REQUIRED\NS\NLAWS, REGULATIONS, AND AGENCY POLICIES

- CORE REQUIREMENTS FROM:
  - 2015 FAST ACT (23 CFR 450.210 & 450.316)

- ADDITIONALLY FROM:
  - OTHER LAWS
  - EXECUTIVE ORDERS
  - FEDERAL AGENCY RULEMAKING
  - YOUR OWN AGENCY POLICIES

OTHER RELATED\nLAWS AND GUIDANCE

- NATIONAL ENVIRONMENTAL POLICY ACT OF
  1966
- CLEAN AIR ACT OF 1970 (AND AMENDMENTS)
- TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
- CIVIL RIGHTS RESTORATION ACT OF 1997
- REHABILITATION ACT OF 1973
- AGE DISCRIMINATION ACT OF 1975
- AMERICANS WITH DISABILITIES ACT OF 1990
- EXECUTIVE ORDER ON ENVIRONMENTAL JUSTICE, 1994
- EXECUTIVE ORDER ON LIMITED ENGLISH PROFICIENCY, 2000
- FREEDOM OF INFORMATION ACT OF 1967
- VARIOUS STATE OPEN RECORDS, OPEN MEETINGS, AND SUNSHINE LAWS

INTERESTED PARTIES,
23 CFR 450.210 & 450.316

The MPO shall develop and use a documented participation plan that defines a process for providing individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), 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 reasonable opportunities to be involved in the metropolitan transportation planning process.
FAST ACT
23 CFR 450.210 & 450.316
TRANSPORTATION PLANNING REQUIREMENTS

- Provide timely notice of activities, meetings, & reasonable opportunities for comment
- Hold public meetings at convenient & accessible times/locations
- Employ visualization techniques to describe plans
- Make public information available in electronically accessible formats
- Demonstrate explicit consideration & response to public input
- Seek out & consider needs of traditionally underserved
- Periodically review effectiveness of procedures

ENVIRONMENTAL CONSIDERATIONS (NEPA)

ESSENTIAL ELEMENTS:
- Assessment of the social, economic, and environmental impacts of a proposed action or project
- Public involvement in defining needs & alternatives
- Analysis of a range of reasonable alternatives to the proposed project
- Consideration of appropriate impact mitigation
- Interagency participation
- Documentation and disclosure

ACCESSIBLE LOCATIONS & ACTIVITIES

“Except as otherwise provided in §33.150, no qualified individual with a disability shall, because a public entity's facilities are inaccessible to or unusable by individuals with disabilities, be excluded from participation in, or be denied the benefits of, the services, programs, or activities of a public entity, or be subjected to discrimination by any public entity.” 2

“No otherwise qualified individual with a disability in the United States, as defined in section 7(11) shall, solely by reason of her or his disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance or under any program or activity conducted by any executive agency or by any Executive Office of the United States Postal Service.”
**Non-Discrimination & Full, Fair Participation**

No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

**Executive Order on Environmental Justice**

Avoid, minimize, or mitigate disproportionately high and adverse effects on minority & low-income populations, including social and economic effects. Ensure full & fair participation of affected communities. Prevent the denial of, reduction in, or significant delay in the receipt of benefits.

**Each Federal Agency shall examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services consistent with, and without unduly burdening, the fundamental mission of the agency.**

**Recap: Performance Standards for Public Involvement**

- Accessible locations and activities
- Public input on performance-based planning
- Air quality conformity
- Public participation plan, process and procedures
- Early and continuous opportunities
- Prohibiting discrimination
- Electronically provided information
- Public interest
- Interested parties
- Public records
- Limited-English proficiency
- Traditionally underserved
- Tribes
- Transit
- Visualization

**What the Public Expects**

<table>
<thead>
<tr>
<th>Early Notification</th>
<th>Periodic Information Sharing</th>
<th>Clear Open Decision-Making Process</th>
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<tr>
<td>Thorough Search for Stakeholders</td>
<td>No Predetermined Outcomes</td>
<td>Real Influence over the Outcomes</td>
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INCORPORATING PUBLIC TRUST

TO WHOM?  IN WHAT FORM?  WHEN?

DISCUSSION

HOW DO YOU ENSURE THAT YOU ARE INTEGRATING PUBLIC FEEDBACK INTO PLANNING DECISIONS?
WHAT ABOUT DECISIONS THAT HAVE LESS FLEXIBILITY?
HOW DO YOU COMMUNICATE COMPLICATED TERMS, LIKE LONG-RANGE PLANNING, IN SIMPLE WAYS?

RESOURCES

WWW.PHWA.DOT.GOV
WWW.PTA.DOT.GOV
PHWA DIVISION AND TRANSIT REGION OFFICES
NATIONAL TRANSIT INSTITUTE COURSES
PUBLIC INVOLVEMENT IN TRANSPORTATION DEPARTMENTAL ENGAGEMENT
ENVIRONMENTAL JUSTICE
ADVANCED ENVIRONMENTAL JUSTICE
TRANSPORTATION RESEARCH BOARD PUBLIC INVOLVEMENT SUB-COMMITTEE
AMPO PUBLIC INVOLVEMENT WORKING GROUP