

Association of Metropolitan Planning Organizations' Summary 9/30/13

Proposed Policy Guidance on Metropolitan Planning Organization Representation: MAP-21 provision to include representation by providers of public transportation

- The FTA and FHWA are jointly issuing this proposed guidance.
- Comments must be received by October 30, 2013.
- The FTA and FHWA anticipate issuing a joint notice of proposed rulemaking to amend 23 CFR part 450 to implement this provision in MAP-21.
- As of the date of this guidance, of the 384 MPOs throughout the Nation, 184 MPOs serve an area designated as a TMA and are subject to this guidance and subsequent rule.
- As part of its performance management framework, MAP-21 assigns MPOs the new transit related responsibilities to establish performance targets with respect to transit state of good repair and transit safety and to address these targets in their transportation plans and TIPs.
- The FTA and FHWA seek comment on the following proposals in this guidance:
 - The determination of specifically designated representatives
 - The eligibility of representatives of providers of public transportation to serve as specifically designated representatives
 - The cooperative process to select a specifically designated representative in MPOs with multiple providers of public transportation
- The FHWA and FTA **construe that the intent of this provision in MAP-21 is that representatives of providers of public transportation, once designated, will have equal decision-making rights and authorities as other members** that are on the policy board of an MPO that serves a TMA. This expectation reflects the long- standing position of FHWA and FTA with respect to statutorily required MPO board members.
- A specifically designated transit representative should be an elected official or a direct representative employed by the agency being represented, such as a member of a public transportation provider's board of directors, or a senior transit agency official like a chief executive officer or a general manager.
- Guidance proposes that only representation by providers of public transportation that operate in a TMA and are direct recipients⁹ of the Urbanized Area Formula Funding program would satisfy the provision in MAP-21.
- Guidance proposes that MPOs that serving a TMA should cooperate with providers of public transportation and the State to amend their metropolitan planning agreements to include the cooperative process for selecting the specifically designated representative(s) for inclusion on the MPO board and for identifying the representative's role and responsibilities.
- To the extent that an MPO has bylaws, the MPO should, in consultation with transit providers in the TMA, develop bylaws that describe the establishment, roles, and responsibilities of the specifically designated transit representative.
- Guidance proposes that an MPO serving a TMA that has multiple providers of public transportation should cooperate with the eligible providers to determine how the MPO will include representation by providers of public transportation.
- MPO also may allow for transit representation on policy or technical committees. Eligible providers of public transportation not given decision-making rights on the MPO's board may hold positions on policy or technical committees.