program	372
§ 323. Donations and credits	377
§ 324. Prohibition of discrimination on the basis of sex	379
§ 325. State assumption of responsibilities for certain programs and projects	379
§ 326. State assumption of responsibility for categorical exclusions	381
§ 327. Surface transportation project delivery pilot program	382
§ 328. Eligibility for environmental restoration and pollution abatement	385
§ 329. Eligibility for control of noxious weeds and aquatic noxious weeds and establishment of native species	385
<b>CHAPTER 4 - HIGHWAY SAFETY</b>	<b>387</b>
§ 401. Authority of the Secretary	387
§ 402. Highway safety programs	394
§ 403. Highway safety research and development	416
§ 404. National Highway Safety Advisory Committee	424
§ 405. Occupant protection incentive grants	425
§ 406. Safety belt performance grants	429
§ 407. Innovative project grants	431
§ 408. State traffic safety information system improvements	432
§ 409. Discovery and admission as evidence of certain reports and surveys	434
§ 410. Alcohol-impaired driving countermeasures	435
§ 411. State highway safety data improvements	442
§ 412. Agency accountability	445
<b>CHAPTER 5 - RESEARCH, TECHNOLOGY, AND EDUCATION</b>	<b>447</b>
§ 501. Definitions	447
§ 502. Surface transportation research	448
§ 503. Technology deployment	467
§ 504. Training and education	471
§ 505. State planning and research	478
§ 506. International highway transportation outreach program	479
§ 507. Surface transportation-environmental cooperative research program	481
§ 508. Transportation research and development strategic planning	482
§ 509. National cooperative freight transportation research program	485
§ 510. Future strategic highway research program	487
§ 511. Multistate corridor operations and management	489
§ 512. National ITS program plan	489
§ 513. Use of funds for ITS activities	497
<b>CHAPTER 6 - INFRASTRUCTURE FINANCE</b>	<b>498</b>
§ 601. Generally applicable provisions	498

§ 602. Determination of eligibility and project selection 506  
§ 603. Secured loans 508  
§ 604. Lines of credit 510  
§ 605. Program administration 512  
§ 606. State and local permits 513  
§ 607. Regulations 513  
§ 608. Funding 513  
§ 609. Reports to Congress 516  
§ 610. State infrastructure bank program 516

**Effective Date of 2005 Amendment**

Pub. L. 109–59, title I, § 1113(b)(3), Aug. 10, 2005, 119 Stat. 1172, provided that: “Paragraph (1) and paragraph (2)(A)(ii) of this subsection [amending this section] shall take effect October 1, 2005.”

Pub. L. 109–59, title I, § 1113(c), Aug. 10, 2005, 119 Stat. 1172, provided that the amendment made by section 1113 (c) is effective Oct. 1, 2005.

Pub. L. 109–59, title I, § 1113(e), Aug. 10, 2005, 119 Stat. 1172, provided that the amendment made by section 1113 (e) is effective June 9, 1998.

**Effective Date**

Section effective Dec. 18, 1991, and applicable to funds authorized to be appropriated or made available after Sept. 30, 1991, and, with certain exceptions, not applicable to funds appropriated or made available on or before Sept. 30, 1991, see section 1100 of Pub. L. 102–240, set out as an Effective Date of 1991 Amendment note under section 104 of this title.

**Division of STP Funds for Areas of Less Than 5,000 Population**

Pub. L. 105–178, title I, § 1108(f), June 9, 1998, 112 Stat. 141, as amended by Pub. L. 110–244, title I, § 113(a), June 6, 2008, 122 Stat. 1606, provided that:

“(1) Special rule.—Notwithstanding section 133 (c) of title 23, United States Code, and except as provided in paragraph (2), up to 15 percent of the amounts required to be obligated under section 133(d)(3)(B) of such title for each of fiscal years 1998 through 2009 may be obligated on roads functionally classified as minor collectors.

“(2) Suspension.—The Secretary may suspend the application of paragraph (1) if the Secretary determines that paragraph (1) is being used excessively.”

**Encouragement of Use of Youth Conservation or Service Corps**

Pub. L. 105–178, title I, § 1108(g), June 9, 1998, 112 Stat. 141, provided that: “The Secretary shall encourage the States to enter into contracts and cooperative agreements with qualified youth conservation or service corps to perform appropriate transportation enhancement activities under chapter 1 of title 23, United States Code.”

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**§ 134. Metropolitan transportation planning**

- (a) **Policy.**— It is in the national interest to—
  - (1) encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people and freight and foster economic growth and development within and between States and urbanized areas, while minimizing transportation-related fuel consumption and air pollution through metropolitan and statewide transportation planning processes identified in this chapter; and
  - (2) encourage the continued improvement and evolution of the metropolitan and statewide transportation planning processes by metropolitan planning organizations, State departments of transportation, and public transit operators as guided by the planning factors identified in subsection (h) and section 135 (d).
- (b) **Definitions.**— In this section and section 135, the following definitions apply:
  - (1) **Metropolitan planning area.**— The term “metropolitan planning area” means the geographic area determined by agreement between the metropolitan planning organization for the area and the Governor under subsection (e).
  - (2) **Metropolitan planning organization.**— The term “metropolitan planning organization” means the policy board of an organization created as a result of the designation process in subsection (d).
  - (3) **Nonmetropolitan area.**— The term “nonmetropolitan area” means a geographic area outside designated metropolitan planning areas.

- (4) **Nonmetropolitan local official.**— The term “nonmetropolitan local official” means elected and appointed officials of general purpose local government in a nonmetropolitan area with responsibility for transportation.
- (5) **TIP.**— The term “TIP” means a transportation improvement program developed by a metropolitan planning organization under subsection (j).
- (6) **Urbanized area.**— The term “urbanized area” means a geographic area with a population of 50,000 or more, as designated by the Bureau of the Census.
- (c) **General Requirements.**—
- (1) **Development of long-range plans and tips.**— To accomplish the objectives in subsection (a), metropolitan planning organizations designated under subsection (d), in cooperation with the State and public transportation operators, shall develop long-range transportation plans and transportation improvement programs for metropolitan planning areas of the State.
- (2) **Contents.**— The plans and TIPs for each metropolitan area shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the metropolitan planning area and as an integral part of an intermodal transportation system for the State and the United States.
- (3) **Process of development.**— The process for developing the plans and TIPs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.
- (d) **Designation of Metropolitan Planning Organizations.**—
- (1) **In general.**— To carry out the transportation planning process required by this section, a metropolitan planning organization shall be designated for each urbanized area with a population of more than 50,000 individuals—
- (A) by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the affected population (including the largest incorporated city (based on population) as named by the Bureau of the Census); or
- (B) in accordance with procedures established by applicable State or local law.
- (2) **Structure.**— Each metropolitan planning organization that serves an area designated as a transportation management area, when designated or redesignated under this subsection, shall consist of—
- (A) local elected officials;
- (B) officials of public agencies that administer or operate major modes of transportation in the metropolitan area; and
- (C) appropriate State officials.
- (3) **Limitation on statutory construction.**— Nothing in this subsection shall be construed to interfere with the authority, under any State law in effect on December 18, 1991, of a public agency with multimodal transportation responsibilities to—
- (A) develop the plans and TIPs for adoption by a metropolitan planning organization; and
- (B) develop long-range capital plans, coordinate transit services and projects, and carry out other activities pursuant to State law.
- (4) **Continuing designation.**— A designation of a metropolitan planning organization under this subsection or any other provision of law shall remain in effect until the metropolitan planning organization is redesignated under paragraph (5).
- (5) **Redesignation procedures.**— A metropolitan planning organization may be redesignated by agreement between the Governor and units of general purpose local government that together represent at least 75 percent of the existing planning area population (including the largest



incorporated city (based on population) as named by the Bureau of the Census) as appropriate to carry out this section.

**(6) Designation of more than 1 metropolitan planning organization.**— More than 1 metropolitan planning organization may be designated within an existing metropolitan planning area only if the Governor and the existing metropolitan planning organization determine that the size and complexity of the existing metropolitan planning area make designation of more than 1 metropolitan planning organization for the area appropriate.

**(e) Metropolitan Planning Area Boundaries.**—

**(1) In general.**— For the purposes of this section, the boundaries of a metropolitan planning area shall be determined by agreement between the metropolitan planning organization and the Governor.

**(2) Included area.**— Each metropolitan planning area—

**(A)** shall encompass at least the existing urbanized area and the contiguous area expected to become urbanized within a 20-year forecast period for the transportation plan; and

**(B)** may encompass the entire metropolitan statistical area or consolidated metropolitan statistical area, as defined by the Bureau of the Census.

**(3) Identification of new urbanized areas within existing planning area boundaries.**— The designation by the Bureau of the Census of new urbanized areas within an existing metropolitan planning area shall not require the redesignation of the existing metropolitan planning organization.

**(4) Existing metropolitan planning areas in nonattainment.**— Notwithstanding paragraph (2), in the case of an urbanized area designated as a nonattainment area for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.) as of the date of enactment of the SAFETEA-LU, the boundaries of the metropolitan planning area in existence as of such date of enactment shall be retained; except that the boundaries may be adjusted by agreement of the Governor and affected metropolitan planning organizations in the manner described in subsection (d)(5).

**(5) New metropolitan planning areas in nonattainment.**— In the case of an urbanized area designated after the date of enactment of the SAFETEA-LU, as a nonattainment area for ozone or carbon monoxide, the boundaries of the metropolitan planning area—

**(A)** shall be established in the manner described in subsection (d)(1);

**(B)** shall encompass the areas described in paragraph (2)(A);

**(C)** may encompass the areas described in paragraph (2)(B); and

**(D)** may address any nonattainment area identified under the Clean Air Act for ozone or carbon monoxide.

**(f) Coordination in Multistate Areas.**—

**(1) In general.**— The Secretary shall encourage each Governor with responsibility for a portion of a multistate metropolitan area and the appropriate metropolitan planning organizations to provide coordinated transportation planning for the entire metropolitan area.

**(2) Interstate compacts.**— The consent of Congress is granted to any two or more States—

**(A)** to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under this section as the activities pertain to interstate areas and localities within the States; and

**(B)** to establish such agencies, joint or otherwise, as the States may determine desirable for making the agreements and compacts effective.

**(3) Lake tahoe region.**—

**(A) Definition.**— In this paragraph, the term “Lake Tahoe region” has the meaning given the term “region” in subdivision (a) of article II of the Tahoe Regional Planning Compact, as set forth in the first section of Public Law 96–551 (94 Stat. 3234).

**(B) Transportation planning process.**— The Secretary shall—

- (i) establish with the Federal land management agencies that have jurisdiction over land in the Lake Tahoe region a transportation planning process for the region; and
- (ii) coordinate the transportation planning process with the planning process required of State and local governments under this section and section 135.

**(C) Interstate compact.**—

(i) **In general.**— Subject to clause (ii), and notwithstanding subsection (b), to carry out the transportation planning process required by this section, the consent of Congress is granted to the States of California and Nevada to designate a metropolitan planning organization for the Lake Tahoe region, by agreement between the Governors of the States of California and Nevada and units of general purpose local government that together represent at least 75 percent of the affected population (including the central city or cities (as defined by the Bureau of the Census)), or in accordance with procedures established by applicable State or local law.

(ii) **Involvement of federal land management agencies.**—

(I) **Representation.**— The policy board of a metropolitan planning organization designated under clause (i) shall include a representative of each Federal land management agency that has jurisdiction over land in the Lake Tahoe region.

(II) **Funding.**— For fiscal year 2008 and each fiscal year thereafter, in addition to other funds made available to the metropolitan planning organization for the Lake Tahoe region under this title and chapter 53 of title 49, prior to any allocation under section 202 of this title and notwithstanding the allocation provisions of section 202, the Secretary shall set aside 1/2 of 1 percent of all funds authorized to be appropriated for such fiscal year to carry out section 204 and shall make such funds available to the metropolitan planning organization for the Lake Tahoe region to carry out the transportation planning process, environmental reviews, preliminary engineering, and design to complete environmental documentation for transportation projects for the Lake Tahoe region under the Tahoe Regional Planning Compact as consented to in Public Law 96–551 (94 Stat. 3233) and this paragraph.

**(D) Activities.**— Highway projects included in transportation plans developed under this paragraph—

- (i) shall be selected for funding in a manner that facilitates the participation of the Federal land management agencies that have jurisdiction over land in the Lake Tahoe region; and
- (ii) may, in accordance with chapter 2, be funded using funds allocated under section 202.

**(4) Reservation of rights.**— The right to alter, amend, or repeal interstate compacts entered into under this subsection is expressly reserved.

**(g) MPO Consultation in Plan and TIP Coordination.**—

(1) **Nonattainment areas.**— If more than 1 metropolitan planning organization has authority within a metropolitan area or an area which is designated as a nonattainment area for ozone or carbon monoxide under the Clean Air Act, each metropolitan planning organization shall consult with the other metropolitan planning organizations designated for such area and the State in the coordination of plans and TIPs required by this section.

(2) **Transportation improvements located in multiple mpos.**— If a transportation improvement, funded from the Highway Trust Fund or authorized under chapter 53 of title 49, is located within the boundaries of more than 1 metropolitan planning area, the metropolitan planning organizations shall coordinate plans and TIPs regarding the transportation improvement.

(3) **Relationship with other planning officials.**— The Secretary shall encourage each metropolitan planning organization to consult with officials responsible for other types of planning activities that are affected by transportation in the area (including State and local planned growth,

economic development, environmental protection, airport operations, and freight movements) or to coordinate its planning process, to the maximum extent practicable, with such planning activities. Under the metropolitan planning process, transportation plans and TIPs shall be developed with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the metropolitan area that are provided by—

- (A) recipients of assistance under chapter 53 of title 49;
- (B) governmental agencies and nonprofit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the Department of Transportation to provide nonemergency transportation services; and
- (C) recipients of assistance under section 204.

**(h) Scope of Planning Process.—**

**(1) In general.—** The metropolitan planning process for a metropolitan planning area under this section shall provide for consideration of projects and strategies that will—

- (A) support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
- (B) increase the safety of the transportation system for motorized and nonmotorized users;
- (C) increase the security of the transportation system for motorized and nonmotorized users;
- (D) increase the accessibility and mobility of people and for freight;
- (E) protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and State and local planned growth and economic development patterns;
- (F) enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
- (G) promote efficient system management and operation; and
- (H) emphasize the preservation of the existing transportation system.

**(2) Failure to consider factors.—** The failure to consider any factor specified in paragraph (1) shall not be reviewable by any court under this title or chapter 53 of title 49, subchapter II of chapter 5 of title 5, or chapter 7 of title 5 in any matter affecting a transportation plan, a TIP, a project or strategy, or the certification of a planning process.

**(i) Development of Transportation Plan.—**

**(1) In general.—** Each metropolitan planning organization shall prepare and update a transportation plan for its metropolitan planning area in accordance with the requirements of this subsection. The metropolitan planning organization shall prepare and update such plan every 4 years (or more frequently, if the metropolitan planning organization elects to update more frequently) in the case of each of the following:

- (A) Any area designated as nonattainment, as defined in section 107(d) of the Clean Air Act (42 U.S.C. 7407 (d)).
- (B) Any area that was nonattainment and subsequently designated to attainment in accordance with section 107(d)(3) of that Act (42 U.S.C. 7407 (d)(3)) and that is subject to a maintenance plan under section 175A of that Act (42 U.S.C. 7505a).

In the case of any other area required to have a transportation plan in accordance with the requirements of this subsection, the metropolitan planning organization shall prepare and update such plan every 5 years unless the metropolitan planning organization elects to update more frequently.

**(2) Transportation plan.—** A transportation plan under this section shall be in a form that the Secretary determines to be appropriate and shall contain, at a minimum, the following:

**(A) Identification of transportation facilities.**— An identification of transportation facilities (including major roadways, transit, multimodal and intermodal facilities, and intermodal connectors) that should function as an integrated metropolitan transportation system, giving emphasis to those facilities that serve important national and regional transportation functions. In formulating the transportation plan, the metropolitan planning organization shall consider factors described in subsection (h) as such factors relate to a 20-year forecast period.

**(B) Mitigation activities.**—

**(i) In general.**— A long-range transportation plan shall include a discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the plan.

**(ii) Consultation.**— The discussion shall be developed in consultation with Federal, State, and tribal wildlife, land management, and regulatory agencies.

**(C) Financial plan.**— A financial plan that demonstrates how the adopted transportation plan can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan, and recommends any additional financing strategies for needed projects and programs. The financial plan may include, for illustrative purposes, additional projects that would be included in the adopted transportation plan if reasonable additional resources beyond those identified in the financial plan were available. For the purpose of developing the transportation plan, the metropolitan planning organization, transit operator, and State shall cooperatively develop estimates of funds that will be available to support plan implementation.

**(D) Operational and management strategies.**— Operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods.

**(E) Capital investment and other strategies.**— Capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure and provide for multimodal capacity increases based on regional priorities and needs.

**(F) Transportation and transit enhancement activities.**— Proposed transportation and transit enhancement activities.

**(3) Coordination with clean air act agencies.**— In metropolitan areas which are in nonattainment for ozone or carbon monoxide under the Clean Air Act, the metropolitan planning organization shall coordinate the development of a transportation plan with the process for development of the transportation control measures of the State implementation plan required by the Clean Air Act.

**(4) Consultation.**—

**(A) In general.**— In each metropolitan area, the metropolitan planning organization shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of a long-range transportation plan.

**(B) Issues.**— The consultation shall involve, as appropriate—

**(i)** comparison of transportation plans with State conservation plans or maps, if available; or

**(ii)** comparison of transportation plans to inventories of natural or historic resources, if available.

**(5) Participation by interested parties.**—

**(A) In general.**— Each metropolitan planning organization shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers,

providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation plan.

**(B) Contents of participation plan.**— A participation plan—

(i) shall be developed in consultation with all interested parties; and

(ii) shall provide that all interested parties have reasonable opportunities to comment on the contents of the transportation plan.

**(C) Methods.**— In carrying out subparagraph (A), the metropolitan planning organization shall, to the maximum extent practicable—

(i) hold any public meetings at convenient and accessible locations and times;

(ii) employ visualization techniques to describe plans; and

(iii) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information under subparagraph (A).

**(6) Publication.**— A transportation plan involving Federal participation shall be published or otherwise made readily available by the metropolitan planning organization for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web, approved by the metropolitan planning organization and submitted for information purposes to the Governor at such times and in such manner as the Secretary shall establish.

**(7) Selection of projects from illustrative list.**— Notwithstanding paragraph (2)(C), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(C).

**(j) Metropolitan TIP.**—

**(1) Development.**—

**(A) In general.**— In cooperation with the State and any affected public transportation operator, the metropolitan planning organization designated for a metropolitan area shall develop a TIP for the area for which the organization is designated.

**(B) Opportunity for comment.**— In developing the TIP, the metropolitan planning organization, in cooperation with the State and any affected public transportation operator, shall provide an opportunity for participation by interested parties in the development of the program, in accordance with subsection (i)(5).

**(C) Funding estimates.**— For the purpose of developing the TIP, the metropolitan planning organization, public transportation agency, and State shall cooperatively develop estimates of funds that are reasonably expected to be available to support program implementation.

**(D) Updating and approval.**— The TIP shall be updated at least once every 4 years and shall be approved by the metropolitan planning organization and the Governor.

**(2) Contents.**—

**(A) Priority list.**— The TIP shall include a priority list of proposed federally supported projects and strategies to be carried out within each 4-year period after the initial adoption of the TIP.

**(B) Financial plan.**— The TIP shall include a financial plan that—

(i) demonstrates how the TIP can be implemented;

(ii) indicates resources from public and private sources that are reasonably expected to be available to carry out the program;

(iii) identifies innovative financing techniques to finance projects, programs, and strategies; and

- (iv) may include, for illustrative purposes, additional projects that would be included in the approved TIP if reasonable additional resources beyond those identified in the financial plan were available.
- (C) **Descriptions.**— Each project in the TIP shall include sufficient descriptive material (such as type of work, termini, length, and other similar factors) to identify the project or phase of the project.
- (3) **Included projects.**—
- (A) **Projects under this title and chapter 53 of title 49.**— A TIP developed under this subsection for a metropolitan area shall include the projects within the area that are proposed for funding under chapter 1 of this title and chapter 53 of title 49.
- (B) **Projects under chapter 2.**—
- (i) **Regionally significant projects.**— Regionally significant projects proposed for funding under chapter 2 shall be identified individually in the transportation improvement program.
- (ii) **Other projects.**— Projects proposed for funding under chapter 2 that are not determined to be regionally significant shall be grouped in one line item or identified individually in the transportation improvement program.
- (C) **Consistency with long-range transportation plan.**— Each project shall be consistent with the long-range transportation plan developed under subsection (i) for the area.
- (D) **Requirement of anticipated full funding.**— The program shall include a project, or an identified phase of a project, only if full funding can reasonably be anticipated to be available for the project or the identified phase within the time period contemplated for completion of the project or the identified phase.
- (4) **Notice and comment.**— Before approving a TIP, a metropolitan planning organization, in cooperation with the State and any affected public transportation operator, shall provide an opportunity for participation by interested parties in the development of the program, in accordance with subsection (i)(5).
- (5) **Selection of projects.**—
- (A) **In general.**— Except as otherwise provided in subsection (k)(4) and in addition to the TIP development required under paragraph (1), the selection of federally funded projects in metropolitan areas shall be carried out, from the approved TIP—
- (i) by—
- (I) in the case of projects under this title, the State; and
- (II) in the case of projects under chapter 53 of title 49, the designated recipients of public transportation funding; and
- (ii) in cooperation with the metropolitan planning organization.
- (B) **Modifications to project priority.**— Notwithstanding any other provision of law, action by the Secretary shall not be required to advance a project included in the approved TIP in place of another project in the program.
- (6) **Selection of projects from illustrative list.**—
- (A) **No required selection.**— Notwithstanding paragraph (2)(B)(iv), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(B)(iv).
- (B) **Required action by the secretary.**— Action by the Secretary shall be required for a State or metropolitan planning organization to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(B)(iv) for inclusion in an approved TIP.
- (7) **Publication.**—

- (A) **Publication of tips.**— A TIP involving Federal participation shall be published or otherwise made readily available by the metropolitan planning organization for public review.
- (B) **Publication of annual listings of projects.**— An annual listing of projects, including investments in pedestrian walkways and bicycle transportation facilities, for which Federal funds have been obligated in the preceding year shall be published or otherwise made available by the cooperative effort of the State, transit operator, and metropolitan planning organization for public review. The listing shall be consistent with the categories identified in the TIP.
- (k) **Transportation Management Areas.**—
- (1) **Identification and designation.**—
- (A) **Required identification.**— The Secretary shall identify as a transportation management area each urbanized area (as defined by the Bureau of the Census) with a population of over 200,000 individuals.
- (B) **Designations on request.**— The Secretary shall designate any additional area as a transportation management area on the request of the Governor and the metropolitan planning organization designated for the area.
- (2) **Transportation plans.**— In a transportation management area, transportation plans shall be based on a continuing and comprehensive transportation planning process carried out by the metropolitan planning organization in cooperation with the State and public transportation operators.
- (3) **Congestion management process.**— Within a metropolitan planning area serving a transportation management area, the transportation planning process under this section shall address congestion management through a process that provides for effective management and operation, based on a cooperatively developed and implemented metropolitan-wide strategy, of new and existing transportation facilities eligible for funding under this title and chapter 53 of title 49 through the use of travel demand reduction and operational management strategies. The Secretary shall establish an appropriate phase-in schedule for compliance with the requirements of this section but no sooner than 1 year after the identification of a transportation management area.
- (4) **Selection of projects.**—
- (A) **In general.**— All federally funded projects carried out within the boundaries of a metropolitan planning area serving a transportation management area under this title (excluding projects carried out on the National Highway System and projects carried out under the bridge program or the Interstate maintenance program) or under chapter 53 of title 49 shall be selected for implementation from the approved TIP by the metropolitan planning organization designated for the area in consultation with the State and any affected public transportation operator.
- (B) **National highway system projects.**— Projects carried out within the boundaries of a metropolitan planning area serving a transportation management area on the National Highway System and projects carried out within such boundaries under the bridge program or the Interstate maintenance program under this title shall be selected for implementation from the approved TIP by the State in cooperation with the metropolitan planning organization designated for the area.
- (5) **Certification.**—
- (A) **In general.**— The Secretary shall—
- (i) ensure that the metropolitan planning process of a metropolitan planning organization serving a transportation management area is being carried out in accordance with applicable provisions of Federal law; and
- (ii) subject to subparagraph (B), certify, not less often than once every 4 years, that the requirements of this paragraph are met with respect to the metropolitan planning process.

- (B) Requirements for certification.**— The Secretary may make the certification under subparagraph (A) if—
- (i) the transportation planning process complies with the requirements of this section and other applicable requirements of Federal law; and
  - (ii) there is a TIP for the metropolitan planning area that has been approved by the metropolitan planning organization and the Governor.
- (C) Effect of failure to certify.**—
- (i) **Withholding of project funds.**— If a metropolitan planning process of a metropolitan planning organization serving a transportation management area is not certified, the Secretary may withhold up to 20 percent of the funds attributable to the metropolitan planning area of the metropolitan planning organization for projects funded under this title and chapter 53 of title 49.
  - (ii) **Restoration of withheld funds.**— The withheld funds shall be restored to the metropolitan planning area at such time as the metropolitan planning process is certified by the Secretary.
- (D) Review of certification.**— In making certification determinations under this paragraph, the Secretary shall provide for public involvement appropriate to the metropolitan area under review.
- (l) Abbreviated Plans for Certain Areas.**—
- (1) **In general.**— Subject to paragraph (2), in the case of a metropolitan area not designated as a transportation management area under this section, the Secretary may provide for the development of an abbreviated transportation plan and TIP for the metropolitan planning area that the Secretary determines is appropriate to achieve the purposes of this section, taking into account the complexity of transportation problems in the area.
  - (2) **Nonattainment areas.**— The Secretary may not permit abbreviated plans or TIPs for a metropolitan area that is in nonattainment for ozone or carbon monoxide under the Clean Air Act.
- (m) Additional Requirements for Certain Nonattainment Areas.**—
- (1) **In general.**— Notwithstanding any other provisions of this title or chapter 53 of title 49, for transportation management areas classified as nonattainment for ozone or carbon monoxide pursuant to the Clean Air Act, Federal funds may not be advanced in such area for any highway project that will result in a significant increase in the carrying capacity for single-occupant vehicles unless the project is addressed through a congestion management process.
  - (2) **Applicability.**— This subsection applies to a nonattainment area within the metropolitan planning area boundaries determined under subsection (e).
- (n) Limitation on Statutory Construction.**— Nothing in this section shall be construed to confer on a metropolitan planning organization the authority to impose legal requirements on any transportation facility, provider, or project not eligible under this title or chapter 53 of title 49.
- (o) Funding.**— Funds set aside under section 104 (f) of this title or section 5305 (g) of title 49 shall be available to carry out this section.
- (p) Continuation of Current Review Practice.**— Since plans and TIPs described in this section are subject to a reasonable opportunity for public comment, since individual projects included in plans and TIPs are subject to review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), and since decisions by the Secretary concerning plans and TIPs described in this section have not been reviewed under such Act as of January 1, 1997, any decision by the Secretary concerning a plan or TIP described in this section shall not be considered to be a Federal action subject to review under such Act.



I, § 1024(a), Dec. 18, 1991, 105 Stat. 1955; Pub. L. 102–388, title V, § 502(b), Oct. 6, 1992, 106 Stat. 1566; Pub. L. 103–429, § 3(5), Oct. 31, 1994, 108 Stat. 4377; Pub. L. 104–59, title III, § 317, Nov. 28, 1995, 109 Stat. 588; Pub. L. 105–178, title I, § 1203(a)–(m), (o), June 9, 1998, 112 Stat. 170–179; Pub. L. 105–206, title IX, § 9003(c), July 22, 1998, 112 Stat. 839; Pub. L. 109–59, title VI, § 6001(a), Aug. 10, 2005, 119 Stat. 1839; Pub. L. 110–244, title I, § 101(n), June 6, 2008, 122 Stat. 1576.)

## References in Text

The Clean Air Act, referred to in subsecs. (e)(4), (5)(D), (g)(1), (i)(3), (l)(2), and (m)(1), is act July 14, 1955, ch. 360, 69 Stat. 322, as amended, which is classified generally to chapter 85 (§ 7401 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 7401 of Title 42 and Tables.

The date of enactment of the SAFETEA–LU, referred to in subsec. (e)(4), (5), is the date of enactment of Pub. L. 109–59, which was approved Aug. 10, 2005.

Public Law 96–551, referred to in subsec. (f)(3)(A), (C)(ii)(II), is Pub. L. 96–551, Dec. 19, 1980, 94 Stat. 3233, which is not classified to the Code.

The National Environmental Policy Act of 1969, referred to in subsec. (p), is Pub. L. 91–190, Jan. 1, 1970, 83 Stat. 852, as amended, which is classified generally to chapter 55 (§ 4321 et seq.) of Title 42, The Public Health and Welfare. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of Title 42 and Tables.

## Amendments

2008—Subsec. (f)(3)(C)(ii)(II). Pub. L. 110–244, § 101(n)(1), added subcl. (II) and struck out former subcl. (II). Prior to amendment, text read as follows: “In addition to funds made available to the metropolitan planning organization for the Lake Tahoe region under other provisions of this title and under chapter 53 of title 49, 1 percent of the funds allocated under section 202 shall be used to carry out the transportation planning process for the Lake Tahoe region under this subparagraph.”

Subsec. (j)(3)(D). Pub. L. 110–244, § 101(n)(2), inserted “or the identified phase” after “the project” in two places.

Subsec. (k)(2). Pub. L. 110–244, § 101(n)(3), struck out “a metropolitan planning area serving” before “a transportation management area,”.

2005—Pub. L. 109–59 amended section catchline and text generally, substituting provisions relating to metropolitan transportation planning for provisions relating to, in subsec. (a), general requirements for development of transportation plans and programs for urbanized areas, in subsec. (b), designation of metropolitan planning organizations, in subsec. (c), determination of metropolitan planning area boundaries, in subsec. (d), coordination of transportation planning in multistate metropolitan areas, in subsec. (e), coordination of metropolitan planning organizations, in subsec. (f), scope of the planning process, in subsec. (g), development of a long-range transportation plan, in subsec. (h), development of a metropolitan area transportation improvement program, in subsec. (i), designation of transportation management areas, in subsec. (j), abbreviated plans and programs for areas not designated as transportation management areas, in subsec. (k), transfer of funds, in subsec. (l), additional requirements for nonattainment areas under the Clean Air Act, in subsec. (m), limitation on statutory construction, in subsec. (n), funding, and in subsec. (o), review of plans and programs under the National Environmental Policy Act of 1969.

1998—Subsec. (a). Pub. L. 105–178, § 1203(a), reenacted heading without change and amended text of subsec. (a) generally. Prior to amendment, text read as follows: “It is in the national interest to encourage and promote the development of transportation systems embracing various modes of transportation in a manner which will efficiently maximize mobility of people and goods within and through urbanized areas and minimize transportation-related fuel consumption and air pollution. To accomplish this objective, metropolitan planning organizations, in cooperation with the State, shall develop transportation plans and programs for urbanized areas of the State. Such plans and programs shall provide for the development of transportation facilities (including pedestrian walkways and bicycle transportation facilities) which will function as an intermodal transportation system for the State, the metropolitan areas, and the Nation. The process for developing such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems.”

Subsec. (b)(1), (2). Pub. L. 105–178, § 1203(b)(1), added pars. (1) and (2) and struck out former pars. (1) and (2) which read as follows:

“(1) In general.—To carry out the transportation planning process required by this section, a metropolitan planning organization shall be designated for each urbanized area of more than 50,000 population by agreement among the Governor and units of general purpose local government which together represent at least 75 percent of the affected

**TITLE 23 - Section 134 - Metropolitan transportation planning**

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscodeprint.html>).*

population (including the central city or cities as defined by the Bureau of the Census) or in accordance with procedures established by applicable State or local law.

“(2) Membership of certain mpo’s.—In a metropolitan area designated as a transportation management area, the metropolitan planning organization designated for such area shall include local elected officials, officials of agencies which administer or operate major modes of transportation in the metropolitan area (including all transportation agencies included in the metropolitan planning organization on June 1, 1991) and appropriate State officials. This paragraph shall only apply to a metropolitan planning organization which is redesignated after the date of the enactment of this section.”

Subsec. (b)(4). Pub. L. 105–178, § 1203(b)(2), reenacted heading without change and amended text of par. (4) generally. Prior to amendment, text read as follows: “Designations of metropolitan planning organizations, whether made under this section or other provisions of law, shall remain in effect until redesignated under paragraph (5) or revoked by agreement among the Governor and units of general purpose local government which together represent at least 75 percent of the affected population or as otherwise provided under State or local procedures.”

Subsec. (b)(5)(A). Pub. L. 105–178, § 1203(b)(3), substituted “agreement between the Governor” for “agreement among the Governor” and “government that together represent” for “government which together represent”.

Subsec. (b)(6). Pub. L. 105–178, § 1203(b)(4), amended heading and text of par. (6) generally. Prior to amendment, text read as follows: “More than 1 metropolitan planning organization may be designated within an urbanized area as defined by the Bureau of the Census only if the Governor determines that the size and complexity of the urbanized area make designation of more than 1 metropolitan planning organization for such area appropriate.”

Subsec. (c). Pub. L. 105–178, § 1203(c), inserted “Planning” before “Area” in subsec. heading, designated first sentence as par. (1), inserted par. heading, and inserted “planning” before “area”, added pars. (2) to (4), realigned margins, and struck out at end “Each metropolitan area shall cover at least the existing urbanized area and the contiguous area expected to become urbanized within the 20-year forecast period and may encompass the entire metropolitan statistical area or consolidated metropolitan statistical area, as defined by the Bureau of the Census. For areas designated as nonattainment areas for ozone or carbon monoxide under the Clean Air Act, the boundaries of the metropolitan area shall at least include the boundaries of the nonattainment area, except as otherwise provided by agreement between the metropolitan planning organization and the Governor.”

Subsec. (d). Pub. L. 105–178, § 1203(d), reenacted heading without change and amended text of subsec. (d) generally. Prior to amendment, text read as follows:

“(1) In general.—The Secretary shall establish such requirements as the Secretary considers appropriate to encourage Governors and metropolitan planning organizations with responsibility for a portion of a multi-State metropolitan area to provide coordinated transportation planning for the entire metropolitan area.

“(2) Compacts.—The consent of Congress is hereby given to any 2 or more States to enter into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under this section as such activities pertain to interstate areas and localities within such States and to establish such agencies, joint or otherwise, as such States may deem desirable for making such agreements and compacts effective.”

Subsec. (e). Pub. L. 105–178, § 1203(e), substituted “MPOs” for “MPO’s” in subsec. heading, designated existing provisions as par. (1) and inserted par. heading, added par. (2), and realigned margins.

Subsec. (f). Pub. L. 105–178, § 1203(f), amended heading and text of subsec. (f) generally, substituting provisions relating to scope of planning process for provisions relating to factors to be considered in developing transportation plans and programs.

Subsec. (g). Pub. L. 105–178, § 1203(g)(6), substituted “Long-Range Transportation Plan” for “Long Range Plan” in heading.

Subsec. (g)(1). Pub. L. 105–178, § 1203(g)(8), substituted “long-range transportation plan” for “long range plan”.

Subsec. (g)(2). Pub. L. 105–178, § 1203(g)(1), (7), (8), substituted “Long-range transportation plan” for “Long range plan” in heading and substituted “long-range transportation plan” for “long range plan” and “contain, at a minimum, the following” for “, at a minimum” in introductory provisions.

Subsec. (g)(2)(A). Pub. L. 105–178, § 1203(g)(2), (8), substituted “An identification of” for “Identify” and “long-range transportation plan” for “long range plan”.

Subsec. (g)(2)(B). Pub. L. 105–178, § 1203(g)(3), added subpar. (B) and struck out former subpar. (B) which read as follows: “Include a financial plan that demonstrates how the long-range plan can be implemented, indicates resources from public and private sources that are reasonably expected to be made available to carry out the plan, and recommends any innovative financing techniques to finance needed projects and programs, including such techniques as value capture, tolls and congestion pricing.”

**TITLE 23 - Section 134 - Metropolitan transportation planning**

*NB: This unofficial compilation of the U.S. Code is current as of Jan. 4, 2012 (see <http://www.law.cornell.edu/uscode/uscript.html>).*

Subsec. (g)(3). Pub. L. 105-178, § 1203(g)(8), substituted “long-range transportation plan” for “long range plan”.

Subsec. (g)(4). Pub. L. 105-178, § 1203(g)(4), (8), substituted “long-range transportation plan” for “long range plan” in two places and inserted “freight shippers, providers of freight transportation services,” after “transportation agency employees,” and “representatives of users of public transit,” after “private providers of transportation,”.

Subsec. (g)(5). Pub. L. 105-178, § 1203(g)(7), (8), substituted “long-range transportation plan” for “long range plan” in heading and in introductory provisions.

Subsec. (g)(6). Pub. L. 105-178, § 1203(g)(5), added par. (6).

Subsec. (h). Pub. L. 105-178, § 1203(h), amended heading and text of subsec. (h) generally. Prior to amendment, text related to transportation improvement program, providing for development of program, priority and selection of projects, major capital investments, requirement of inclusion of projects within area proposed for funding, and provision of reasonable notice and opportunity to comment for interested citizens.

Subsec. (h)(5)(A). Pub. L. 105-178, § 1203(o), as added by Pub. L. 105-206, § 9003(c), struck out “for implementation” after “federally funded projects” in introductory provisions.

Subsec. (i)(1). Pub. L. 105-178, § 1203(i)(1), reenacted heading without change and amended text of par. (1) generally. Prior to amendment, text read as follows: “The Secretary shall designate as transportation management areas all urbanized areas over 200,000 population. The Secretary shall designate any additional area as a transportation management area upon the request of the Governor and the metropolitan planning organization designated for such area or the affected local officials. Such additional areas shall include upon such a request the Lake Tahoe Basin as defined by Public Law 96-551.”

Subsec. (i)(4). Pub. L. 105-178, § 1203(i)(2), reenacted heading without change and amended text of par. (4) generally. Prior to amendment, text read as follows: “All projects carried out within the boundaries of a transportation management area with Federal participation pursuant to this title (excluding projects undertaken on the National Highway System and pursuant to the bridge and Interstate maintenance programs) or pursuant to chapter 53 of title 49 shall be selected by the metropolitan planning organization designated for such area in consultation with the State and in conformance with the transportation improvement program for such area and priorities established therein. Projects undertaken within the boundaries of a transportation management area on the National Highway System or pursuant to the bridge and Interstate maintenance programs shall be selected by the State in cooperation with the metropolitan planning organization designated for such area and shall be in conformance with the transportation improvement program for such area.”

Subsec. (i)(5). Pub. L. 105-178, § 1203(i)(3), reenacted heading without change and amended text of par. (5) generally. Prior to amendment, text read as follows: “The Secretary shall assure that each metropolitan planning organization in each transportation management area is carrying out its responsibilities under applicable provisions of Federal law, and shall so certify at least once every 3 years. The Secretary may make such certification only if (1) a metropolitan planning organization is complying with the requirements of this section and other applicable requirements of Federal law, and (2) there is a transportation improvement program for the area that has been approved by the metropolitan planning organization and the Governor. If after September 30, 1993, a metropolitan planning organization is not certified by the Secretary, the Secretary may withhold, in whole or in part, the apportionment under section 104 (b)(3) attributed to the relevant metropolitan area pursuant to section 133 (d)(3) and capital funds apportioned under the formula program under section 5336 of title 49. If a metropolitan planning organization remains uncertified for more than 2 consecutive years after September 30, 1994, 20 percent of the apportionment attributed to that metropolitan area under section 133 (d)(3) and capital funds apportioned under the formula program under section 5336 of title 49 shall be withheld. The withheld apportionments shall be restored to the metropolitan area at such time as the metropolitan planning organization is certified by the Secretary. The Secretary shall not withhold certification under this section based upon the policies and criteria established by a metropolitan planning organization or transit grant recipient for determining the feasibility of private enterprise participation in accordance with section 5306 (a) of title 49.”

Subsec. (j). Pub. L. 105-178, § 1203(j), reenacted heading without change and amended text of subsec. (j) generally. Prior to amendment, text read as follows: “For metropolitan areas not designated as transportation management areas under this section, the Secretary may provide for the development of abbreviated metropolitan transportation plans and programs that the Secretary determines to be appropriate to achieve the purposes of this section, taking into account the complexity of transportation problems, including transportation related air quality problems, in such areas. In no event shall the Secretary provide abbreviated plans or programs for metropolitan areas which are in nonattainment for ozone or carbon monoxide under the Clean Air Act.”

Subsec. (l). Pub. L. 105-178, § 1203(k), designated existing provisions as par. (1), inserted heading, and added par. (2).

Subsec. (n). Pub. L. 105-178, § 1203(l), amended heading and text of subsec. (n) generally. Prior to amendment, text read as follows: “Any funds set aside pursuant to section 104 (f) of this title that are not used for the purpose of carrying out this section may be made available by the metropolitan planning organization to the State for the purpose of funding activities under section 135.”

Subsec. (o). Pub. L. 105–178, § 1203(m), added subsec. (o).

1995—Subsec. (f)(16). Pub. L. 104–59 added par. (16).

1994—Subsecs. (h)(5), (i)(3), (4). Pub. L. 103–429, § 3(5)(A), substituted “chapter 53 of title 49” for “the Federal Transit Act”.

Subsec. (i)(5). Pub. L. 103–429, § 3(5)(B), substituted “section 5336 of title 49” for “section 9 of the Federal Transit Act” in two places and “section 5306 (a) of title 49” for “section 8(o) of the Federal Transit Act”.

Subsec. (k). Pub. L. 103–429, § 3(5)(C), (D), substituted “chapter 53 of title 49” for “the Federal Transit Act” wherever appearing and “chapter 53 funds” for “Federal Transit Act funds”.

Subsecs. (l), (m). Pub. L. 103–429, § 3(5)(C), substituted “chapter 53 of title 49” for “the Federal Transit Act”.

1992—Subsec. (k). Pub. L. 102–388 inserted at end “The provisions of title 23, United States Code, regarding the non-Federal share shall apply to title 23 funds used for transit projects and the provisions of the Federal Transit Act regarding non-Federal share shall apply to Federal Transit Act funds used for highway projects.”

1991—Pub. L. 102–240 substituted section catchline for one which read: “Transportation planning in certain urban areas” and amended text generally, substituting present provisions for provisions relating to transportation planning in certain urban areas, including provisions stating transportation objectives, requiring continuing comprehensive planning process by States and local communities, and relating to redesignation of metropolitan planning organizations, designation of contiguous interstate areas as critical transportation regions and corridors, establishment of planning bodies for such regions and corridors, and authorization of appropriations.

1978—Subsec. (a). Pub. L. 95–599, § 169(a), inserted provisions related to cooperation with local officials and specific considerations in the planning process.

Subsecs. (b), (c). Pub. L. 95–599, § 169(b), added subsec. (b) and redesignated former subsec. (b) as (c).

1970—Pub. L. 91–605 designated existing provisions as subsec. (a), inserted provision prohibiting a highway construction project in any urban area of 50,000 or more population unless responsible public officials of such area have been consulted and their views considered with respect to the corridor, the location, and the design of the project, and added subsec. (b).

### **Effective Date of 1998 Amendment**

Title IX of Pub. L. 105–206 effective simultaneously with enactment of Pub. L. 105–178 and to be treated as included in Pub. L. 105–178 at time of enactment, and provisions of Pub. L. 105–178, as in effect on day before July 22, 1998, that are amended by title IX of Pub. L. 105–206 to be treated as not enacted, see section 9016 of Pub. L. 105–206, set out as a note under section 101 of this title.

### **Effective Date of 1991 Amendment**

Amendment by Pub. L. 102–240 effective Dec. 18, 1991, and applicable to funds authorized to be appropriated or made available after Sept. 30, 1991, and, with certain exceptions, not applicable to funds appropriated or made available on or before Sept. 30, 1991, see section 1100 of Pub. L. 102–240, set out as a note under section 104 of this title.

### **Schedule for Implementation**

Pub. L. 109–59, title VI, § 6001(b), Aug. 10, 2005, 119 Stat. 1857, provided that: “The Secretary [of Transportation] shall issue guidance on a schedule for implementation of the changes made by this section [amending this section and section 135 of this title], taking into consideration the established planning update cycle for States and metropolitan planning organizations. The Secretary shall not require a State or metropolitan planning organization to deviate from its established planning update cycle to implement changes made by this section. Beginning July 1, 2007, State or metropolitan planning organization plan or program updates shall reflect changes made by this section.”

### **Demonstration Project for Restricted Access to Central Business District of Metropolitan Areas**

Section 155 of Pub. L. 95–599 authorized Secretary of Transportation to carry out a demonstration project in a metropolitan area respecting the restriction of access of motor vehicles to the central business district during peak hours of traffic, authorized the necessary appropriations, and required progress reports and a final report and recommendations not later than three years after Nov. 6, 1978.

### **Reduction of Urban Blight Adjacent to Federal-Aid Primary and Interstate Highways Located in Central Business Districts**

Section 159 of Pub. L. 95-599 directed Secretary to conduct a study and submit a report to Congress not later than two years after Nov. 6, 1978, respecting the potential for reducing urban blight adjacent to Federal-aid primary and interstate highways located in central business districts.

### **Urban System Study**

Pub. L. 94-280, title I, § 149, May 5, 1976, 90 Stat. 447, directed Secretary of Transportation to conduct a study of the factors involved in planning, selection, etc., of Federal-aid urban system routes including an analysis of organizations carrying out the planning process, the status of jurisdiction over roads, programing responsibilities under local and State laws, and authority of local units, such study to be submitted to Congress within six months of May 5, 1976.

### **Fringe Parking Demonstration Projects**

Pub. L. 90-495, § 11, Aug. 23, 1968, 82 Stat. 820, authorized Secretary to approve construction of publicly owned parking facilities under this title until June 30, 1971, as a demonstration project, authorized the Federal share of any project under this section to be 50%, prevented approval of projects by the Secretary unless the State or political subdivision thereof where the project is located can construct, maintain, and operate the facility, unless the Secretary has entered into an agreement with the State or political subdivision governing the financing, maintenance, and operation of the facility, and unless the Secretary has approved design standards for construction of the facility, defined "parking facilities", permitted a State or political subdivision to contract for the operation of such facility, prohibited approval of the project by the Secretary unless it is carried on in accordance with section 134 of this title (this section), and required annual reports to Congress on the demonstration projects approved under this section, prior to repeal by Pub. L. 91-605, title I, § 134(c), Dec. 31, 1970, 84 Stat. 1734. See section 137 of this title.

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## **§ 135. Statewide transportation planning**

### **(a) General Requirements.—**

(1) **Development of plans and programs.—** To accomplish the objectives stated in section 134 (a), each State shall develop a statewide transportation plan and a statewide transportation improvement program for all areas of the State, subject to section 134.

(2) **Contents.—** The statewide transportation plan and the transportation improvement program developed for each State shall provide for the development and integrated management and operation of transportation systems and facilities (including accessible pedestrian walkways and bicycle transportation facilities) that will function as an intermodal transportation system for the State and an integral part of an intermodal transportation system for the United States.

(3) **Process of development.—** The process for developing the statewide plan and the transportation improvement program shall provide for consideration of all modes of transportation and the policies stated in section 134 (a), and shall be continuing, cooperative, and comprehensive to the degree appropriate, based on the complexity of the transportation problems to be addressed.

### **(b) Coordination With Metropolitan Planning; State Implementation Plan.—** A State shall—

(1) coordinate planning carried out under this section with the transportation planning activities carried out under section 134 for metropolitan areas of the State and with statewide trade and economic development planning activities and related multistate planning efforts; and

(2) develop the transportation portion of the State implementation plan as required by the Clean Air Act (42 U.S.C. 7401 et seq.).

### **(c) Interstate Agreements.—**

(1) **In general.—** The consent of Congress is granted to two or more States entering into agreements or compacts, not in conflict with any law of the United States, for cooperative efforts and mutual assistance in support of activities authorized under this section related to interstate areas and localities in the States and establishing authorities the States consider desirable for making the agreements and compacts effective.

THIS FORM SHALL BE SUBMITTED FOR ALL PROJECTS  
NOT CURRENTLY IN THE FDOT WORK PROGRAM.



## FDOT PROJECT INFORMATION APPLICATION FORM

**DATE:**

**APPLICANT:**

**FDOT LIAISON:**

**1. MPO/TPO Project Priority Number:**

**2. Contact Person:**

Name:

Title:

Address:

Phone Number

E-Mail Address

**3. Project Information:**

Roadway ID: (SR, CR, Etc...):

From:

To:

County:

Project Length: (Miles)

**4. Phase(s) Being Requested**    Study    PD & E    Design  
 Right of Way    Construction    etc):

The below documents must be attached to the application to move forward in the process:

- A map showing location of the area of interest. Label important features, roadways, or additional description to help FDOT identify the location and understand the nature of the project.
- Cost Estimate (with backup documentation, see "Exhibit A" to fill out correct Phase, If LAP or JPA)
- Scope of work. (Please see "Exhibit A" to fill out correct Phase, If LAP or JPA)
- Proposed preliminary project schedule. (Please see "Exhibit A" to fill out correct Phase, If LAP or JPA)
- If construction phase is being requested, provide Right of Way Certification documents.

**5. Project Description: (Use additional sheets if necessary)**

- (a) What type of project is being proposed? e.g. Road Capacity, ITS, Traffic Operations, Safety, Pedestrian, Bicycle, Streetscape, Aviation, Transit, Port, Bridge, Resurfacing (Describe in detail).
- (b) Please state the purpose and need for this project.
- (c) What data from the statement above was obtained and/or used to support this analysis?  
**Note:** If a study was done, then please provide a copy of the study. If no study was done, please provide documentation to support the need of the project and that the proposed improvements will address the issue.
- (d) Is this project within 5 miles of a Public Airport? If yes, which one(s)?
- (e) Is this project on a SIS connector or adjacent to a SIS hub? If yes, which one(s)?
- (f) Is this project on a transit route? If yes, which one(s)?
- (g) Is this project within the Federal Aid system? (If yes, FDOT staff needs to verify and check here  )

**6. Consistency with Local and MPO Plans**

- (a) Is this project consistent with the Local Government Comprehensive Plan? If so, please attach a copy of the page in the Comprehensive Plan. If not, please state when an amendment will be processed to include the project in the Plan.
- (b) Is the project in an MPO/TPO Cost Feasible component of the Long Range Transportation Plan (LRTP)? If so, please attach a copy of the page in the LRTP. If not, please state when an amendment will be done to include the project in the LRTP.

7. Indicate below if the following work has been completed on the project and who performed (or will perform) the work. Please do not leave any areas blank on the table below.

Work Type	Has The Following Phase Been Completed? (Yes / No / N/A)	Who Performed or Will Perform The Work? (Responsible Agency or N/A) (Note: If a LAP please fill out the appropriate exhibit for the requested phase)
Planning Development (Corridor or Feasibility Study)		
Project Development and Environmental Study (PD&E)		
Design		
Right of Way		
Construction		
Other		

8. **Other Information:** *(Use additional sheets, if necessary)*

- (a) 1. If it is proposed that the project be administered by a governmental entity other than FDOT, does this entity have the fiscal, managerial, environmental and engineering capabilities to manage the project consistent with federal and state requirements and has been certified by FDOT to perform the work under the Local Agency Program (LAP) process?
2. If this is a non-State Road project, please specify whose Design Criteria (FDOT or Local Government) the project will conform to.



- (b) Can public or private support of the project be demonstrated? (Examples include: written endorsement, resolution, financial donations or other appropriate means). Please provide documentation.
- (c) If this is a non-state road, bridge, bicycle or pedestrian path to be located outside of State Right-of-Way, indicate whether sufficient right-of-way for the project is currently owned by the local government entity. Please specify the limits of available Right of Way. Provide right-of-way maps or maintenance maps if right-of-way maps are not available.

9. Provide an estimate of the total cost of the project phase(s) requested and indicate the source of the estimate. Identify the proposed funding source. **Attach supporting documents that supports these estimates (how was estimate arrived).**

WORK TYPE	FUNDING (\$)				
	FEDERAL	STATE	LOCAL	OTHER	TOTAL
Planning Development (Corridor or Feasibility Study)					
Project Development and Environment Study (PD&E)					
Design					
Right-of-way Acquisition					
Construction					
Other					

# EXHIBIT "A"

## Preliminary Scope & Study Schedule - Phase 18 (Planning)

FPN (If Known):

FAN:

TBD

Name of Project:

Local Agency Contact (Project Manager):

Phone:

Email Address:

Project Scope/Description, Termini, Project Length:

Procurement Method:

Advertisement

Fee Estimate:

\$

(include backup documentation)

Tentative Schedule (MMDDYY):

FDOT issues NTP for Study:

Advertise/Award/NTP for Study Services:

Begin Study:

Final Submittal:

Final Invoice:

Date Agreement needed:

Board Date:

# **EXHIBIT "A"**

## **Preliminary Scope & Study Schedule - Phase 28 (PD&E)**

**FPN (If Known):** [Redacted] **FAN:** TBD

**Name of Project:** [Redacted]

**Local Agency Contact (Project Manager):** [Redacted]

**Phone:** [Redacted] **Email Address:** [Redacted]

**Project Scope/Description, Termini, Project Length:**  
[Redacted]

**Procurement Method:**  
 Advertisement

**Fee Estimate:** \$ [Redacted] (Include backup documentation)

**Tentative Schedule (MMDDYY):**

- FDOT issues NTP for Study:**
- Advertise/Award/NTP for Study Services:**
- Begin Study:**
- Final Submittal:**
- Final Invoice:**
- Date Agreement needed:**
- Board Date:**

# EXHIBIT "A"

## Preliminary Scope & Design Schedule - Phase 38 (Design)

FPN (If Known):

FAN:

TBD

Name of Project:

Local Agency Contact (Project Manager):

Phone:

Email Address:

Project Scope/Description, Termini, Project Length:

Design Procurement Method:

In-House Design

Advertisement

Design Fee Estimate:

\$

(Include backup documentation)

Tentative Design Schedule (MMDDYY):

FDOT issues NTP for Design:

Advertise/Award/NTP for Design Services:

Begin Design:

60% Plans Submittal (including Reviews):

90% Plans Submittal (including Reviews):

Final Plans Submittal :

Final Invoice:

Date Agreement needed:

Board Date:

Construction Funded:  Yes

No

Fiscal Year:

# EXHIBIT "A"

## Scope & Construction Schedule - Phase 58 (Construction)

FPN (If Known): [Redacted] FAN: TBD

Name of Project: [Redacted]

Project Manager: [Redacted] Phone: [Redacted]

Email Address: [Redacted]

Project Scope/Description, Termini, Project Length:

[Redacted]

### CEI Procurement Method:

- In-House (Attach staff qualifications and experience)  
 Advertisement

CEI Estimate (LAP Projects Only) \$ [Redacted] (Attach supporting man-hours and rates)

Const Estimate (LAP Projects Only) \$ [Redacted] (Attach engineer's estimate)

### Tentative Construction Schedule (MMDDYY):

Ad Date:

Bid Opening Date:

Award Date:

Executed Contract Date:

Pre Construction Date:

NTP to Contractor Date:

Construction Duration:

Completion Date:

Final Acceptance Date:

Date Agreement needed:

Board Date:



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