

Complying with SAFETEA-LU: Thirteen Items MPOs Must Address

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SAFETEA-LU preserves most aspects of ISTEA and TEA-21. However, certain important changes to the MPO planning process are required by law. Per SAFETEA-LU, these changes must be reflected in new metropolitan transportation plans (MTPs) and transportation improvement programs (TIPs) adopted after the deadline of July 1, 2007. After this date, all new MTPs, TIPs, and amendments to these documents must be compliant with SAFETEA-LU.

Until this point, there was no summary of what makes a document SAFETEA-LU compliant. The table below summarizes the thirteen differences between TEA-21- and SAFETEA-LU-compliant plans. By inserting, altering, or changing the following 13 items, a TEA-21 compliant plan will become compliant with SAFETEA-LU. It is important to note that MPOs should make changes in their documents only after undertaking a comprehensive planning process. Compliance with SAFETEA-LU can only occur through documents that are supported by a thorough study by the MPO, their metropolitan planning partners, or their contractors.

This document summarizes **ONLY** the changes required to be written in an MPO's Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), Annual Listing of Obligated Projects, or Unified Work Program (UWP). SAFETEA-LU assigns other duties, powers, and rights to MPOs beyond the thirteen items listed below. However, these changes are not required to appear in written form in adopted MPO documents.

NARC encourages MPOs to work closely with their state DOT, FHWA Division Offices, and FTA Regional Offices to ensure that the documents being drafted, and the underlying work activities, meet expectations. This document is not intended to replace the advice and expertise of these officials. This document is intended to help MPOs identify where their existing plans are deficient. This process has been referred to as "gap analysis," and can help the MPO allocate time and resources to meeting their planning obligations.

Changes are listed in **bold**
 Statutory references are listed in *italics*

Plan Item	TEA-21	SAFETEA-LU Requirement
1) Planning Cycle for Metropolitan Transportation Plans (MTP)	Due every 5 years in air quality attainment areas Due every 3 years in air quality nonattainment areas <i>1203(h)</i>	Due every 5 years in air quality attainment areas Due every 4 years in air quality nonattainment or maintenance areas <i>6001(i), 6001(k)</i>
2) Planning Cycle for Transportation Improvement Programs (TIP)	Due every 2 years -Include projects/strategies covering the next 3 years <i>1203(h)</i>	Due every 4 years. -Include projects/strategies covering the next 4 years <i>6001(i), 6001(k)</i>
3) Annual Listing of Projects	Roadway Transit Other <i>1203(h)</i>	Roadway Transit Other Pedestrian Walkways Bicycle Transportation Facilities <i>6001(i)</i>
4) Planning Factors in Metropolitan Transportation Plan	1) Support Economic Vitality 2) Increase Accessibility and Mobility 3) Protect the Environment 4) Enhance Modal Integration 5) Promote Efficient System Management 6) Preserve the Existing System 7) Increase Safety and Security <i>1203(f)</i> Note- These are not direct quotes	1) Support Economic Vitality (expanded definition) 2) Increase Accessibility and Mobility 3) Protect the Environment 4) Enhance Modal Integration 5) Promote Efficient System Management 6) Preserve the Existing System 7) Increase Safety 8) Increase Transportation Security <i>6001(h)</i> Note- These are not direct quotes

5) Strategic Highway Safety Plans (SHSP)	Not found in TEA-21	MTP should refer to goals and objectives in the state-adopted SHSP
6) Environmental Mitigation	Not found in TEA-21	MTP must include a textual discussion of the types of potential environmental mitigation activities and potential locations for these activities, to restore and maintain environmental functions that could be affected by the MTP.
7) MPO Consultation with certain agencies	Not expressly referred to in TEA-21.	MTP could refer to the procedure for consulting with the following state and local agencies: <ol style="list-style-type: none"> 1) Environmental protection 2) Tribal government 3) Wildlife management 4) Land management 5) Historic preservation
8) Transit Major Capital Improvements	Basic criteria for rating projects: <ol style="list-style-type: none"> 1) Alternatives Analysis 2) Justification 3) Local Financial Commitment 	Basic criteria for rating projects: <ol style="list-style-type: none"> 1) Alternatives Analysis 2) Justification of Project 3) Local Financial Commitment 4) Economic Development Potential 5) Reliability of Ridership and Cost Forecasts
9) Existing Transportation Facilities	Not found in TEA-21	MTP should include written discussion of strategies to improve the performance of existing facilities.
10) Congestion Management Process/System	Named “Congestion Management System ”	Named “Congestion Management Process ,” and given a more central emphasis in plans and TIPS.
11) Public Participation Plan (PPP)	Not a separate section in TEA-21	SAFETEA-LU requires a stand-alone, written plan for collecting public comments to MPO documents. See discussion below.

12) Coordinated Public Transit Human Services Transportation Plans	Not found in TEA-21	Written plan for agencies who will receive funding for transportation disadvantaged transit programs. See discussion below.
13) Transportation Conformity	3-year cycle for transportation conformity determinations for MTPs and TIPs.	4-year cycle for transportation conformity determinations for MTPs and TIPs. See discussion below.

Discussion for items above:

1) Planning Cycle for Metropolitan Transportation Plans

Metropolitan Transportation Plans in air quality non-attainment or maintenance areas are now required to be updated every four years. Plans in areas that are in attainment must be updated at least every five years.

2) Planning Cycle for Transportation Improvement Programs

TIPs must now be updated every four years. The TIP should include projects/strategies that cover a 4-year period.

3) Annual List of Projects

Two new project types must be included: pedestrian walkways and bicycle transportation facilities. The MPO's intention to build such facilities must be written into the Metropolitan Transportation Plan and TIP.

4) Planning Factors

a) Expanded definition of item #1: "promoting consistency between transportation improvements and state/local planned growth and economic development." This means that the text of transportation plans should refer to efforts to promote consistency with state and local land use plans or economic development plans.

b) Separate the former "Safety and Security" planning factor into two: "Transportation Security" and "Safety." Transportation Security refers to both personal and homeland security, with the latter reflecting attention to vulnerability to intentional attack or natural disasters, and the associated evacuation procedures. Safety refers to reducing the number of crashes and accidental deaths or injuries associated with the operation of surface modes.

- 5) Creation of Strategic Highway Safety Plans (SHSP)
Metropolitan Transportation Plans must reflect the goals and objectives of the adopted SHSP. States are responsible for drafting the SHSP, but MPOs must refer to and have consistent objectives with the SHSP.
- 6) Environmental Mitigation
The MTP must include a discussion of the types of potential environmental mitigation activities, and potential locations for these activities, to restore and maintain environmental functions that could be affected by the MTP.
- 7) MPO Consultation with Environmental Agencies
Metropolitan Transportation Plans should include a textual provision for consulting with state and Federal environmental protection, tribal government, wildlife management, land management, and historic preservation agencies. This should include a comparison of maps and inventory lists. The process for consultation can be in a separate, stand-alone document.
- 8) Transit Major Capital Investment Projects (aka New Starts)
“Economic Development” should be added as a criterion for application and selection of New Starts projects. Further, an analysis of the reliability of ridership and cost forecasts is required. “Alternatives Analysis” is defined in SAFETEA-LU as a study using an established planning process.
Note: The “Small Starts” set-aside is reserved for projects that use less than \$75 million in Federal funds and have a total cost of less than \$250 million. The Small Starts program has a simplified selection criteria and implementation process.
- 9) Existing Transportation Facilities
Metropolitan Transportation Plans should include operational and management strategies that improve the performance of existing facilities. This item is permitted to be a separate, stand-alone document. These strategies should reduce overall congestion and facilitate the flow of people and goods.
- 10) Congestion Management Process
Traffic Management Areas (TMAs) should rename their Congestion Management *System* to Congestion Management *Process*. SAFETEA-LU requires that the Congestion Management Process be a key element of the MTP. This indicates the intent of Congress is for Congestion Management Processes to be of greater emphasis to MPOs.

11) Public Participation Plan (PPP)

MPOs must develop a written public participation plan. This is a plan that lays out the process for collecting public input on MPO documents. Following are requirements for the PPP:

- a) Make metropolitan transportation plans and TIPs available for public viewing in advance of board meetings where documents will be adopted
- b) The PPP should provide for meetings where the public can enter commentary. These meetings should be scheduled at convenient and accessible places and times
- c) The PPP must use visualization techniques. These techniques may vary, but can include maps, transportation models, and animation. If the agency will be using these visual tools, it must be stated in the PPP.
- d) Publish the metropolitan transportation plan and TIP by electronic means. This includes publishing on the internet.

12) Coordinated Public Transit Human Services Transportation Plans

These plans must be developed if your agency intends to receive funding under sections 5310 (Special Needs of Elderly and Individuals with Disabilities), 5316(g) (Job Access and Reverse Commute), or 5317(f) (New Freedom). These plans must be developed through a process that includes representatives from public, private, and non-profit transportation providers. This includes a variety of government agencies such as the Department of Labor Workforce Development Program, Medicare/Medicaid, and Veterans Affairs, among others. In general, the process for drafting Coordinated Public Transit Human Services Transportation Plans should be consistent with the metropolitan transportation planning process. The Coordinated Services Plan can be a part of the MTP, or it can be adopted as a separate, stand-alone document.

13) Transportation Conformity

The cycle for conformity determinations for MTPs and TIPs is altered to a 4-year cycle. SAFETEA-LU also included several other changes to the transportation conformity requirements (see *6011*).