

**SDDOT Performance
Measure Procedures
Agreement with the
Rapid City Area MPO**

South Dakota Department of Transportation (SDDOT) and Metropolitan Planning Organizations (MPO) Performance Measure Procedures Agreement

On May 27, 2016, the final rule for statewide and metropolitan transportation planning was published, based on 2012's Moving Ahead for Progress in the 21st Century (MAP-21) Act and 2015's Fixing America's Transportation System (FAST) Act. As part of this final rule, 23 CFR 450.314 (h) was amended to state:

The MPO(s), State(s), and the providers of public transportation shall jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO (see §450.306(d)), and the collection of data for the State asset management plans for the NHS for each of the following circumstances: When one MPO serves an UZA, when more than one MPO serves an UZA, and when an MPA includes an UZA that has been designated as a TMA as well as a UZA that is not a TMA. These provisions shall be documented either as part of the metropolitan planning agreements required under paragraphs (a), (e), and (g) of this section, or documented it in some other means outside of the metropolitan planning agreements as determined cooperatively by the MPO(s), State(s), and providers of public transportation.

Performance measures require coordination with the MPOs to set performance targets, collect performance measure data and report performance measure data to FHWA and/or FTA. This document will identify the responsibilities for carrying out performance based planning and programming in the metropolitan planning area (23 CFR 450.314(h)). The agreement will include provisions for cooperatively developing and sharing information related to transportation performance data, selecting performance targets, reporting performance targets, performance used in tracking progress toward attainment of critical outcomes for the region of the MPO, and collecting data for the State asset management plan for the NHS.

National goals and performance management measures are identified in 23 U.S.C §150 and Federal Transit performance measures for capital assets are identified in 49 CFR §625.43 and safety in 49 CFR Part 673. The laws are as follows:

23 U.S.C §150 National goals and performance management measures

- (a) Declaration of Policy.-Performance management will transform the Federal-aid highway program and provide a means to the most efficient investment of Federal transportation funds by refocusing on national transportation goals, increasing the accountability and transparency of the Federal-aid highway program, and improving project decision-making through performance-based planning and programming.

(b) National Goals.-It is in the interest of the United States to focus the Federal-aid highway program on the following national goals:

- (1) Safety.-To achieve a significant reduction in traffic fatalities and serious injuries on all public roads.
- (2) Infrastructure condition.-To maintain the highway infrastructure asset system in a state of good repair.
- (3) Congestion reduction.-To achieve a significant reduction in congestion on the National Highway System.
- (4) System reliability.-To improve the efficiency of the surface transportation system.
- (5) Freight movement and economic vitality.-To improve the National Highway Freight Network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development.
- (6) Environmental sustainability.-To enhance the performance of the transportation system while protecting and enhancing the natural environment.
- (7) Reduced project delivery delays.-To reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies' work practices.

(c) Establishment of Performance Measures.-

- (1) In general.-Not later than 18 months after the date of enactment of the MAP-21, the Secretary, in consultation with State departments of transportation, metropolitan planning organizations, and other stakeholders, shall promulgate a rulemaking that establishes performance measures and standards.
- (2) Administration.-In carrying out paragraph (1), the Secretary shall-
 - (A) provide States, metropolitan planning organizations, and other stakeholders not less than 90 days to comment on any regulation proposed by the Secretary under that paragraph;
 - (B) take into consideration any comments relating to a proposed regulation received during that comment period; and

(C) limit performance measures only to those described in this subsection.

(3) National highway performance program.-

(A) In general.-Subject to subparagraph (B), for the purpose of carrying out section 119, the Secretary shall establish-

i. minimum standards for States to use in developing and operating bridge and pavement management systems;

ii. measures for States to use to assess-

I. the condition of pavements on the Interstate system;

II. the condition of pavements on the National Highway System (excluding the Interstate);

III. the condition of bridges on the National Highway System;

IV. the performance of the Interstate System; and

V. the performance of the National Highway System (excluding the Interstate System);

iii. minimum levels for the condition of pavement on the Interstate System, only for the purposes of carrying out section 119(f)(1); and

iv. the data elements that are necessary to collect and maintain standardized data to carry out a performance-based approach.

(B) Regions.-In establishing minimum condition levels under subparagraph (A)(iii), if the Secretary determines that various geographic regions of the United States experience disparate factors contributing to the condition of pavement on the Interstate System in those regions, the Secretary may establish different minimum levels for each region.

- (4) Highway safety improvement program.-For the purpose of carrying out section 148, the Secretary shall establish measures for States to use to assess-
 - (A) serious injuries and fatalities per vehicle mile traveled; and
 - (B) the number of serious injuries and fatalities.
 - (5) Congestion mitigation and air quality program.-For the purpose of carrying out section 149, the Secretary shall establish measures for States to use to assess-
 - (A) traffic congestion; and
 - (B) on-road mobile source emissions.
 - (6) National freight movement.-The Secretary shall establish measures for States to use to assess freight movement on the Interstate System.
- (d) Establishment of Performance Targets.-
- (1) In general.-Not later than 1 year after the Secretary has promulgated the final rulemaking under subsection (c), each State shall set performance targets that reflect the measures identified in paragraphs (3), (4), (5), and (6) of subsection (c).
 - (2) Different approaches for urban and rural areas.-In the development and implementation of any performance target, a State may, as appropriate, provide for different performance targets for urbanized and rural areas.
- (e) Reporting on Performance Targets.-Not later than 4 years after the date of enactment of the MAP-21 and biennially thereafter, a State shall submit to the Secretary a report that describes-
- (1) the condition and performance of the National Highway System in the State;
 - (2) the effectiveness of the investment strategy document in the State asset management plan for the National Highway System;
 - (3) progress in achieving performance targets identified under subsection (d); and
 - (4) the ways in which the State is addressing congestion at freight bottlenecks, including those identified in the national freight strategic plan, within the State.

23 CFR §490.207 National Performance Measures for the Highway Safety Program

- (a) There are five performance measures for the purpose of carrying out the HSIP. They are:
 - (1) Number of fatalities;
 - (2) Rate of fatalities
 - (3) Number of serious injuries;
 - (4) Rate of serious injuries; and,
 - (5) Number of non-motorized fatalities and non-motorized serious injuries.

23 CFR §490.307 National performance management measures for assessing pavement condition

- (a) To carry out the NHPP, the performance measures for State DOTs to assess pavement condition are:
 - (1) Percentage of pavements of the Interstate System in Good condition;
 - (2) Percentage of pavements of the Interstate System in Poor condition;
 - (3) Percentage of pavements of the non-Interstate NHS in Good condition; and
 - (4) Percentage of pavements of the non-Interstate NHS in Poor condition.
- (b) State DOTs will collect data using the methods described in §490.309 and will process this data to calculate individual pavement metrics for each section of pavement that will be reported to FHWA as described in §490.311. State DOTs and FHWA will use the reported pavement metrics to compute an overall performance of Good, Fair, or Poor, for each section of pavement as described in §490.313.

23 CFR §490.407 National performance management measures for assessing bridge condition

- (a) There are three classifications for the purpose of assessing bridge condition. They are:
 - 1) Percentage of NHS bridges classified as in Good condition;
 - 2) Percentage of NHS bridges classified as in Fair condition; and
 - 3) Percentage of NHS bridges classified as in Poor condition.

- (b) [Reserved]

- (c) To carry out the NHPP, two of the three classifications are performance measures for State DOTs to use to assess bridge condition on the NHS. They are:
 - 1) Percentage of NHS bridges classified as in Good condition; and
 - 2) Percentage of NHS bridges classified as in Poor condition.

- (d) Determination of Good and Poor conditions are described in §490.409.

23 CFR §490.507 National performance management measures for system performance

There are three performance measures to assess the performance of the Interstate System and the performance of the non-Interstate NHS for the purpose of carrying out the National Highway Performance Program (referred to collectively as the NHS Performance measures).

- (a) Two measures are used to assess reliability (referred to collectively as the Travel Time Reliability measures). They are:
 - 1) Percent of the person-miles traveled on the Interstate that are reliable (referred to as the Interstate Travel Time Reliability measure); and
 - 2) Percent of person-miles traveled on the non-Interstate NHS that are reliable (referred to as the Non-Interstate Travel Time Reliability measure).

- (b) One measure is used to assess GHG emissions, which is the percent change in tailpipe CO₂ emissions on the NHS compared to the calendar year 2017 level (referred to as the GHG measure).

49 CFR §625.43 SGR Performance Measures for Capital Assets

- (a) Equipment: (non-revenue) service vehicles. The performance measure for non-revenue, support-service and maintenance vehicles equipment is the percentage of those vehicles that have either met or exceeded their ULB.
- (b) Rolling stock. The performance measure for rolling stock is the percentage of revenue vehicles within a particular asset class that have either met or exceeded their ULB.
- (c) Infrastructure: rail fixed-guideway, track, signals, and systems. The performance measure for rail fixed-guideway, track, signals, and systems is the percentage of track segments with performance restrictions. (Not Applicable in South Dakota)
- (d) Facilities. The performance measure for facilities is the percentage of facilities within an asset class, rated below condition 3 on the TERM scale.

49 CFR §630.4 Requirements

- (a) National Transit Database Reporting System. Each applicant for and beneficiary of Federal financial assistance under 49 U.S.C. chapter 53 must comply with the applicable requirements of 49 U.S.C. 5335, as set forth in the reference documents.

49 CFR Part 673 Public Transportation Agency Safety Plans (Proposed)

§ 673.11 General requirements.

- (a) A transit agency must within one calendar year after publication of the final rule, establish a Public Transportation Agency Safety Plan that meets the requirements of this part and, at a minimum, consists of the following elements:
 - (1) The Public Transportation Agency Safety Plan, and subsequent updates, must be signed by the Accountable Executive and approved by the agency's Board of Directors, or an entity equivalent to a Board of Directors.
 - (2) The Public Transportation Agency Safety Plan must document the processes and activities related to Safety Management System (SMS) implementation, as required under Subpart C of this Part.
 - (3) The Public Transportation Agency Safety Plan must include performance targets based on the safety performance criteria established under the National Public Transportation Safety Plan, and the state of good repair standards established in the regulations that implement the National Transit Asset Management System and are included in the National Public Transportation Safety Plan.

- (4) The Public Transportation Agency Safety Plan must address all applicable requirements and standards as set forth in FTA's Public Transportation Safety Program and the National Public Transportation Safety Plan. Compliance with the minimum safety performance standards authorized under 49 U.S.C. 5329(b)(2)(C) is not required until standards have been established through the rulemaking process.
 - (5) Each transit agency must establish a process and timeline for conducting an annual review and update of the Public Transportation Agency Safety Plan.
 - (6) A rail transit agency also must include in its Public Transportation Agency Safety Plan an emergency preparedness and response plan or procedures that addresses, at a minimum, the assignment of employee responsibilities during an emergency; and coordination with Federal, State, regional, and local officials with roles and responsibilities for emergency preparedness and response in the transit agency's service area. (Not Applicable in South Dakota)
- (b) A transit agency may develop one Public Transportation Agency Safety Plan for all modes of service, or may develop a Public Transportation Agency Safety Plan for each mode of service not subject to safety regulation by another Federal entity.
 - (c) A transit agency must maintain its Public Transportation Agency Safety Plan in accordance with the recordkeeping requirements in subpart D of this part.
 - (d) A State must draft and certify a Public Transportation Agency Safety Plan on behalf of any transit agency that receives Federal financial assistance under 49 U.S.C. 5310, 49 U.S.C. 5311, and any small public transportation provider located in that State. A State is not required to draft a Public Transportation Agency Safety Plan for a particular transit agency that receives Federal financial assistance under 49 U.S.C. 5310, 49 U.S.C. 5311, or a small public transportation provider, if that agency notifies the State that it will draft its own plan. In each instance, the transit agency must carry out the plan. If a State drafts and certifies a Public Transportation Agency Safety Plan on behalf of a transit agency, and the transit agency later opts to draft and certify its own Public Transportation Agency Safety Plan, then the transit agency must notify the State. The transit agency has one year from the date of the notification to draft and certify a Public Transportation Agency Safety Plan that is compliant with this part.
 - (e) Any rail fixed guideway public transportation system that had a System Safety Program Plan compliant with 49 CFR part 659 as of October 1, 2012, may

keep that plan in effect until [one year after the effective date of the final rule].
(Not Applicable in South Dakota)

- (f) Agencies that operate passenger ferries regulated by the United States Coast Guard (USCG) or commuter rail service regulated by the Federal Railroad Administration (FRA) are not required to develop agency safety plans for those modes of service. (Not Applicable in South Dakota)

§ 673.13 Certification of compliance.

- (a) Each transit agency, or State as authorized in § 673.11(d), must certify that it has established a Public Transportation Agency Safety Plan meeting the requirements of this part by [one year after the effective date of the final rule]. A State Safety Oversight Agency must review and approve a Public Transportation Agency Safety Plan developed by rail fixed guideway system, as authorized in 49 U.S.C. 5329(e) and its implementing regulations at 49 CFR part 674.
- (b) On an annual basis, a transit agency or State must certify its compliance with this part.

§ 673.15 Coordination with metropolitan, statewide, and non-metropolitan planning processes.

- (a) A State or transit agency must make its safety performance targets available to States and Metropolitan Planning Organizations to aid in the planning process.
- (b) To the maximum extent practicable, a State or transit agency must coordinate with States and Metropolitan Planning Organizations in the selection of State and MPO safety performance targets.

This document will identify responsibilities for the performance measure data collection and Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) reporting.

Safety Performance Measures

23 CFR 490 Subpart B

SDDOT Agrees:

- Work with South Dakota Department of Public Safety (DPS) to establish performance measure targets for:
 - 1) Number of Fatalities;
 - 2) Rate of Fatalities;
 - 3) Number of Serious Injuries;
 - 4) Rate of Serious Injuries;
 - 5) Number of Non-motorized Fatalities and Non-motorized Serious Injuries
- Coordinate with MPO on establishing safety targets on or before August 31 of every year
- Report targets in HSIP Annual report that is due on or before August 31 of each year according to 23 CFR 490.209

MPO Agrees:

- Notify SDDOT in writing of which option will be selected by February 27 of each year

Support State targets

- Coordinate with State in the development of safety targets
- Plan and program projects so they contribute towards the accomplishment of the State safety targets
- Include a description of the performance measures and targets in the Metropolitan Transportation Plan (LRTP) in accordance with 23 CFR 450.324
- Include in the TIP how a description of the anticipated effect of the TIP toward achieving performance targets according to 23 CFR 450.326

OR

Develop Targets:

- Establish safety targets for all public roads within the MPO area on or before August 31 of every year
- Estimated VMT for all public roads within the MPO area for rate targets
- Inform SDDOT MPO targets by February 27 of each year
- Submit progress reports to SDDOT by July 1 of each year
- Include a description of the performance measures and targets in the Metropolitan Transportation Plan (LRTP) in accordance with 23

CFR 450.324

- Include in the TIP how a description of the anticipated effect of the TIP toward achieving performance targets according to 23 CFR 450.326

Pavement and Bridge Condition Performance Measures

23 CFR 490 Subpart A (General Information); C (Pavement Condition Assessment);
D (Bridge Condition Assessment)

SDDOT Agrees:

- SDDOT will collect pavement condition data on all Interstate and Non-Interstate NHS roadways per 23 CFR 490.309
- SDDOT will set State pavement condition targets on all Interstate and Non-Interstate NHS rural and urban roadways per 23 CFR 490.309
- SDDOT will collect bridge condition data NHS bridges per 23 CFR 490.409
- SDDOT will set State bridge condition targets on NHS bridges per 23 CFR 490.409
- SDDOT will coordinate with MPO on establishing pavement and bridge performance targets by November 16, 2018 and April 1, 2023 and every 4 years thereafter
- SDDOT will submit report for Pavement Condition and Bridge Condition to FHWA according to 23 CFR 490.105

MPO Agrees:

- Notify SDDOT in writing of which option will be selected by November 16, 2018 and April 1, 2023 and every 4 years thereafter

Support State Targets:

- Coordinate with State in the development of State pavement and bridge condition targets
- Include a description of the performance measures and targets in the Metropolitan Transportation Plan (LRTP) in accordance with 23 CFR 450.324
- Include in the TIP how a description of the anticipated effect of the TIP toward achieving performance targets according to 23 CFR 450.326

OR

Develop Targets:

- MPO develops MPO targets, analyzes data, informs State of MPO targets and submits progress report to State according to 23 CFR 490
- Include a description of the performance measures and targets in the Metropolitan Transportation Plan (LRTP) in accordance with 23 CFR 450.324
- Include in the TIP how a description of the anticipated effect of the TIP toward achieving performance targets according to 23 CFR 450.326

Travel Time Reliability and Freight Movement

23 CFR 490.509; 23 CFR 490.609

SDDOT Agrees:

- SDDOT will analyze Travel Time Reliability using a tool that analyzes NPMRDS data and set performance measure targets for:
 - 1) Performance of the Interstate;
 - 2) Performance of the Non-Interstate NHS;
 - 3) Freight Movement on the Interstate System;
- SDDOT will coordinate with MPO on establishing travel time reliability performance targets
- SDDOT will submit travel time reliability report to FHWA

(Note: The National Performance Management for assessing the congestion mitigation and air quality – traffic congestion doesn't apply at this time to South Dakota)

MPO Agrees:

- Notify SDDOT in writing of which option will be selected by November 16, 2018 and April 1 every 4 years thereafter

Support State Targets:

- Coordinate with State in the development of State targets and performance measures
- Include a description of the performance measures and targets in the Metropolitan Transportation Plan (LRTP) in accordance with 23 CFR 450.324
- Include in the TIP how a description of the anticipated effect of the TIP toward achieving performance targets according to 23 CFR 450.326

OR

Develop Targets:

- MPO develops MPO targets, analyzes data, informs State of MPO targets and submits progress report to State on or before June 15 of every year according to 23 CFR 490
- Include a description of the performance measures and targets in the Metropolitan Transportation Plan (LRTP) in accordance with 23 CFR 450.324
- Include in the TIP how a description of the anticipated effect of the TIP toward achieving performance targets according to 23 CFR 450.326

Collection of Data for South Dakota Asset Management Plan

23 CFR 450.314 (h)(1)

SDDOT Agrees to:

- Collect data on the NHS required for the asset management plan
- Coordinate with MPO on data collection needs when necessary
- SDDOT will develop state asset plan

MPO Agrees to:

- Work with state on data collection when necessary

Transit Asset Management Performance Measures

49 CFR 625 Subpart D and E; 49 CFR 630.4

SDDOT Agrees to:

- SDDOT will work with the MPO to set performance measure targets for:
 - 1) Rolling Stock: The percentage of revenue vehicles that exceed the useful life benchmark (ULB);
 - 2) Equipment: The percentage of non-revenue service vehicles that exceed ULB;
 - 3) Facilities: The percentage of facilities that are rated less than 3.0 on the Transit Economic Requirements Model (TERM) Scale;
 - 4) Infrastructure: The percentage of track segments that have performance restrictions. Track segments are measured to the nearest 0.01 of a mile
- SDDOT will submit progress reports to FTA annually using the National Transit Database Reporting System

MPO Agrees to:

- Notify SDDOT in writing of which option will be selected by July 1 of each year

Support State targets:

- Coordinate with State in the development of State targets and performance measures
- Include a description of the performance measures and targets in the Metropolitan Transportation Plan (LRTP) in accordance with 23 CFR 450.324
- Include in the TIP how a description of the anticipated effect of the TIP toward achieving performance targets according to 23 CFR 450.326
- MPO or Transit agency will submit progress reports to FTA or State annually using the National Transit Database Reporting System

OR

Develop Targets:

- Transit Agency develops MPO targets, analyzes data, informs State of targets and submits progress report to State or FTA annually using the National Transit Database Reporting System
- MPO adopts targets

Transit Safety Plan

49 CFR Part 673 (Proposed)

SDDOT Agrees to:

- Develop a Transit Safety Plan and identify Safety targets
- Coordinate with MPO and transit agencies during the development of the State Transit Safety Plan and in the development of the Safety Performance targets
- SDDOT will submit progress reports to FTA

MPO Agrees to:

- Notify SDDOT in writing of which option will be selected by July 1 of each year

Support State Targets

- Coordinate with State in the development of State Safety Plan and Safety performance measures
- Include a description of the performance measures and targets in the Metropolitan Transportation Plan (LRTP) in accordance with 23 CFR 450.324
- Include in the TIP how a description of the anticipated effect of the TIP toward achieving performance targets according to 23 CFR 450.326
- MPO or Transit agency will submit progress reports to FTA or State annually

OR

Develop Targets

- Transit Agency develops Safety targets, analyzes data, informs State of targets and submits progress report to State or FTA annually
- MPO adopts targets

South Dakota Department of Transportation

Date

Metropolitan Planning Organization

Date

Transit Representative

Date