

STANDARDS OF PROFESSIONAL AND ETHICAL CONDUCT FOR MEMBERS OF MPOs

Fred R. Wagner

www.envirostructure.com

fwagner@bdlaw.com

(202) 789-6041

Benjamin E. Apple

bapple@bdlaw.com

(202) 789-6002

Beveridge & Diamond, P.C.

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The Importance of Ethical Standards

- Rules Governing Activities of Professional Organizations
- Or the "Spider-Man Principle"



Aspirational or Administrative?

- Standards promote external and internal confidence in your actions.
- With so many ways to question your judgment, ethics should never enter the equation.



Available Resources

- **State Ethics Laws**

- E.g., California, Florida, Georgia, North Carolina, Oregon, Texas

- **Codes/Bylaws of Existing MPOs**

- Atlanta Regional Commission, Standards of Ethical Conduct (2014)
- Metro (Portland, OR), Code of Ethics for Metro Officials and Requirements for Lobbyists (2011)
- Transp. Policy Council for the Houston-Galveston Transportation Mgmt. Area, Bylaws and Operating Procedures (2013)

Available Resources

- **Federal Laws Implicating Ethics and Professionalism**
 - Title VI, Env'tl. Justice Exec. Order, Limited English Proficiency Exec. Order
 - Federal procurement laws
 - Prohibition on use of federal funds for lobbying
 - Labor laws regarding equal opportunity, safety, fairness, and disabilities
 - Auditing requirements
- **AMPO White Paper Authored by Fred & Ben**

Atlanta Regional Commission, Standards of Ethical Conduct (2014)

- “Board members, Committee members, and employees will avoid any action, whether or not specifically prohibited in the following sections, which might result in, or create the appearance of:
 1. Using public office for private gain.
 2. Giving preferential treatment to any organization or person.
 3. Impeding governmental efficiency or economy.
 4. Making decisions outside official channels.
 5. Losing independence or impartiality of action.
 6. Denying any citizen or group access to the decision making process of the Commission, and
 7. Affecting adversely the confidence of the public in the integrity of the Commission.”

Best Practices

1. Transparency and Public Participation
2. Disclosure
3. Potential Conflicts of Interest
4. Recusal If Necessary



Best Practices (cont'd)



5. Gifts and Other Lobbying
6. Post-Service Restrictions
7. Clear Staffing Responsibility

Putting Together a Code of Ethics & Professionalism

1. To whom will it apply?
2. How should members address inherent professional conflicts? (E.g., role as both local and regional decisionmakers; role as objective forecaster vs. advocate for projects?)
3. What are the applicable laws that must be followed?
4. How will the MPO and its members remain transparent?
5. How is a conflict of interest defined and when is recusal required?

Putting Together a Code of Ethics & Professionalism

6. What kinds of gifts, if any, are acceptable from interested parties?
7. Will there be limits on the interaction with former members of the MPO? For how long?
8. What kind of information is confidential?
9. Who will resolve ethical issues that are not obviously addressed by the MPO's code of ethics?

Ethics in Practice

- Initial Disclosures
- Recusals
- Equal Access
- Ethics Advisor



Questions?

