



AMERICAN
PUBLIC
TRANSPORTATION
ASSOCIATION



ASSOCIATION OF
METROPOLITAN
PLANNING
ORGANIZATIONS

December 7, 2017

The Honorable Elaine L. Chao
Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Ave SE
Washington, DC 20590

Subject: Adjustment of MAP-21 Performance Measure Reporting Period by One Year

Dear Secretary Chao:

Since the enactment of the Moving Ahead for Progress in the 21st Century (MAP-21) Act of 2012, the American Association of State Highway and Transportation Officials (AASHTO), the American Public Transportation Association (APTA), and the Association of Metropolitan Planning Organizations (AMPO) have been working closely with the US Department of Transportation (USDOT) in the development of transportation performance measures and the implementation of the rules. We are writing to you to request that USDOT delay the single common effective date for the performance management provisions by one year in order to allow time for our members to comply with the implementation of the federal transportation performance management requirements.

MAP-21 set a single statutory deadline for the promulgation of the rules establishing performance measures and standards, a period for comment, setting of targets by states, MPOs, and providers of public transportation, and the submission for reports. USDOT originally proposed a single calendar date whereby all ten of the original interrelated regulations would have been made effective, including those rules addressing planning, highway safety, highway conditions, congestion/system performance, and transit performance. Clearly, the challenges in developing the rules went well beyond the statutory deadlines in MAP-21 and resulted in many different effective dates that went years beyond the original mandates set by Congress and initial dates established by USDOT. In fact, to this day, not all of the new regulations have been finalized by both the Federal Transit Administration (FTA) and the Federal Highway Administration (FHWA).

We agree that establishing a single common effective date for the performance measure targets will better streamline the overall implementation of the performance management provisions. Our recommendation to USDOT is to delay the common effective date by one year by adjusting the reporting period for the performance reporting requirements from January 1, 2018 – December 31, 2022, to January 1, 2019 – December 31, 2023. Our assumption is that by shifting

the reporting period, the dates associated with establishing targets, reporting data, and assessing progress would also shift by one year. The result of this shift would result in a single common effective date for all transportation performance management measures (both FHWA and FTA) whereby state DOTs and transit agencies have to report targets to the MPOs who then must integrate the targets into the overall planning process.

There are three significant benefits that will result by shifting the reporting period and establishing a common effective date for the establishment of performance targets: 1) better alignment of critical reporting dates; 2) additional time for oversight agencies to finalize necessary guidance and develop the reporting infrastructure; and 3) additional time for implementing agencies to comply with the guidance and then coordinate with their partner agencies. We believe these benefits will be beneficial to both the transportation agencies implementing the performance requirements (i.e., state DOTs, transit agencies, and MPOs) as well as the federal agencies overseeing the implementation (i.e., FHWA and FTA) in three important ways.

In addition to the common effective date, we are also asking that USDOT allow for a single update of performance measure target agreements by MPOs in either the MPO planning agreements (MPAs) or the documentation of the agreements in some other means outside of the MPAs, depending on the process chosen by the MPO and state DOT. We believe that a single update, tied to a common effective date of performance targets resulting from the shift in the performance reporting period for all of the performance measure targets required by FHWA (safety performance, pavement and bridge performance, system performance) and FTA (asset management targets), will significantly improve the efficiency and ability of MPOs to meet the performance management requirements.

We believe the extra time we are requesting to implement the performance management provisions will result in significantly higher quality of information that Congress and USDOT are expecting from our organizations. State DOTs, transit agencies, and MPOs are currently hard at work implementing the performance management provisions. However, seeing the benefits that implementing a performance management program will have on the transportation program is one that will take five to ten years to come to fruition. Under the current timeframe, the earliest that USDOT will be able to prepare an assessment of the impacts of the performance management provisions for first reporting period is summer 2023, well beyond the timeline of reauthorizing the Fixing America's Surface Transportation (FAST) Act where potential changes to the performance management statutes would be informed by such a report. Thus, shifting the reporting period by one year would not adversely affect informing the surface transportation reauthorization process.

Transportation performance is essential to transportation planning and the expenditure of limited resources. We supported the establishment of performance measures and worked closely with Congress to ensure that the measures were targeted and would result in investments and outcomes that would meet the national goals Congress set in MAP-21. We look forward to continuing our work with USDOT and Congress, and hope that you will agree that shifting the reporting period for the performance reporting requirements by one year will enable USDOT to establish a common effective date for all of the performance measure targets and enable our

members to better work together to provide USDOT and Congress with the necessary information and data to formulate future transportation policy.

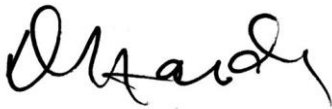
Sincerely,

A handwritten signature in black ink, appearing to read "Bud Wright".

Bud Wright
Executive Director
American Association of State Highway and Transportation Officials

A handwritten signature in blue ink, appearing to read "Richard A. White".

Richard A. White
Acting President and Chief Executive Officer
American Public Transportation Association

A handwritten signature in black ink, appearing to read "DeLania Hardy".

DeLania Hardy
Executive Director
Association of Metropolitan Planning Organizations