

MS-4048

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**METROPOLITAN PLANNING ORGANIZATIONS  
AND  
THE STATE DEPARTMENT OF  
HIGHWAYS AND PUBLIC TRANSPORTATION**



**AN INFORMATIONAL REPORT  
FOR  
SUNSET ADVISORY COMMISSION**

**BY  
STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION**

**JULY 1990**

## INTRODUCTION

This document has been prepared to provide a summary of the history, purpose and function of Metropolitan Planning Organizations in Texas and the role of the State Department of Highways and Public Transportation in these processes. The contents represent a compilation of relevant documents and information, and an original narration of historical, experienced and interpretive facts pertaining thereto.

These materials were specifically prepared for the information of the staff and members of the Sunset Advisory Commission, by the Transportation Planning Division of the State Department of Highways and Public Transportation (SDHPT). The information is intended as a general reference to assist the Commission in better understanding this facet of the SDHPT role in urban planning and to provide a superior transportation system for future generations of Texans.

Accordingly, the report is submitted with a sincere hope that the members of the Sunset Advisory Commission, as well as others interested in Texas transportation planning, will benefit from the information contained herein.

If there are any questions regarding these materials or if you require any additional information please feel free to contact:

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## I: BACKGROUND

### Definitions of Urban Transportation Planning

"Urban Transportation Planning" is an interdisciplinary process for developing and monitoring long- and short-range transportation plans and improvement programs. These plans and programs are formulated with due consideration of present and anticipated future social, economic, and environmental factors and the safety and mobility needs of the population of the urban area. It is a dynamic process, in that it is continuously monitored to accommodate changes of land use, economic conditions and other factors influencing travel patterns. Because of the vast amount of capital expenditures required in the implementation of transportation systems (both highway and transit related), these projects could radically influence the land use development in an area or region. Due to the substantial influences that transportation improvements have on the character of the land, it is important that transportation improvements be reflective of the overall regional social and economic objectives pertaining to community development.

### Evolution of the Transportation Planning Process and Local Involvement (Metropolitan Planning Organizations)

The 1916 Federal Road Act directed each state to establish a Department of Highways to choose projects for funding and to supervise the actual construction, thereby establishing the State's responsibility for transportation planning. This responsibility was further defined and the involvement of local government officials in highway planning was further formalized in the 1960's, when the Federal Highway Act of 1962 required:

"The Secretary [of Transportation] shall not approve...any projects in any urban area of more than 50,000 population unless he finds that such projects are based on a Continuing, Comprehensive transportation planning process carried on Cooperatively by the States and local communities."

This "3C planning process" significantly altered the approach to urban transportation planning. By the mid to late 60's, all appropriate urbanized areas had an urban transportation study underway under the guidance of committees of technical personnel and administrators from both the State Highway Department and implementing agencies from each urbanized area.

The involvement of local officials was expanded in the Highway Act of 1970 which added to Section 134, of the US Code, Title 23, that:

"...no highway project may be constructed in any urban area of 50,000 population or more unless the responsible public officials of such urban area in which the project is located have been consulted and their views considered with respect to the corridor, the location, and the design of the project..."

On November 3, 1972,<sup>1</sup> the State Highway Department established the requirement for a two-committee structure for each of the urbanized areas. It mandated that the top committee, called the Policy Advisory Committee, be made up of only elected officials. The second committee, more of a working/technical expertise committee, was called the Steering Committee, and was made up principally of technical and administrative personnel but could include elected officials.

To help areas achieve a more integrated approach to transportation planning, the Federal Highway Administration (FHWA) and the Urban Mass Transportation Administration (UMTA) issued regulations in September 1975, merging their planning requirements and coordinating their programming requirements. These regulations directed the Governor to designate Metropolitan Planning Organizations (MPO's) to receive and distribute urban planning funds and to coordinate preparation of three basic documents; 1) a Prospectus and a Unified Planning Work Program (UPWP); 2) a Transportation Plan (long-range); and 3) a Transportation Improvement Program (TIP) (short-range).

In the early implementation of this requirement, Texas considered the Regional Planning Commissions or Councils of Government as the first MPO's. For various reasons, this was not universally appropriate or desirable and many of the major central cities or other entities were designated as the MPO.

On February 20, 1980,<sup>2</sup> the State Department of Highways and Public Transportation (SDHPT) changed the two committee structure policy to allow for a single committee structure, if the local urbanized area so desired. It allowed for one committee, called the Transportation Planning Committee, and could be made up of both elected officials and technical and administrative personnel.

The SDHPT policy related to committee structure was again changed on December 22, 1986.<sup>3</sup> This time, all Departmental policy concerning committee structure was rescinded leaving structure and membership entirely up to the local area and the Federal regulations.

As a result of these Federal mandates, departmental (SDHPT) coordination and the participation of local units of government in the 25 Metropolitan Planning Organizations (MPOs) in Texas have been established. Even though the representative composition of the different MPO's varies widely they all function as efficient planning groups, complying with the spirit and the letter of the law.

## II. CURRENT STATUTORY/REGULATORY REQUIREMENTS

### Federal

The current federal statutory/regulatory basis for Urban Transportation Planning is included in the U. S. Code. Title 23, Part 450 and Title 49, Part 613 contain the regulations governing transportation planning under FHWA and UMTA grant programs. Joint FHWA/UMTA Planning Regulations published by the June 30, 1983 Federal Register, titled Part VI, DEPARTMENT OF TRANSPORTATION, Federal Highway Administration/Urban Mass Transportation, Urban Transportation Planning: Final Rule<sup>4</sup> amended these regulations. These amendments were intended to increase flexibility at the State and local level, reduce red tape, simplify administration of the planning process, and shift certain responsibilities from the federal level to the State and local level.

The FHWA has incorporated these regulations, with additional guidelines and procedures, in their "Federal-Aid Highway Program Manual, Volume 4, Chapter 4, Section 2" dated February 15, 1984.<sup>5</sup> This FHWA manual defines the Metropolitan Planning Organization (MPO) as:

"that organization designated as being responsible, together with the State, for carrying out the provisions of 23 U.S.C. 134, as provided in 23 U.S.C. 104(f)(3), and capable of meeting the requirements of Sections 3(3)(1), 5(1), 8(a) and (c) and 9(e)(3)(G) of the UMT Act (49 U.S.C. 1602(e)(1), 1604(1), 1607(a) and (c) and 1607a(e)(3)(G). The metropolitan planning organization is the forum for cooperative transportation decision-making." [FHPM 4-4-2, 4,b,(3)]

Also in FHPM 4-4-2, pertaining to the MPO is the following:

"Designations of a metropolitan planning organization shall be made by agreement among the units of general purpose local governments and the Governor. To the extent possible, only one metropolitan planning organization should be designated for each urbanized area or group of contiguous urbanized areas." [5,a]

"Principal elected officials of general purpose local governments shall be represented on the metropolitan planning organization to the extent agreed to pursuant to paragraph 5a of this directive." [5,b]

### III. EXISTING OVERALL PROCESS/PRACTICE

As was previously noted there are many variations in the representative composition of the MPO's. There is also varied approaches to actually executing the transportation planning activities. These differences will be discussed further in subsequent discussions.

There are, however, certain basic elements in the planning process that are generally common to all of the MPO's. These elements are graphically portrayed on Figure P-1 and are summarized as follows:

#### Establishment of the Limits of the Urban Area and the Planning Study Area

The Urban Area - shall include the urbanized area, as established by the Bureau of Census, based on the last decennial census plus such adjacent areas as agreed to by the local officials and the state.

The urbanized area includes the incorporated area(s) plus adjacent areas with a population density of a least 1,000 persons per square mile.

The urban area boundaries should be fixed so as to smooth out irregularities in the urbanized limits, but should not be established or located to accommodate a specific project.

The Planning Area - shall include the urban area and those areas that are anticipated to become urbanized during the long term planning period (traditional 20 years).

Both the urban area and the planning study area may be modified from time to time in response to significant annexations or major development trends.

#### Development and Maintenance of a Long Range Transportation Plan

One of the "Products" required by federal regulations<sup>6</sup> is a "Transportation Plan". Administrative interpretation of this requirement has defined this as a "long range" (generally 20 Year) plan.

The methodology for developing these plans generally follows the traditional format of inventory, forecast, analysis of forecast, plan adoption and plan monitoring:

INVENTORY - Existing community factors, related to transportation facilities, and operations.

FORECAST - Probable rates and configuration of urban growth. This will include determining transportation needs as indicated by forecasted travel growth (These steps are reflected on Figure P-2).

ANALYSIS - Of available alternatives to serve the forecasted need.

ADOPTION - Of the selected alternative plan which will most effectively and economically serve the urban transportation/mobility needs of the area.

MONITOR - Community development with respect to the adopted plan in order to recognize any major deviation from prior assumptions. This includes periodic updating of all data basis including traffic counts.

Figure P-1

# URBAN TRANSPORTATION PLANNING PROCESS

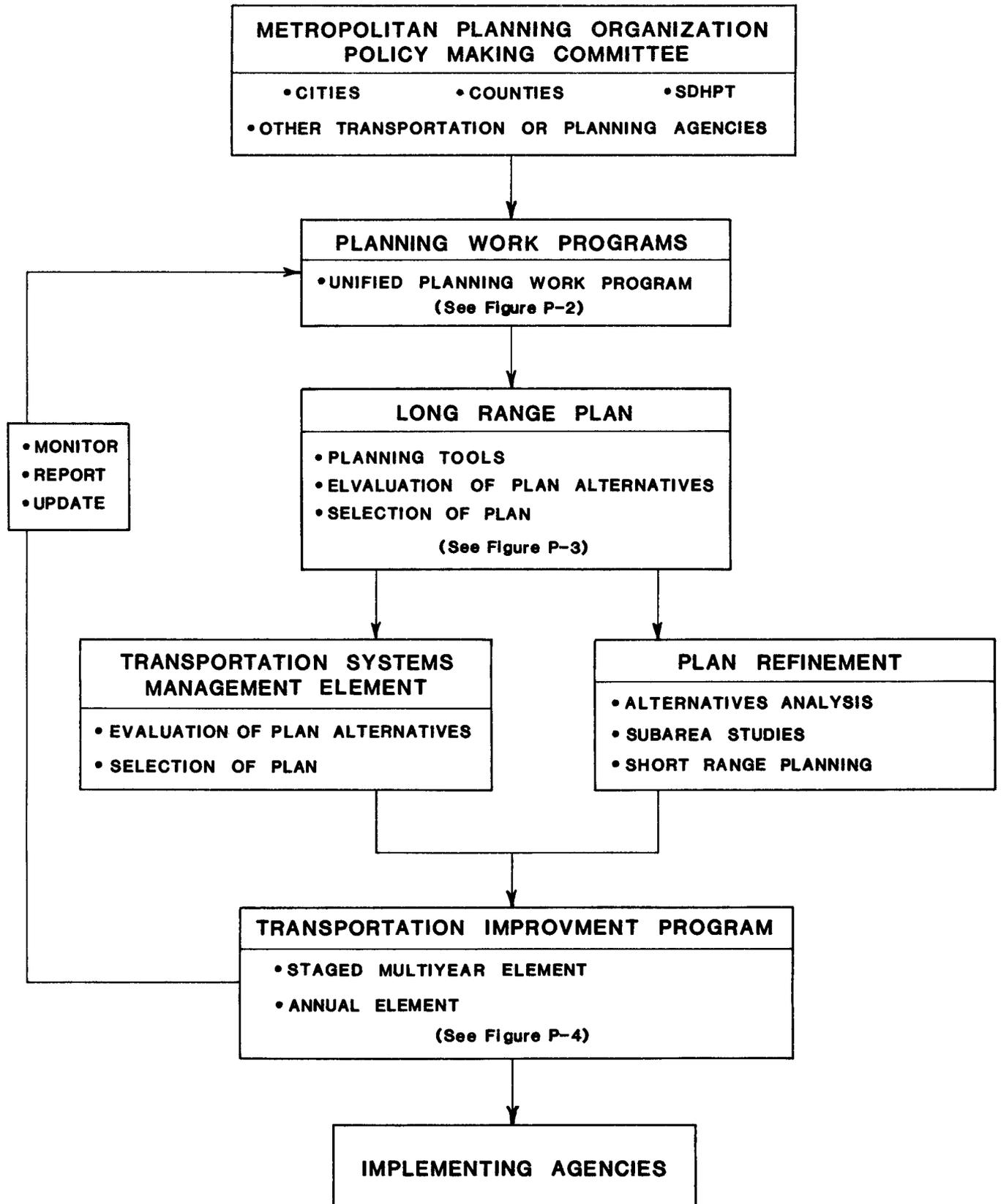
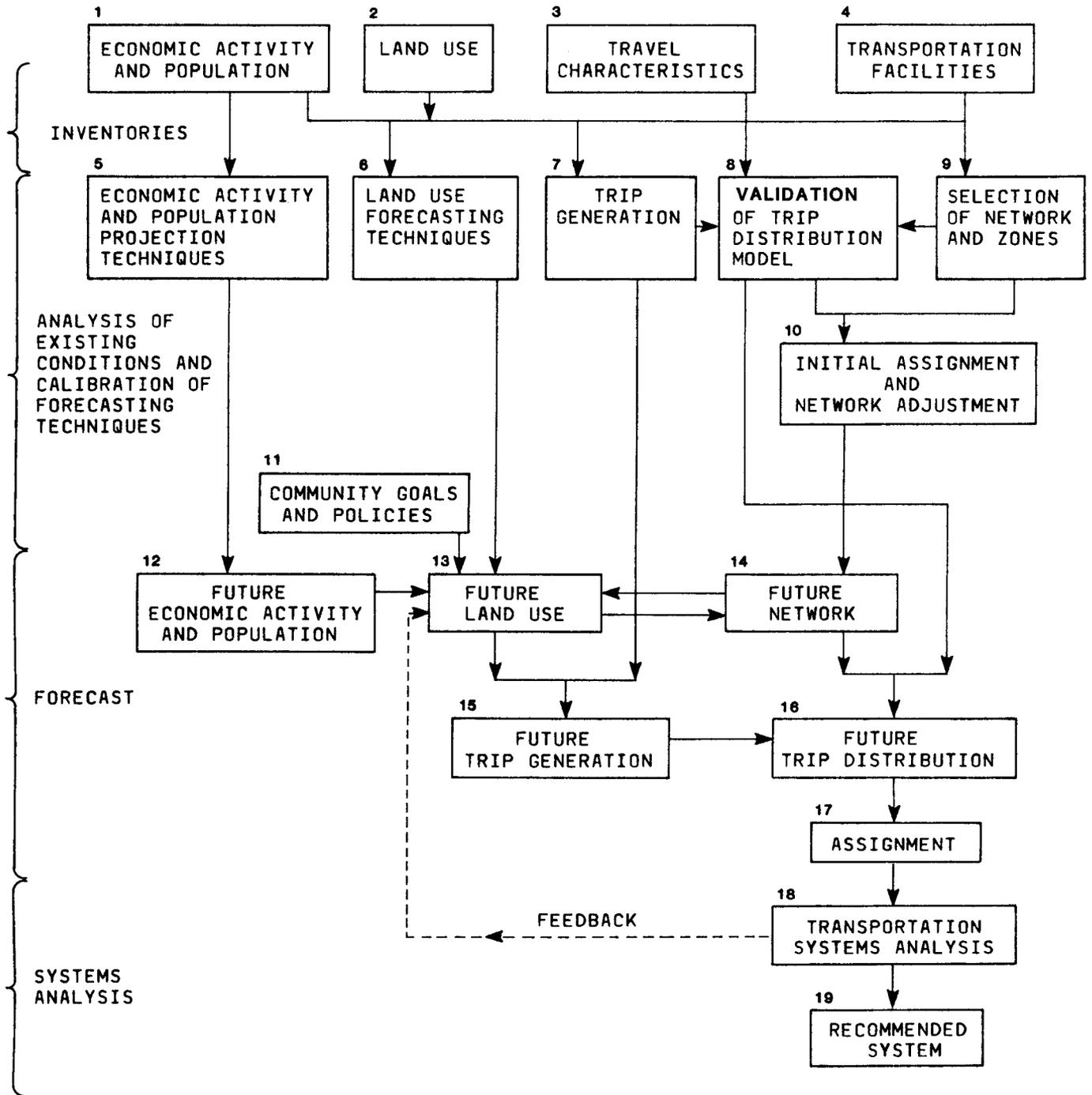


Figure P-2

# URBAN TRAVEL FORECASTING PROCESS

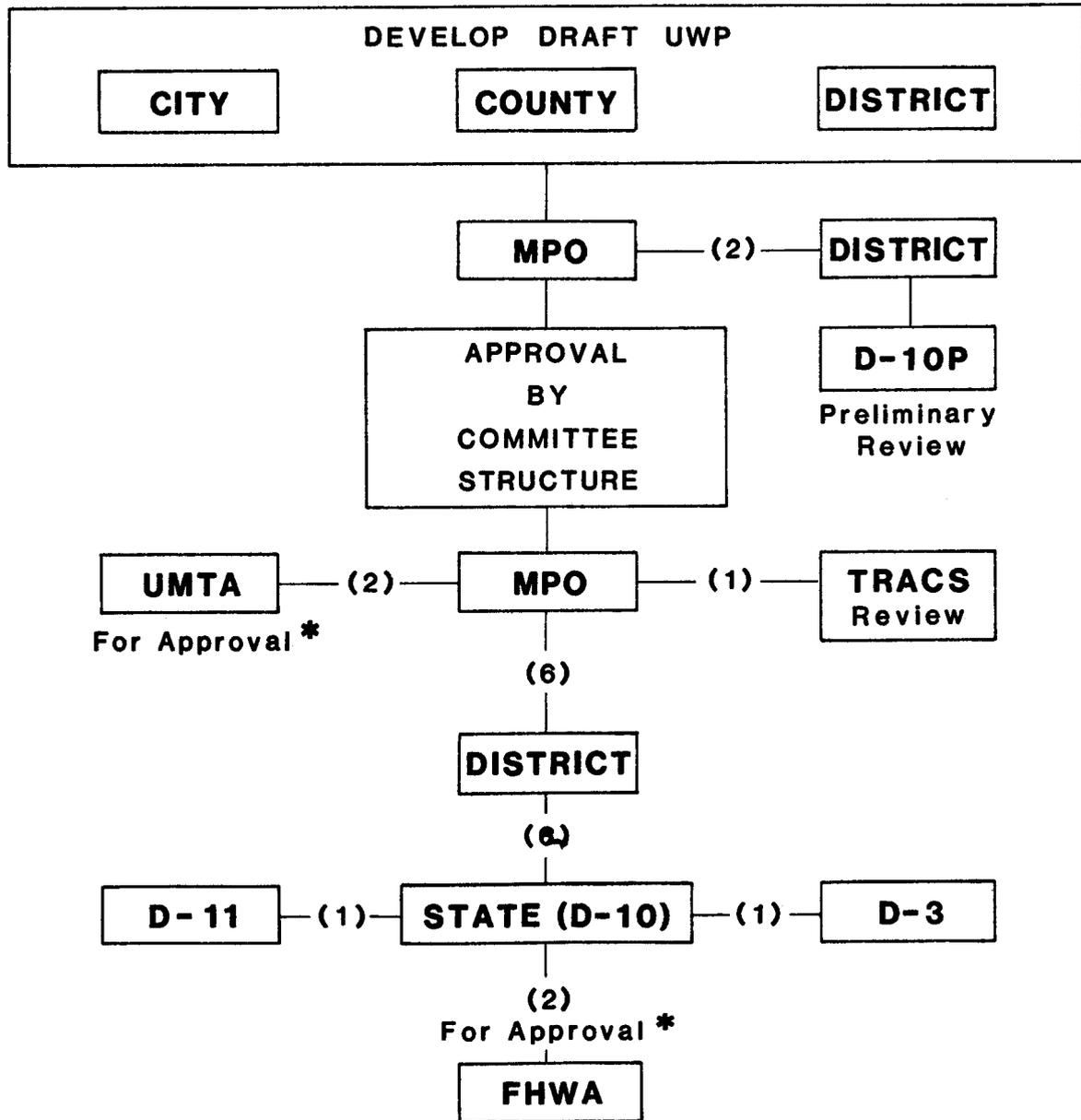


### Unified Planning Work Program (UWP)

Another federally mandated product is an annual (or bi-annual) work program which describes the planning activities to be executed, the estimated cost, source of funds, and responsible agency. This work program is to include all transportation planning activities utilizing federal funds. [See Figure P-3]

Figure P-3

# UNIFIED WORK PROGRAM



**LEGEND**

**MPO** - Metro. Planning Organization  
**D-10P** - Transportation Planning Division -Austin  
— - Document Flow  
(2) - Number of Copies to Submit  
\* - Approval Required by October 1

### Transportation Improvement Program/Annual Element

Also required is the preparation of a five year program listing those transportation improvements, within the urban area, that are contemplated for construction (beginning) during that time period. This program includes the identification, description, approximated cost, and responsible agency for each improvement.

In addition to the five year program, specific identification of improvements that are likely to be initiated during the first fiscal year is required and constitutes the "Annual Element" of the improvement program. In addition to the information required in the 5 year program the type and sources of funds are required in the annual element.

In order for federal funding to be available for a project within a subject urban area a project must be reflected on the current annual element. [See Figure P-4].

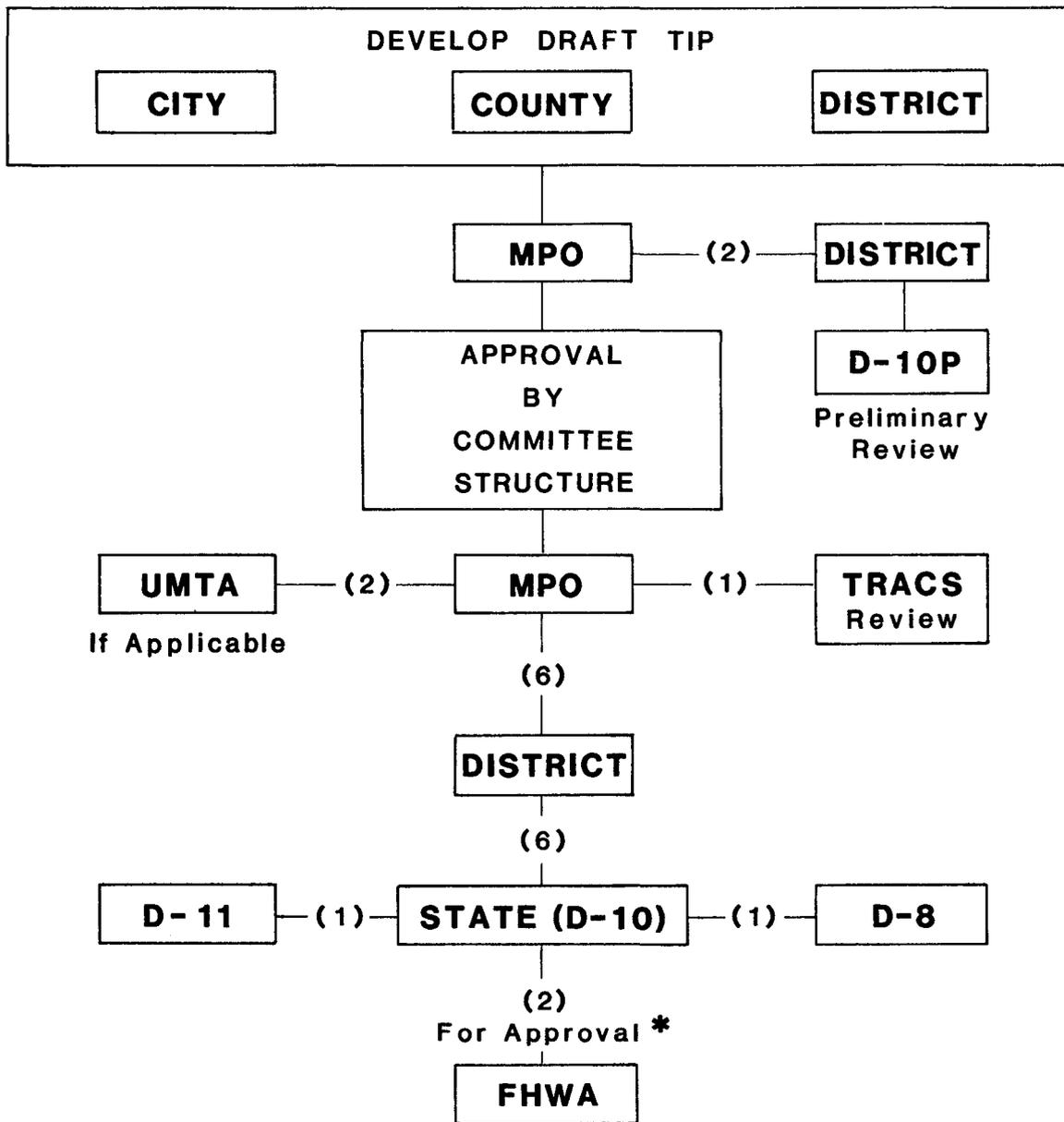
### Planning Certification

At the time the TIP/AE is submitted to the Federal Highway Administration, the MPO and the State certify that the planning process is being carried on in conformance with all applicable Federal requirements. This certification must be submitted with the TIP/AE to obtain Federal approval.

In addition, current directives require that certain MPO's certify that neither they nor their subcontractors are engaged in lobbying activities or file appropriate declarations of those activities. This certification is to accompany the UWP for MPO's receiving over \$100,000 federal planning funds.

Figure P-4

**TRANSPORTATION IMPROVEMENT PROGRAM**



**LEGEND**

**MPO** - Metro. Planning Organization  
**D-10P** - Transportation Planning Division -Austin  
 ——— - Document Flow  
 (2) - Number of Copies to Submit  
 \* - Approval Required by October 1

#### IV. SDHPT ROLE IN URBAN TRANSPORTATION PLANNING

As the designated agency for the receipt and disbursement of federal transportation planning funds the State Department of Highways and Public Transportation has assumed the overall responsibility for coordinating, supervising, and participating in programs in the 25 designated urban areas. This involves staff participation at the statewide level and on the local or district level in order to assure continued eligibility for federal highway and transit funding within these urban areas.

Some of the principal activities on both levels of involvement are summarized as follows:

##### Statewide SDHPT Involvement

The Transportation Planning Division (D-10) has been designated to assume overall administrative direction of the urban planning program on a statewide basis. This function involves an interface with local and district planning representatives as well as appropriate representatives of Federal Highway Administration in both administrative and technical capacities.

Some of the principal activities of the Transportation Planning Division in Urban Transportation Planning on a statewide basis are summarized as follows:

- ° Funds Management - FHWA Urban Transportation Planning Funds (Section 134-PL 112 Funds)
  1. In cooperation with FHWA develops a strategy for distributing the funds and recommends it to the administration and the State Highway and Public Transportation Commission for adoption.<sup>7</sup> Currently, the formula is based on \$25,000 per MPO (estimated amount required to maintain one full time staff member) regardless of size with the remainder of the available funds being distributed on a per capita basis according to the last decennial census. These funds are made available by FHWA on an 85%-15% local match basis. SDHPT provides the "local" match through "in kind" services, thereby simplifying utilization of the funds by the MPO.
  2. Disseminates information pertaining to funding to the various MPO's through the local SDHPT planning representatives.
  3. Advises the other Divisions and the Administration on needs and availability of urban planning funds.

° Program Administration

1. Serves as liaison between the local planning agencies and FHWA on all matters pertaining to regulations, program requirements, planning activity eligibility and other administrative matters.
2. Makes available to the local SDHPT planning representatives all appropriate data related to regulation or policy changes (both State and Federal).
3. Consults and/or assists local planners in the development of required documentation including the Unified Planning Work Program, Planning Certification, Performance Reports and other administrative documentation.
4. In cooperation with the Finance Division, develops policies and procedures for contracting with the MPO and for subcontracts between the MPO and third parties.
5. Monitors Steering Committee meetings to keep the Administration or other affected Divisions advised of pertinent activities, positions or proposals.

° Technical Services

1. Provides technical consultation pertaining to data requirements for travel forecasting.
2. Performs numerous traffic inventory activities necessary to evaluate and forecast travel patterns. These services include:
  - a. Maintenance and collection of permanent traffic recorders necessary to establish indices pertaining to seasonal, day of week, truck distribution and other data essential to adjusting one day counts into Annual Average.
  - b. Makes saturation traffic counts within each urban area periodically in order to evaluate the continued validity of the travel demand model. Currently, these counts are made at least once every five years in each urban area.
  - c. Publishes traffic maps and data that are used not only by the MPO but also by private interests in making investment decisions.
3. Provides computerized traffic demand models and forecast information to each study area.
4. Maintains a computerized base mapping system that is made available to the MPO's.
5. Provides extensive technical support through extensive investment in research and training program that enhance the level of expertise available for transportation planning.

6. Provides representation on local Technical Committees and Task Forces to enhance the quality of the planning efforts and assure compliance with state and federal criteria.
7. Provides technical consultation and assistance to the district and local planning practitioners.

#### Local SDHPT Involvement

On a local level, the SDHPT district in which the urban (MPO) area is located, is involved in both the policy making and technical aspects of transportation planning. This involvement includes substantial participation by the district planning representative and the District Engineer as well as staff support.

The District Engineer always serves on the policy committee of the MPO. In some cases, other district personnel also serve on the policy committee, this being a local determination.

The district planning representative is involved on a day to day basis with the MPO staff, in all planning activities, as appropriate for the area. In many of the smaller areas he must also provide a substantial amount of technical expertise and guidance in transportation planning.

Specifically, some of the functions that the district planner performs are:

- Provides liaison between the Planning Division/FHWA and the MPO.
- Relays, interprets and generally monitors compliance with all state and federal rules and regulations at the local level.
- Provides technical consultation and assistance to local planning agencies.
- Monitors and assists local agencies in meeting administrative and planning requirements.
- Suggests state and federal administrative policy modifications from a local perspective.
- Provides all information necessary for the preparation of the highways element of the Transportation Improvement Program.

## V. COMPARISON OF DIFFERENT METROPOLITAN PLANNING ORGANIZATIONS: POLICY AND COMPOSITION

### Comparison with other State's Policies

No detailed or comprehensive comparison has been documented reflecting other states' policies or experiences, pertaining to Metropolitan Planning Organizations or transportation planning. Due to the generality of the language of the law and regulations there are no doubt many variations which were deemed appropriate for different states.

It is known that many states do not contribute to the local match for federal funds through in kind services. Nor do all of the states provide the same technological or educational support that Texas does.

In addition, there are numerous practices pertaining to the type of agency designated as the MPO administrative and technical staff. Indeed, there are many variations in this regard, reflected in comparison of the 25 MPO's in Texas.

### Comparisons of Metropolitan Planning Organizations in Texas

The basic requirements relative to the composition and function of Metropolitan Planning Organizations has been discussed previously in this paper. The specific composition of the organizations and methodology for executing these functions varies greatly from one area to the other, throughout the state.

These differences result from several valid considerations including: geographic and attitudinal differences, size and jurisdictional makeup of the area, political and interjurisdictional factors, and levels of technical expertise locally available. While the diversity of organizations makes comparative analyses of performance difficult to quantify, experience has proven that these agencies have, generally, achieved very good transportation programs, reflective of the local areas goals, objectives and needs.

Differences in agencies (or committees) designated as MPO's and committee composition are reflected in Appendix IV (Committee Memberships). A summary of the distribution of funding and responsibility for technical execution of planning activities is as follows:

Figure P-5

TEXAS METROPOLITAN PLANNING ORGANIZATIONS

<u>Area</u>	<u>Fund Recipient &amp; Distribution</u>	<u>Technical Staff Services<sup>7</sup></u>
Abilene	Central City	City, Consultant
Amarillo	Central City	City, Consultant
Austin	County-Staff & Pass Through	Staff, City
Beaumont (JORTS)	COG-Pass Through to Major Cities	Cities, Consultant
Brownsville	Central City	City, Consultant
Bryan-College Station	Individual Agencies <sup>8</sup>	Cities, Consultant
Corpus Christi	Central City	City
Dallas-Fort Worth	COG	COG
El Paso	Central City	City
Harlingen-San Benito	Central City (Harlingen)	City, Consultants
Houston-Galveston	COG, Limited Pass Through	COG, Cities, 50,000+
Killeen-Temple	COG, Limited Pass Through	Cities, Consultants
Laredo	Central City	City, Consultants
Longview	Central City	City, Consultants
Lubbock	Central City	City, Consultants
McAllen-Edinburg	Individual Cities <sup>8</sup>	Cities, Consultants
Midland-Odessa	COG	COG, Cities, Consultants
San Angelo	Central City	City, Consultants
San Antonio <sup>8</sup>	County (Committee)	Staff, City, County
Sherman-Denison	COG	COG, Consultants
Texarkana	COG	SDHPT, COG
Tyler	Central City	City, Consultants
Victoria	Central City	City
Waco	Central City	City
Wichita Falls	Central City	City, Consultants

- 1 Minute Order 66719.
- 2 Minute Order 76787.
- 3 Minute Order 85191.
- 4 See Appendix II.
- 5 See Appendix III.
- 6 See Appendix III, pg. 4.
- 7 SDHPT provides substantial local input into technical processes of all urban planning programs. There is substantially greater involvement in the Bryan-College Station, McAllen-Edinburg, and Texarkana studies due to the political jurisdictional composition of the areas.
- 8 These areas have multiple contracts between SDHPT and individual cities or public entities. SDHPT district staff functions as overall coordinating and administrative agency.

**APPENDIX A**  
**TRANSPORTATION PLANNING ACRONYMS**

## Appendix A

### Transportation Planning Acronyms

Section 3	UMTA capital improvement grant
Section 5	Section of the DOT Act authorizing financial assistance for state rail planning
Section 5	UMTA grant for capital improvements and operating subsidies
Section 8 (d)	UMTA technical studies grant for planning purposes; formerly UMTA Section 9
Section 13	FAA airport systems planning grants
Section 16 (b)	UMTA capital grants for transportation for elderly and handicapped persons
Section 18	FHWA grants for public transportation in nonurbanized areas
Section 105	EPA air quality planning grants for the support of air pollution planning and control programs
Section 112	A section of the Federal-Aid Highway Act which apportions planning funds to Metropolitan Planning Organizations
Section 134	Section of the Federal-Aid Highway Act on transportation planning in urbanized areas
Section 147	FHWA demo funds for rural and small urban transit
Section 175	EPA grant for air quality maintenance planning responsibilities
ADT	Average Daily Traffic
AQCR's	Air Quality Control Regions
AQMA	Air Quality Maintenance Area - Areas noted by EPA that have a potential for or that presently exceed the National Ambient Air Quality Standards
CAA	Clean Air Act (and its related amendments)
CAB	Civil Aeronautics Board
CAC	Citizens Advisory Committee on Air Quality
CBD	Central Business District

NAAQS	National Ambient Air Quality Standards
NASP	National Airport System Plan
NO <sub>x</sub>	Nitrogen Oxides
O <sub>3</sub>	Ozone
O&D	Origin and Destination
OPD	Overall Program Design - a budgetary document of H-GAC
PPM	Parts Per Million
PRT	Personal Rapid Transit
RFP	Request for Proposal or Reasonable Further Progress
R-O-W	Right-of-Way
SDHPT	State Department of Highways and Public Transportation
TCP	Transportation Control Plans - as envisioned by the EPA to reduce mobile source emissions enough by 1982 or 1987 to meet the NAAQS (National Ambient Air Quality Standards)
TDP	Transit Development Program
TIP	Transportation Improvement Program
TSM	Transportation Systems Management
TOPICS	Traffic Operations to Increase Capacity and Safety
TPC	Transportation Planning Committee for Multimodal Transportation Planning
TRC	Texas Railroad Commission
TTI	Texas Transportation Institute, a division of Texas A&M University
UMTA	Urban Mass Transportation Administration
USC	United States Code
UTPS	Urban Transportation Planning System - a package of computer programs for transit planning
UWP	Unified Work Program
VMT	Vehicle Miles Traveled
VOC	Volatile Organic Compound
4R Act	Railroad Revitalization and Regulatory Reform Act of 1976

**APPENDIX B**

**RULES**

# **Federal Register**

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**Thursday  
June 30, 1983**

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## **Part VI**

### **Department of Transportation**

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**Federal Highway Administration  
Urban Mass Transportation Administration**

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**Urban Transportation Planning; Final Rule**

**DEPARTMENT OF TRANSPORTATION****Federal Highway Administration****Urban Mass Transportation Administration****23 CFR Part 450****49 CFR Part 613****Urban Transportation Planning**

**AGENCY:** Federal Highway Administration (FHWA) and Urban Mass Transportation Administration (UMTA), DOT.

**ACTION:** Final rule.

**SUMMARY:** The purpose of this document is to issue amendments to existing regulations governing transportation planning under FHWA and UMTA grant programs. These amendments are intended to: (1) Increase flexibility at the State and local level; (2) reduce redtape and simplify administration of the planning process; and (3) shift certain responsibilities from the Federal to the State and local level while maintaining an appropriate Federal oversight role.

**DATES:** These final amendments are effective on August 1, 1983. For additional information, see "SUPPLEMENTARY INFORMATION".

**FOR FURTHER INFORMATION CONTACT:**

FHWA: Sam W. P. Rea, Jr., Urban Planning and Transportation Management Division, (202) 426-2961, or Jerry Boone, Office of the Chief Counsel, (202) 426-0761; or UMTA: Robert Kirkland, Office of Planning Assistance, (202) 426-2360, or Anthony Anderson, Office of the Chief Counsel, (202) 426-4011, all located at 400 Seventh Street, SW., Washington, D.C. 20590. FHWA office hours are from 7:45 a.m. to 4:15 p.m. ET, Monday through Friday; UMTA office hours are from 8:30 a.m. to 5:00 p.m. ET, Monday through Friday.

**SUPPLEMENTARY INFORMATION:** This document amends the FHWA/UMTA regulations for urban transportation planning (23 CFR Part 450 and 49 CFR Part 613). The provisions of 23 CFR Part 450, Subparts A and B are incorporated into 49 CFR Part 613.

**Effective Dates**

These final amendments are effective on August 1, 1983. This final rule allows for several simplified procedures to be instituted at the option of State and/or local officials. As such, implementation schedules are not prescribed. However, FHWA and UMTA should be advised as soon as possible of any procedural changes instituted by State and local officials. Section 450.114 institutes a

required State/metropolitan planning organization certification. This certification must accompany all transportation improvement programs/annual (or biennial) elements submitted to FHWA and UMTA after the effective date of this rule. Any difficulties in meeting this requirement should be brought to FHWA and UMTA's attention for resolution on a case-by-case basis.

OMB Control Numbers: 2132-0031 and 2132-0529.

**Paperwork Reduction Act**

The information collection requirements contained in this regulation (sections 450.108 and 450.110) have been approved by the Office of Management and Budget under the provisions of the Paperwork Reduction Act of 1980 (Pub. L. 96-511) and have been assigned OMB control numbers 2132-0031 and 2132-0529.

**Background**

On September 17, 1975, FHWA and UMTA jointly issued final regulations (40 FR 42976) implementing the urban transportation planning process mandated by the Federal-Aid Highway Acts and the Urban Mass Transportation Act of 1964 (UMT Act), as amended. The statutes require a continuing, comprehensive and cooperative (3C) transportation planning process in all urban areas of more than 50,000 population.

Proposed amendments to the urban transportation planning regulations were published for notice and comment on October 30, 1980 (45 FR 71990). Final amendments and a request for additional public comments were published on January 19, 1981 (46 FR 5702). These amendments were originally scheduled to take effect on February 18, 1981. On February 4, 1981, the DOT postponed the effective date until March 31, 1981 (46 FR 10706). This action was taken pursuant to the President's memorandum of January 29, 1981, which, among other things, directed executive agencies to postpone for 60 days the effective dates of regulations which had been issued but were scheduled to become effective during the 60-day period following issuance of the memorandum. As a result of their initial review of the postponed amendments, the FHWA and UMTA decided to postpone the effective date further in order to provide sufficient time for full and appropriate review and revision of the subject amendments (46 FR 19233, March 30, 1981).

Based on their review of the postponed amendments and the

comments submitted to the public docket, FHWA and UMTA decided to withdraw those amendments. In their place, interim final regulations were issued on August 6, 1981 (46 FR 40170) which incorporated only those provisions of the withdrawn amendments which: (1) Reduced redtape and streamlined the planning process for areas under 200,000 population; (2) incorporated recent legislative changes; and (3) clarified the purpose of transportation system management (TSM) and several other aspects of the planning process.

As part of FHWA and UMTA's continuing efforts to evaluate their programs, a comprehensive review of the urban transportation planning process was undertaken to determine what further changes should be made in the process. This review considered the shift in Federal priorities away from transit operating assistance and towards maintaining existing highway and transit systems, as well as the President's efforts to reduce Federal intrusion in areas of essentially State and local interest. Neither FHWA nor UMTA has any preconceived positions on the issues under review. The only assumption used to guide the review was that the Federal role would be reduced in areas of essentially State and local interest. The purpose of the comprehensive review was to analyze the various aspects of the transportation planning process and to recommend any changes which would improve the existing delivery of transportation programs to States and local areas with a minimum of Federal involvement.

While this review had been a joint FHWA/UMTA effort, it also had been the subject of extensive participation by national interest groups and the public. Major national associations made suggestions on issues to be addressed, and these suggestions were helpful in preparing an "issues and options" paper, entitled, "Solicitation of Public Comment on the Appropriate Federal Role in Urban Transportation Planning." A notice of availability and request for public comment was published in the **Federal Register** on December 17, 1981 (46 FR 61531), and an official docket was established to receive comments (FHWA Docket 81-10). This paper served as the vehicle to solicit public comment on specific issues as well as to solicit recommendations on issues not addressed in the paper.

The public comments on the "issues and options" paper clearly indicated that the Federal role in the urban transportation planning process needed reconsideration, especially in regard to

the smaller urbanized areas (those urbanized areas with populations of less than 200,000). This general conclusion was also reflected in the comments from the staffs of both FHWA and UMTA. Further, the experience of FHWA and UMTA in administering the urban transportation planning program authorized by the Federal-Aid Highway and Urban Mass Transportation Acts, and the growing technical abilities of the States and local agencies added support to the position that administrative and regulatory revisions to the federally mandated urban transportation planning requirements must be considered. A detailed summary of the comments is included in the regulatory evaluation.

As a result of the comprehensive review, FHWA and UMTA proposed amendments to the urban transportation planning regulations in a notice of proposed rulemaking (NPRM) published in the *Federal Register* on August 26, 1982 (47 FR 37758).

The preamble to the NPRM discussed its overall policy direction under the major subject areas of the "issues and options" paper: Federal Planning Requirement Threshold; Roles and Responsibilities; Planning and Project Implementation; Technical Requirements; Certification; and Federal Funding for the Planning Process. The specific proposals were discussed in detail under the heading, Section-by-Section Analysis, and are restated in this preamble under the same heading.

This final rule is intended, as was the NPRM, to reduce the role of the Federal Government in urban transportation planning to the maximum extent possible under governing statutes. This is accomplished by: (1) Providing for greater State and local flexibility in administering the planning process and associated Federal funds; (2) clarifying the intent with respect to the flexibility of institutional relationships; and (3) eliminating most of the non-regulatory language from the regulation.

This regulation presents a further reduced Federal role, based on a clearer distinction between Federal requirements and good planning practices. FHWA and UMTA intend to continue to provide technical assistance to advance good planning and programming practices. Formalized training courses, as well as on-site visits on an "as requested" basis, will be provided along with other forms of technical assistance.

#### Disposition of Comments

In response to the notice of proposed rulemaking (NPRM), one hundred-forty seven comments were received including 66 from metropolitan planning

organizations and regional planning agencies, 36 from State departments of transportation, 9 from transit operators and authorities, 16 from State and local governments, 11 from Federal agencies, private citizens and other interested parties, and 9 from national organizations and groups which represent groups such as State and local governments, transit operators, and metropolitan planning organizations.

The majority of the comment were very positive and supported the general purpose of the proposed revisions, that is, to provide more flexibility to State and local officials and to streamline the planning process. While many comments supported the reduction in prescriptive provisions proposed in the NPRM, they believed that several proposed provisions needed clarification and further explanation. Several commenters criticized certain proposed revisions and questioned the basis for these actions.

In the preparation of the final rule set forth below, consideration was given to the concerns mentioned earlier and all other commenters received insofar as they relate to the scope of the NPRM. Comments received after October 25, 1982, (close of comment period) also were considered to the extent that time allowed. The majority of the changes are for the purposes of clarification although several comments did result in substantive alterations to the regulations. The Surface Transportation Assistance Act of 1982, Pub. L. 97-424, required some changes to the NPRM, due to the change to the capital and operating assistance grant programs authorized by amendments to the Urban Mass Transportation Act.

#### Section-by-Section Analysis

Each section of this final rule is discussed in detail below.

The existing Subpart B to 23 CFR Part 450, "Metropolitan Planning Funds" (40 FR 38151, August 27, 1975, as amended at 46 FR 40176, August 8, 1981) is not affected in any way by this rulemaking action. However, the proposal presented in the NPRM to redesignate this subpart as Subpart C is made final.

The existing appendices regarding transportation system management and simplified procedures in areas under 200,000 population were deleted from the August 26, 1982 NPRM since they are advisory. For that reason those appendices have also been deleted from this final rule. The FHWA and UMTA will continue to provide advice and guidance on these issues, but intend to do so in a non-regulatory manner.

#### 23 CFR 450 Subpart A—Urban Transportation Planning

##### Section 450.100 Purpose.

This section states that this subpart implements the urban transportation planning requirements of 23 U.S.C. 134 and Section 8 of the Urban Mass Transportation Act of 1964, as amended. The section is unchanged from that proposed in the NPRM.

##### Section 450.102 Applicability.

This section states that the provisions of this subpart apply to the transportation planning process in urbanized areas and is identical to that in the NPRM.

##### Section 450.104 Definition.

Section 450.104 defines the terms used in this part. As proposed, the definitions of the terms, "Highway Safety," "Interstate Substitution Projects" and "Interstate System Projects," are no longer included because these terms are defined elsewhere in 23 CFR or are no longer used in this regulation.

The term "Designated Section 9 Recipient" is added to the final rule in recognition of changes to UMTA programs brought about by the Surface Transportation Assistance Act of 1982.

The proposal in the NPRM to allow for an annual element to cover a period of up to two years was widely accepted. However, several commenters recommended that the term, "annual element", be changed to reflect this increased flexibility. The FHWA and UMTA decided to use the term "annual (or biennial) element" in this rule and expect State and local officials will use either "annual element" or "biennial element" depending upon the program period used. The definition is modified slightly to reflect this change.

As proposed in the NPRM, the revision to the definition of the "metropolitan planning organization" is made final. This proposal made more general the wording regarding membership and is meant to be less prescriptive. Also, the last sentence under the term, "metropolitan planning organization," which recommends "that principal elected officials of general purpose local government be represented on the metropolitan planning organization," is deleted since it duplicates paragraph (b) in Section 450.106. Further discussion on these other items directly affecting the metropolitan planning organization is contained in the following section.

*Section 450.106 Metropolitan planning organization.*

Section 450.106, which provides for the designation of the metropolitan planning organization, is not changed from that proposed in the NPRM. It is intended to follow closely 23 U.S.C. 134(b)(2) and 49 U.S.C. 1607(b)(3) so that the intent of Congress with regard to the designation of metropolitan planning organizations is explicitly recognized.

A number of the commenters expressed concern that the important role of local elected officials was being reduced. This concern was directed at proposed changes to this section as well as sections 450.108 regarding funding, 450.112 regarding participant responsibilities, and 450.206 regarding project selection. These specific concerns are addressed in the discussion in this preamble under each of these sections.

The specific concerns expressed mostly by commenters from local governments and regional planning agencies under Sections 450.106 and 450.104 regard the deletion of the requirement that principal elected officials of general purpose local government have adequate representation on the metropolitan planning organization and that the metropolitan planning organization be defined as, "a forum of cooperative transportation decisionmaking by principal elected officials of general purpose local government." Several U.S. Senators also expressed this same concern.

The FHWA and UMTA strongly believe that local officials involvement in the 3C planning process, through the metropolitan planning organization, is important. The changes proposed in the NPRM were not intended to reflect any change in this belief. Rather, this rule was changed to rely primarily upon the statutory requirements with minimum administrative interpretation to allow the widest latitude possible in the designation of metropolitan planning organizations. Therefore, the provisions of 23 U.S.C. 134 and Section 8 of the UMT Act (49 U.S.C. 1607) are emphasized. These provisions call for the designation of a metropolitan planning organization to be ". . . by agreement among the units of general purpose local government and the Governor."

Local government involvement in the designation or redesignation of a metropolitan planning organization constitutes a substantial and important role for local officials in structuring the 3C process. The FHWA and UMTA strongly believe that the metropolitan

planning organization should adequately represent local elected officials and the implementing agencies, but that decisions such as who should serve on the metropolitan planning organization should be made by local governments and not be mandated by the Federal Government. This representation would be determined at the time of designation or redesignation and does not prohibit appointed officials, such as representatives of the State DOT or local public transit operators, from being voting members of the metropolitan planning organization.

As stated in the NPRM, FHWA and UMTA do not anticipate significant organizational or functional changes being made to existing arrangements as a result of these amendments, which reduce Federal prescription on what responsibilities the organizations or partners in the process must assume as long as there is mutual agreement.

*Section 450.108 Urban transportation planning process: Funding.*

This new section incorporates various provisions of several sections of the existing regulation and provides the program requirements for the use of FHWA and UMTA planning funds to carry out the urban transportation planning process.

The UMTA has decided to retain the provision proposed in the NPRM giving States the option of receiving and allocating its Section 8 funds for those urbanized areas below the 200,000 population threshold. In response to the concerns of several commenters regarding funding of those small urbanized areas where they are part of larger metropolitan planning organizations, the final regulation has been changed to recognize that groups of urbanized areas under a single metropolitan planning organization with an aggregate population of 200,000 or more should continue to receive funds through the metropolitan planning organization. In addition, many of the smaller urbanized areas were concerned that the draft rule would allow States to opt unilaterally to retain Section 8 funds and spend them for the benefit of the small urbanized areas, rather than passing them through for the direct use by those metropolitan planning organizations. Although States would not be precluded from spending these funds for the benefit of the small urbanized areas, it could only be done with the concurrence of the designated metropolitan planning organization. The final rule has been changed to clarify this point. The UMTA intends that the States allocate the Section 8 funds among small urbanized areas annually

in collaboration with the metropolitan planning organizations in lieu of it being done at the Federal level by UMTA, but there is no intent that the States co-opt the program in these areas. This provision creates a potential for allocation of combined FHWA and UMTA planning funds which is more sensitive to local needs by building on the States current allocation of FHWA planning funds based on a formula approved by FHWA. The FHWA and UMTA also encourage State and local officials to work together to ensure consistent and timely delivery of funds. The FHWA and UMTA are working together to ensure the same at the Federal level.

The reference to 23 U.S.C. 104(f)(3) is included in this regulation as it was in the proposed rule to ensure that the intent of Congress is followed in regard to the administration of PL funds. This section does not prohibit the administration and/or expenditure of PL funds by another organization as allowed under § 450.108(e) so long as agreed to by the metropolitan planning organization. The FHWA strongly encourages such latitude be used, especially in the smaller urbanized areas.

In an effort to reduce the Federal presence in the administration of the planning process in urbanized areas with less than 200,000 population, the FHWA and UMTA proposed in the NPRM that a unified planning work program (UPWP) need not be developed for these areas; rather, planning tasks for these areas would be documented as agreed to by the State and the metropolitan planning organization. This provision was welcomed by most commenters who addressed the issue and has been retained in the final rule. The FHWA and UMTA believe that it is appropriate to provide State and local officials with the flexibility to determine the planning activities that are to be done, who would do the work, and how the funds would be expended without specifying how this information is documented.

In order to strengthen UMTA's long standing advocacy of appropriate transit operator involvement in the planning process, § 450.108(f) of the NPRM was replaced by § 450.108(e) in this final rule to specifically address and encourage fund pass through and the sharing of appropriate work responsibilities by the metropolitan planning organization and transit operators. The FHWA continues to allow pass through of PL funds to other agencies but emphasizes that, in all urbanized areas, the metropolitan planning organization must agree to the

use of PL funds made available to the metropolitan planning organization by the State in accordance with 23 U.S.C. 104(f)(3) and 23 CFR 450.108(a).

Finally, § 450.108 has been modified to reflect provisions of Section 9(j) of Title III of the Surface Transportation Assistance Act of 1982 which provides for the expenditure of Section 9 or 9A grant funds for planning purposes. This Act was passed after the NPRM was published. To assure that planning conducted with Section 9 or 9A funds by designated recipient is fully coordinated with, and a part of the 3C process, § 450.108(c) has been modified to require that Section 9 or 9A funded planning activities be included in the UPWP for areas of over 200,000 population and that the designated recipient be included in the work program development process. Similarly, § 450.108(d) has been modified to require that Section 9 or 9A funds used for planning purposes be included in the description of activities for areas of less than 200,000 population.

*Section 450.110 Urban transportation planning process: Products.*

Section 450.110 is identical to that proposed in the NPRM except that paragraph (a) has been changed slightly to be more consistent with statutory language.

As proposed in the NPRM, this section combined and simplified several sections of the existing regulation. The FHWA and UMTA are reducing the product requirements to the minimum necessary to permit Federal stewardship: (1) A transportation plan (without the requirement for long- and short-range elements), and (2) the TIP and its annual (or biennial) element. Consequently, State and local officials will have maximum flexibility in developing and endorsing these products. A planning work program will continue to be required under section 450.108 to support the request for PL and Section 8 funds needed to perform these activities and prepare these products.

Several commenters were concerned by the lack of guidance presented in this section, especially with regard to the transportation plan. The FHWA and UMTA continue to believe that many of the existing provisions are advisory and, therefore, have been removed from the regulation.

Several commenters were concerned with the issue of the geographic scope of planning, which was not specifically addressed in the NPRM. The existing regulations require the planning process to cover, "as a minimum, the urbanized area and the area likely to be urbanized in the period covered by the long-range element of the transportation plan." 23

U.S.C. 134 and 49 U.S.C. 1607 require that area which lies within the urbanized area boundary (as defined by the Bureau of the Census) is the minimum geographic area to be covered by the 3C process. The statutory requirement is reflected in § 450.100, "Purpose," and section 450.102, "Applicability," of this final rule. Defining a geographic area larger than this minimum is permitted. It should be determined by State and local officials and consider such factors as the areas which will be urbanized in the foreseeable future, representation on a metropolitan planning organization, jurisdictional boundaries, as well as the current and future transportation system and transportation issues in the area. The FHWA and UMTA do not intend to prescribe the outer boundaries of the urban transportation planning area but expect that State and local officials will establish appropriate geographic boundaries for the urban transportation planning process.

Several commenters also were concerned that FHWA and UMTA, by eliminating specific requirements for long- and short-range elements of the plan were de-emphasizing an orderly flow of the planning and project development process from general systems analysis through analysis of alternatives to project selection and implementation. This is not the case. Several commenters also believed that the "regional" nature of the planning process would be lost without a Federal requirement for a long-range element. The FHWA and UMTA believe the planning process has matured to the extent that neither time horizons nor specific plan elements have to be specified in Federal regulations and anticipate that without this specificity, the transportation plan will be more responsive to each area's situation, and result, therefore, in more useful products of the planning process.

Paragraph (c) has been retained in this final rule to indicate that the planning process may also include other planning and project development activities, as determined by State and local officials, in addition to those indicated in paragraphs (a) and (b). The FHWA and UMTA believe that while the 3C process is mandated by Federal law its objective is to insure that important State and local transportation issues are adequately addressed.

*Section 450.112 Urban transportation planning process: Participant responsibilities.*

This section is retained as proposed in the NPRM. It provides for the metropolitan planning organization, the

State and publicly owned operators of mass transportation services to mutually determine their roles and responsibilities for developing the products of the urban transportation planning process. This change gives the principal participants greater flexibility in determining their appropriate roles and is intended to eliminate the perception that there are regulatory restrictions regarding the involvement of implementing agencies in the urban transportation planning process. This change also eliminates the existing requirement for an annual endorsement of the transportation plan and TIP/annual (or biennial) element. Since these may not change significantly from year to year, an annual endorsement may be an unnecessary burden. Endorsement of the transportation plan will only be necessary when significant changes occur and endorsement of the TIP/annual (or biennial) element will be required when a new or revised TIP/annual (or biennial) element is submitted to FHWA and UMTA. The FHWA and UMTA encourage the use of simplified procedures for revising the annual (or biennial) element.

The Federal requirements prescribed by section 450.108 of the existing regulation for agreements between the metropolitan planning organization, State, and transit operators, as necessary, are eliminated since these requirements are an unnecessary Federal intrusion.

While most of the commenters supported the increased flexibility afforded State and local officials, a number of commenters believed that without a federally prescribed "lead agency" or explicit Federal support for a particular assignment of responsibilities, major disagreements among the parties could result in a stalemate. As stated earlier, this regulation provides State and local officials with increased flexibility to carry out the 3C process with a minimum Federal role. Inherent with this increased flexibility is the responsibility to reconcile their differences.

*Section 450.114 Urban transportation process: Certification.*

In keeping with the goal of reducing the Federal presence in urban transportation planning, FHWA and UMTA proposed in the NPRM that the current procedures for Federal certification of the planning process be eliminated and that the State and the Metropolitan planning organization certify that the planning process complies with all applicable Federal laws and regulations. This section of the

NPRM also required that the planning process be consistent with other Federal laws and that the process include activities to support the development and implementation of the TIP, transportation plan and subsequent project development activities as necessary and to the degree appropriate.

The existing section concerning certification (§ 450.212) and elements (§ 450.120) are combine as proposed in the NPRM to clarify what the State/metropolitan planning organization certification action should address. Furthermore, the list of technical activities included in the existing regulation was considered to be advisory and, therefore, was deleted from the NPRM. For that same reason, the list is not included in this final rule.

The commenters were very supportive of this State/metropolitan planning organization certification as proposed. Therefore, FHWA and UMTA decided to retain this provision as proposed, except for the changes noted below.

Several commenters recommended that the certification action be based on criteria established by FHWA and UMTA. FHWA and UMTA believe that this final rule in fact contains the criteria and do not intend to provide a more explicit interpretation except as included in this preamble. To do so would detract from the responsibility of State and local officials to assess the adequacy of the urban transportation planning process. FHWA and UMTA believe that this final rule provides adequate interpretation of the applicable statutes.

Paragraph (a) has been revised to emphasize that the urban transportation planning process must also include activities to support the implementation as well as the development of the transportation plan and TIP.

Paragraph (b) of the NPRM regarding the State/metropolitan planning organization certification provision has been revised in the final rule. Subparagraph (b)(4) of the NPRM has been deleted since the statutory requirements it references (23 U.S.C. 109(h), 49 U.S.C. 1604(h)(2), and 49 U.S.C. 1610, regarding social, economic and environmental impacts) address areas already covered by 23 U.S.C. 134 and 49 U.S.C. 1607 and are project level requirements. Also, the references to 49 U.S.C. 1602(d) and 1610(b) in paragraph (c) are deleted for the same reasons.

Subparagraph (b)(4) regarding the elderly and handicapped provision is not subject to the State/metropolitan planning organization certification as proposed in the NPRM, since 49 CFR Part 27, the regulation implementing this

requirement, already requires a separate certification action.

A new subparagraph (b)(3) is added to reflect changes concerning minority business enterprises brought about by the Surface Transportation Assistance Act of 1982 Pub. L. 97-424, Section 105(f). The planning process should take into account the need to comply with the requirements of Section 105(f) regarding involvement of minority business enterprises in FHWA and UMTA funded projects.

The two requirements addressed by the State/metropolitan planning organization certification action are:

The urban transportation planning process requirements of 23 U.S.C. 134 and 49 U.S.C. 1607 and requirements of this final rule; and

The transportation planning and programming-related requirements contained in Sections 174 and 176 (c) and (d) of the Clean Air Act.

Implementing regulations are contained in 23 CFR Part 770 and 49 CFR Part 623.

The urban transportation planning process requirements are included to provide the State and local officials increased responsibility in carrying out the urban transportation planning process. This certification action is intended to provide a focal point for the State/metropolitan planning organization assessment of the planning process. The Clean Air Act requirements are included because of the relationship between urban transportation planning and transportation related air quality planning as presently identified in the Clean Air Act, as amended.

Several commenters questioned the differences between these two requirements and the two requirements included in section 450.114(c) and (d) of the NPRM regarding private enterprise and civil rights. These commenters were concerned that FHWA and UMTA were giving greater emphasis to these two requirements because they were specifically cited outside of the self-certification provisions. This was the intent; FHWA and UMTA continue to believe that these two statutory provisions require additional Federal attention outside of the State/metropolitan planning organization certification procedures.

This certification action is intended to be a simple statement that the requirements of 23 CFR Part 450 have been met (i.e., "We certify that the requirements of 23 CFR 450.114(c) are met.") A more elaborate submittal (i.e., with supporting documentation) is acceptable but not required by FHWA or UMTA. Since the certification action is to reflect the current planning process, it is to be submitted to FHWA and

UMTA at the time a new TIP, including the annual (or biennial) element, is submitted to the Federal Government, but no less frequently than 4 years. This requirement is not intended to mandate when the actual certification action is to take place. However, FHWA and UMTA expect that development and preparation of the TIP, including the annual (or biennial) element being submitted, is based on a currently certified process and that, at a minimum, a statement to this effect should accompany the TIP. The FHWA and UMTA want to stress that the certification procedures should be determined by the State and metropolitan planning organization. FHWA and UMTA encourage a joint single action, although it is not required.

Institution of the State/metropolitan planning organization self certification does not relieve FHWA and UMTA of their oversight responsibilities and the necessity of making statutory findings discussed under § 450.212 "Program Approval." The FHWA and UMTA will still conduct appropriate, independent reviews as a basis for these findings. The State/metropolitan planning organization self certification, and these reviews will assist FHWA and UMTA in meeting their statutory responsibilities.

The State/metropolitan planning organization certification is not an optional requirement. Therefore, some action must be taken in order for FHWA and UMTA to make subsequent program and project approvals under § 450.212. However, failure of either party to certify full compliance does not, by itself, necessarily trigger a negative finding by either FHWA or UMTA. In such cases FHWA and UMTA intend to discuss the situation with the parties involved to determine the cause of their action as well as possible remedies. Other factors which also form the basis for the Federal finding, such as a properly developed and endorsed TIP, a plan and work program, will also be considered during these discussions.

Deficiencies in the process identified by State and local officials are to be corrected according to their own proposals, within a reasonable self-imposed time frame.

## 23 CFR 450 Subpart B—Transportation Improvement Program

### Section 450.200 Purpose.

This section is retained as proposed in the NPRM. The NPRM proposal differed from the existing regulation by dropping the language, "and to prescribe guidelines for the selection by implementing agencies of annual

programs of projects to be advanced in urbanized areas." This language is no longer necessary since the prescriptive provisions included in the existing regulation regarding project initiation are eliminated (see section 450.208).

*Section 450.202 Applicability.*

Section 450.202 states the types of projects to which this rule applies. The projects are categorized by the various Federal funding programs. Projects under the Highway Bridge Replacement and Rehabilitation (HBRR) Program (23 U.S.C. 144), and the Sections 9 and 9A transit program created by the Surface Transportation Assistance Act of 1982 (49 U.S.C. 1607a and 1607a-1) have been added to those that were listed in the NPRM. Although the Interstate 4R program was technically included in the existing regulation, under the general citation for the Interstate System (23 U.S.C. 104(b)(5)), there was some confusion because it was not explicitly identified in the NPRM. This has been clarified by including the specific reference to the Interstate 4R program in this section.

The FHWA believes the HBRR program should be subject to the urban transportation planning process because major bridge reconstruction projects in urbanized areas may have potential regional impact and intergovernmental interest. While the FHWA believes that these types of bridge projects are being included in the TIP process because they most likely are located on a roadway designated as part of a Federal-aid system, the direct citation of the program in this section should make it clear that the regulation does apply. Many areas already include those classes of projects in their TIP and annual element.

The Section 9 program (and the Section 9A program through fiscal year 1983) are also added. These programs are subject to the urban transportation planning process by virtue of the self-certification requirement contained in section 9(e)(3)(G) of the UMT Act. Information regarding the Section 9A program was published by UMTA in the January 24, 1983, *Federal Register*, (48 FR 3300) and in UMTA Circular C-9020.1 of February 3, 1983. Information regarding the Section 9 program will be published in the *Federal Register* prior to October 1, 1983.

Several commenters questioned the need to retain the provision that projects "serving" (as opposed to "in") urbanized areas be included. The FHWA and UMTA believe that many transportation improvements are constructed or instituted for the sole purpose of serving the needs of a specific urbanized area.

Transit routes, carpool and vanpool lanes, and park-and-ride lots, are a few examples of the types which would be outside of an urbanized area's boundaries but whose primary purpose is to serve the transportation needs of the urbanized areas.

Paragraph (b) has been changed to allow the State, upon agreement in writing with the metropolitan planning organization, to propose Federal-aid primary, Interstate (including 4R) and HBRR projects (but not Federal-aid urban system projects, Interstate substitution projects or UMTA-funded projects) for implementation in the statewide program of projects (105 program), without these projects being drawn from the annual (or biennial) element of the TIP if they are repair, safety, or localized traffic operation projects that do not alter the functional traffic capacity or capability of the facilities being improved.

This revised paragraph expands the provisions in the NPRM which covered only highway safety-related projects that are included in the State prepared highway safety improvement program under 23 CFR 924. The reference to the highway safety improvement program is eliminated from this final rule since safety-related projects are now covered by this optional provision.

The FHWA has decided to expand the provision to include, in addition to highway safety improvement projects, other projects which are not of significant scale to warrant the same level of effort required for projects with greater regional impact. Quite often, these improvements evolve from the statewide or systemwide program to maintain and improve the condition and safety of existing streets and highways. The FHWA believes that these types of projects need not be on the TIP, including the annual (or biennial) element, to assure adequate transportation planning and programming under 23 U.S.C. 134(a). This optional and flexible provision does not exempt these types of projects from being based on the 3C process and FHWA fully intends to continue to exercise its statutory authority under 23 U.S.C. 134(a) which requires the Secretary to make such a finding.

The FHWA anticipates that this optional provision will be used primarily to address categories of projects (as opposed to individual projects) and will be exercised in concert with simplified procedures to update the TIP and annual (or biennial) element under Section 450.204(c) and the procedures to select projects for inclusion in the annual (or biennial) element under 450.206(a)(4).

FHWA stresses that: (1) This provision applies only to the certain types or categories of projects described earlier and, (2) the State/metropolitan planning organization agreement is a key requirement. Regarding the project types, the State should make FHWA aware of the exclusion that the State intends to apply as early as possible. This early action is intended: (a) To provide FHWA with sufficient time to alert the State to any concerns FHWA may have regarding the types of projects (or categories of projects) proposed to be covered by this provision, and (b) to preclude the delay of the projects when the 105 program or an amendment to it is formally submitted to FHWA.

Regarding the agreement requirement, the State should clearly indicate how it was accomplished (e.g., copies of the correspondence). FHWA fully expects the agreement to be made sufficiently in advance of the preparation of the annual statewide program of projects under 23 U.S.C. 105 or any proposed amendment to an approved program of projects. This provision allows for the agreement to be effective for several years, however, the State's notification to both FHWA and the metropolitan planning organization is to be on the same cycle as 105 program actions, and projects (or categories of projects) should be identified whenever possible in the same detail that they will be described in the 105 program of projects.

The existing requirement that the State notify the appropriate metropolitan planning organization of 105 program actions taken on projects (or categories of projects) in each urbanized area is retained as § 450.210(d).

*Section 450.204 Transportation improvement program: General.*

This section is retained in identical form as proposed in the NPRM, except that paragraph (d)(2) is changed slightly to indicate clearly that FHWA does not take any approval action on the TIP, including the annual (or biennial) element but rather uses it as a basis for meeting the applicable air quality procedures contained in 23 CFR Part 770 and as a basis for the subsequent review and approval of the statewide program of projects under 23 U.S.C. 105. As proposed in the NPRM, this section incorporated sections 450.314, "Annual element modification," and 450.316, "Action required by the metropolitan planning organization."

*Section 450.206 Annual (or biennial) element: Project selection.*

The proposal to eliminate § 450.310, "Annual element: Project initiation" and replace it with § 450.206 has been retained in this final rule. Several commenters opposed this proposal, believing that the authority for selecting Federal-aid urban system projects mandated by 23 U.S.C. 105(d) was being ignored. The FHWA and the UMTA do not believe that this is the case. Section 450.310 provided for an administratively determined procedure for initiating all projects, not just Federal-aid urban system projects, which FHWA and UMTA believe is too prescriptive and goes beyond the statutory requirements.

Section 105(d) of 23 U.S.C. does not refer to project initiation; it states in pertinent part that Federal-aid urban system projects, ". . . be selected by the appropriate local officials with the concurrence of the State highway department . . ."

The statutory requirement is explicitly acknowledged in section 450.206(a)(2). Also the statutory requirement regarding the selection of Interstate substitution projects by responsible local officials, contained in 23 U.S.C. 103(e)(4) and 23 CFR 476 is acknowledged in § 450.206(a)(3). The FHWA and UMTA believe that the specific procedures to meet these statutory provisions should be decided by the local officials and not prescribed by the Federal Government. The FHWA and UMTA also believe that endorsement of the annual (or biennial) element by the metropolitan planning organization will be evidence that local officials have in fact selected the Federal-aid urban system projects as well as the Interstate substitution projects on the annual (or biennial) element. Paragraph (b) to § 450.206 has been added to recognize this concern.

*Section 450.208 Annual (or biennial) element: Content.*

The only change to this section from that proposed in the NPRM is made to clarify paragraph (b)(1) that project phases as well as complete projects may be proposed in the annual (or biennial) element. The word "phase" replaces "stage" which appears in the existing regulation and the NPRM in order to use the term which appears in 23 CFR Part 630.

Several commenters suggested that either the TIP or the annual element be eliminated, while others gave strong support to inclusion of both the TIP and the annual element. The proposal in the NPRM to allow for an annual element to cover a period of up to two years was widely accepted. These were similar

comments received on the "issues and options" paper. Based on these comments, FHWA and UMTA believe that the relationship between the TIP and the annual (or biennial) element and their role in the project development process need to be clarified.

The annual (or biennial) element is simply the list of transportation improvement projects proposed for implementation during the first year (or 2 years) of the program period of the TIP. Projects in the annual (or biennial) element are generally described in greater detail than those in the TIP. This description is to be based on the factors included in section 450.208(b) and is necessary for subsequent Federal program approvals.

This TIP provides continuity between the transportation planning process, the transportation plan and the projects included in the annual (or biennial) element. As such, the TIP provides a framework in which to place, in perspective, those projects which are proposed for implementation with the policies and strategies of the area described in the transportation plan (not necessarily discrete projects).

While longer range projects and subsequent phases of a project are to be included in the TIP, there is no requirement that those improvements selected for inclusion in the annual (or biennial) element must have appeared first in the out years of the TIP. However, as the schedule for a project (or improvement) in the TIP advances, its description should be refined to the level of detail needed to allow it to be included in the annual (or biennial) element.

Metropolitan planning organization endorsement of the TIP (which includes the annual (or biennial) element) is a prerequisite for subsequent FHWA and UMTA approvals of the programs of projects. In addition, the metropolitan planning organization endorsement of the annual (or biennial) element constitutes the selection of projects by local officials pursuant to 23 U.S.C. 105(d) and 103(e)(4). One endorsement action satisfies both requirements.

*Section 450.210 Selection of projects for implementation.*

The only substantive changes made to this section relate to the addition of the HBRR projects to the applicability section, (450.202(a)(6)) and optional exclusion allowed under § 450.202(b). Both of these are discussed in detail in this preamble under § 450.202.

The NPRM proposed that an already existing exemption which currently applies to Interstate and primary projects be extended to apply to

Federal-aid urban system projects. This proposal has been made final. This provision permits proposed urban system projects, for which substantial commitment of Federal funding has been made, to be included in the statewide program of projects under 23 U.S.C. 105 without having been in the current annual (or biennial) element. These projects may be included in the 105 program only if (1) they have already received Federal approval for right-of-way acquisition or federal approval of physical construction or implementation where right-of-way acquisition was not previously federally funded and (2) previous phases of such project or projects were included in an annual (or biennial) element endorsed by the metropolitan planning organization. This provision does not affect those urban system projects which, as of the effective date of this final rule, have already received Federal authorization to acquire right-of-way or Federal approval of physical construction or implementation where right-of-way acquisition was not previously federally funded.

This provision is based on the rationale behind the existing regulatory provision that the commitment of substantial resources for a project which has advanced through the planning process to later phases of development should be considered, in effect, committed to that project from a planning standpoint. This concept has been extended to similar urban system projects.

Several commenters objected to this proposal on the grounds that they believed it makes the priority setting process of the metropolitan planning organization meaningless and thwarts the planning of when and if projects will advance. The FHWA and UMTA do not share this view since these projects must be included in a metropolitan planning organization endorsed annual (or biennial) element and receive Federal approval either for right-of-way acquisition, construction or implementation prior to reaching such an advanced stage of development.

It should be noted that this exemption is not intended to circumvent the role of local officials in the urban transportation planning process, especially with respect to the selection of Federal-aid urban system projects. If this exemption is used, § 450.210(b)(3)(iii) requires that the state must submit a statement with the 105 program of projects which includes for each applicable project or group of projects the views of the metropolitan planning organization and indicates how

the requirements of 23 U.S.C. 134(a) have been met. In addition, § 450.210(d) requires the State to notify the metropolitan planning organization of the disposition of the projects on the annual (or biennial) element as well as those projects included on the 105 program of projects under either this exemption or the optional provision provided under § 450.202(b).

Paragraph (c) of this section has been changed from the NPRM to specifically acknowledge that the agreement between the State and metropolitan planning organization under § 450.202(b) will satisfy the requirement that the projects or categories of projects affected by the agreement are based on the 3C process.

#### *Section 450.212 Program approval.*

Two changes are made to this section from that proposed in the NPRM. The first change is the addition of the clause "and Interstate substitution projects" to paragraph (a). This is done to acknowledge that these projects are not identified on the statewide program of projects prepared pursuant to 23 U.S.C. 105 but are to be based on the planning process. This omission was identified by several commenters.

The second change is the addition of HBRR projects to the FHWA approval under paragraph (a)(4).

Several commenters pointed out that a reference to FHWA's air quality-related responsibilities under 23 CFR Part 770, "Air Quality Conformity and Priority Procedures for use in Federal-Aid Highway and Federally Funded Transit Programs" was not included in this section. FHWA decided that a reference to 23 CFR Part 770 is more appropriate § 450.204(d)(2). As was stated in the earlier explanation of § 450.204, FHWA reviews the TIP when it is submitted, but does not take any approval action.

#### **Other Considerations**

The NPRM indicated that FHWA and UMTA were evaluating the merits of having certification acceptance (23 CFR Part 640) apply to the 3C planning process and requested comments accordingly. Based on the comments received FHWA and UMTA have decided not to take any action at this time to include the 3C process under the certification acceptance provisions.

#### **Administrative Matters**

These amendments are considered to be significant under the regulatory policies and procedures of the Department of Transportation because they involve important departmental policy. A regulatory evaluation has been prepared and is available for inspection

in the rulemaking docket (No. 82-10, Room 4205). Copies of the regulatory evaluation may be obtained by contacting Mr. Sam W. P. Rea, Jr., at the address provided above under the heading "For Further Information Contact." The FHWA and UMTA have determined that this final rule does not constitute a major rule under the criteria of Executive Order 12291. These amendments reduce burdens imposed on State and local governments in the conduct of urban transportation planning and will not have a significant economic impact. Accordingly, under the criteria of the Regulatory Flexibility Act, it is certified that these amendments will not have a significant economic impact on a substantial number of small entities.

#### **List of Subjects in 23 CFR Part 450 and 49 CFR Part 613**

Grant programs—transportation, Highways and roads, Mass transportation, Urban transportation planning.

In consideration of the foregoing, the FHWA and UMTA hereby amend Chapter I of Title 23, Code of Federal Regulations, and Chapter VI of Title 49, Code of Federal Regulations, as set forth below:

1. Part 450, Subpart A of 23 CFR is revised to read as follows:

#### **PART 450—PLANNING ASSISTANCE AND STANDARDS**

##### **Subpart A—Urban Transportation Planning**

Sec.	
450.100	Purpose.
450.102	Applicability.
450.104	Definitions.
450.106	Metropolitan planning organization.
450.108	Urban transportation planning process: Funding.
450.110	Urban transportation planning process: Products.
450.112	Urban transportation planning process: Participant responsibilities.
450.114	Urban transportation planning process: Certification.

Authority: 23 U.S.C. 104(f)(3), 134 and 315; Secs. 3, 5, 8, 9, and 9A of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602, 1604, 1607, 1607a, and 1607a-1); Secs. 174 and 176 of the Clean Air Act (42 U.S.C. 7504 and 7506); and 49 CFR 1.48(b) and 1.51.

##### **Subpart A—Urban Transportation Planning**

#### **§ 450.100 Purpose.**

The purpose of this subpart is to implement 23 U.S.C. 134, and Section 8 of the Urban Mass Transportation Act of 1964, as amended (UMT Act) (49 U.S.C. 1607), which require that each urbanized area, as a condition to the

receipt of Federal capital or operating assistance, have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area. These plans and programs support transportation improvements and subsequent project development activities in the area.

#### **§ 450.102 Applicability.**

The provisions of this subpart are applicable to the transportation planning process in urbanized areas.

#### **§ 450.104 Definitions.**

(a) Except as otherwise provided, terms defined in 23 U.S.C. 101(a) are used in this part as so defined.

(b) As used in this part:

(1) "Governor" means the Governor of any one of the fifty States, or Puerto Rico, and includes the Mayor of the District of Columbia.

(2) "Designated Section 9 Recipient" means that organization designated in accordance with Section 9(m) or 5(b)(1) of the UMT Act, as amended, as being responsible for receiving and dispensing Section 9 and/or Section 5 funds.

(3) "Metropolitan planning organization" means that organization designated as being responsible, together with the State, for carrying out the provisions of 23 U.S.C. 134, as provided in 23 U.S.C. 104(f)(3), and capable of meeting the requirements of Sections 3(e)(1), 5(l), 8 (a) and (c) and 9(e)(3)(G) of the UMT Act (49 U.S.C. 1602(e)(1), 1604(1), 1607 (a) and (c) and 1607a(e)(3)(G)). The metropolitan planning organization is the forum for cooperative transportation decisionmaking.

(4) "Annual (or biennial) element" means a list of transportation improvement projects proposed for implementation during the first year (or 2 years) of the program period.

(5) "Transportation improvement program (TIP)" means a staged multiyear program of transportation improvements including an annual (or biennial) element.

#### **§ 450.106 Metropolitan planning organization.**

(a) Designation of a metropolitan planning organization shall be made by agreement among the units of general purpose local government and the Governor. To the extent possible, only one metropolitan planning organization should be designated for each urbanized area or group of contiguous urbanized areas.

(b) Principal elected officials of general purpose local governments shall be represented on the metropolitan planning organization to the extent agreed to pursuant to paragraph (a) of this section.

**§ 450.108 Urban transportation planning process: Funding.**

(a) Funds authorized by 23 U.S.C. 104(f) shall be made available by the State to the metropolitan planning organization, as required by 23 U.S.C. 104(f)(3).

(b) Funds authorized by Section 8 of the UMT Act (49 U.S.C. 1607) shall be made available to the metropolitan planning organization, to the extent possible, in urbanized areas with populations of 200,000 or more or where the metropolitan planning organization represents a group of contiguous or related urbanized areas with an aggregate population of 200,000 or more. In urbanized areas with populations below 200,000, such funds shall be made available to the State, at the State's option, to allocate among such urbanized areas, or, with respect to any given urbanized area, to use for the benefit of such area with the concurrence of the metropolitan planning organization. If the State does not elect this option, these funds shall be made available directly to the metropolitan planning organization, to the extent possible.

(c) In urbanized areas with populations of 200,000 or more, the State, metropolitan planning organization, and designated Section 9 or 9A funds recipient, where Section 9 or 9A funds are used for planning purposes, shall develop a unified planning work program (UPWP) which describes urban transportation and transportation related planning activities anticipated in the area during the next 1- or 2-year period including the planning work to be performed with Federal planning assistance and with funds available under Section 9 or 9A, if any. The UPWP shall be endorsed by the metropolitan planning organization. (OMB Control Number 2132-0031)

(d) In urbanized areas with populations below 200,000, the State and the metropolitan planning organization (and where Section 9 or 9A funds are to be used for planning, the designated recipient) shall cooperatively describe and document how Federal planning funds and funds available under Section 9 or 9A if any, would be expended for planning in each area, who would do the work and what work in general would be done. The work proposed shall be endorsed by the metropolitan planning organization.

(e) The staff resources of other agencies (such as the State, local government and transit operator staff) may be utilized where appropriate to carry out the planning process, including the activities funded with Federal planning funds, through contractual agreements.

**§ 450.110 Urban transportation planning process: Products.**

The urban transportation planning process shall include the development of:

(a) A transportation plan describing policies, strategies and facilities or changes in facilities proposed. The transportation plan shall be formulated according to the requirements of 23 U.S.C. 134 and Section 8 of the UMT Act (49 U.S.C. 1607) which include and analysis of transportation system management strategies to make more efficient use of existing transportation systems.

(b) A transportation improvement program (TIP) including an annual (or biennial) element as prescribed in Subpart B of this part. The program shall be a staged multiyear program of transportation improvement projects consistent with the transportation plan. (OMB Control Number 2132-0529)

(c) Other planning and project development activities deemed necessary by State and local officials to assist in addressing transportation issues in the area.

**§ 450.112 Urban transportation planning process: Participant responsibilities.**

(a) The metropolitan planning organization, the State, and publicly owned operators of mass transportation services shall determine their mutual responsibilities in the development of the planning work program, transportation plan and TIP specified in Sections 450.108 and 450.110.

(b) The metropolitan planning organization shall endorse the transportation plan and TIP required by Sections 450.110 and 450.204. These endorsements are prerequisites for the approval of programs of projects in urbanized areas pursuant to 23 U.S.C. 105(d) and 134(a), Section 8(c) of the UMT Act (49 U.S.C. 1607(c)), and Subpart B of this part.

**§ 450.114 Urban transportation planning process: Certification.**

(a) The urban transportation planning process shall include activities to support the development and implementation of a transportation plan and TIP/annual (or biennial) element and subsequent project development activities, including the environmental

impact assessment process. These activities shall be included as necessary and to the degree appropriate for the size of the metropolitan area and the complexity of its transportation problems.

(b) The planning process shall be consistent with:

(1) Sections 8(e) and 3(e) (49 U.S.C. 1607 and 1602(e)) of the UMT Act concerning involvement of the appropriate public and private transportation providers;

(2) Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by each State under 23 U.S.C. 324 and 29 U.S.C. 794.

(3) Section 105(f) of the Surface Transportation Assistance Act of 1982 regarding the involvement of minority business enterprises in FHWA and UMTA funded projects (Pub. L. 97-424, Section 105(f); 49 CFR Part 23); and

(4) Section 16 of the UMT Act 49 U.S.C. 1612), Section 165(b) of the Federal-Aid Highway Act of 1973, as amended, and 49 CFR Part 27, which call for special efforts to plan public mass transportation facilities and services that can effectively be utilized by elderly and handicapped persons.

(c) At the time the TIP/annual (or biennial) element is submitted, the State and the metropolitan planning organization shall certify that the planning process is being carried on in conformance with all applicable requirements of:

(1) 23 U.S.C. 134, Section 8 of the UMT Act (49 U.S.C. 1607) and these regulations;

(2) Sections 174 and 176 (c) and (d) of the Clean Air Act (42 U.S.C. 7504, 7506 (c) and (d)).

**Subpart B (§§ 450.200-450.206) Redesignated as Subpart C (§§ 450.300-450.306).**

2. Part 450, Subpart B, Metropolitan Planning Funds, (40 FR 38151, August 27, 1975, as amended) is redesignated as Part 450, Subpart C.

The sections are renumbered as follows:

Former section	New section
450.200	450.300
450.202	450.302
450.204	450.304
450.206	450.306

3. Former Part 450, Subpart C is redesignated as Part 450, Subpart B and revised to read as follows:

**Subpart B—Transportation Improvement Program**

Sec. 450.200 Purpose.

## Sec.

450.202 Applicability.

450.204 Transportation improvement program: General.

450.206 Annual (or biennial) element: Project selection.

450.208 Annual (or biennial) element: Content.

450.210 Selection of projects for implementation.

450.212 Program approval.

Authority: 23 U.S.C. 105, 134(a), and 135(b); Sections 3, 5, and 8(c) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602, 1604, and 1607(c)); Sections 174 and 176 of the Clean Air Act (42 U.S.C. 7504 and 7506); and 49 CFR 1.48(b) and 1.51.

### Subpart B—Transportation Improvement Program

#### § 450.200 Purpose.

The purpose of this subpart is to establish regulations for the development, content, and processing of a cooperatively developed transportation improvement program (TIP) in urbanized areas.

#### § 450.202 Applicability.

(a) The provisions of this subpart shall be applicable to projects in or serving urbanized areas with funds made available under:

(1) 23 U.S.C. 104(b)(6) (urban system projects);

(2) 23 U.S.C. 103(e)(4) (Interstate substitution projects);

(3) Sections 3, 5, 9, and 9A of the Urban Mass Transportation Act of 1964, as amended (UMT Act) (49 U.S.C. 1602, 1604, 1607a and 1607a-1) (UMTA capital and operating assistance projects);

(4) 23 U.S.C. 104(b)(1) (projects on extensions of primary systems in urbanized areas), except as provided in this subpart

(5) 23 U.S.C. 104(b)(5) (A) and (B) (projects on the Interstate System), except as provided in this subpart.

(6) 23 U.S.C. 144 (highway bridge replacement and rehabilitation projects), except as provided in this subpart.

(b) Projects under paragraphs (a) (4), (5) and (6) of this section which are for resurfacing, restoration, rehabilitation, reconstruction (4R), or highway safety improvement; and which will not alter the functional traffic capacity or capability of the facility being improved may be excluded from the TIP including its annual (or biennial) element by agreement between the State and the metropolitan planning organization.

#### § 450.204 Transportation improvement program: General.

(a) The TIP, including the annual (or biennial) element, shall be developed by the metropolitan planning organization, the State and publicly owned operators of mass transportation services in

cooperation with recipients authorized under Sections 5, 9, or 9A of the UMT Act (49 U.S.C. 1604, 1607a or 1607a-1).

(b) The TIP shall as a minimum: (1) Consist of improvements from the transportation plan developed under Section 450.110(a) and recommended for Federal funding during the program period;

(2) Cover a period of not less than 3 years;

(3) Indicate the area's priorities; and  
(4) Include realistic estimates of the total costs and revenues for the program period.

(c) The metropolitan planning organization endorsement of the TIP including the annual (or biennial) element is a prerequisite for the approval of programs of projects in urbanized areas pursuant to 23 U.S.C. 105(d) and 134(a), and Section 8(c) of the UMT Act (49 U.S.C. 1607(c)). The State, metropolitan planning organization, and publicly owned operators of mass transportation services are encouraged to develop simplified procedures for updating or modifying an endorsed annual (or biennial) element.

(d) The TIP including the annual (or biennial) element shall be submitted:

(1) To the Governor and the Urban Mass Transportation Administrator, and

(2) Through the State to the Federal Highway Administrator for use as a basis for meeting the applicable air quality procedures contained in 23 CFR Part 770 and for the subsequent approval of the statewide program of projects under 23 U.S.C. 105 in accordance with § 450.212 and 23 CFR Part 630.

#### § 450.206 Annual (or biennial) element: Project selection.

(a) Federally funded projects shall be selected for inclusion in the annual (or biennial) element at all phases in the development of the transportation improvement for which program action is proposed. The projects to be included in the annual (or biennial) element of the TIP shall be selected in accordance with:

(1) State and local law;

(2) 23 U.S.C. 105(d) regarding the selection of urban system projects by the appropriate local officials with concurrence of the State highway department;

(3) 23 U.S.C. 103(e)(4) and 23 CFR Part 476 regarding the selection of Interstate substitution projects by the responsible local officials; and

(4) Procedures acceptable to the State highway department, the metropolitan planning organization, and local public transit operating officials.

(b) The endorsement of the annual (or biennial) element of the TIP by the metropolitan planning organization constitutes the selection of the projects by local officials pursuant to 23 U.S.C. 105(d) and 23 U.S.C. 103(e)(4).

#### § 450.208 Annual (or biennial) element: Content.

(a) Except as provided in Section 450.210(b)(3) and (4), the annual (or biennial) element shall contain projects selected under Section 450.206 and endorsed under § 450.204.

(b) With respect to each project under paragraph (a) of this section the annual (or biennial) element shall include:

(1) Identification of the projects, including the phase of phases proposed for implementation.

(2) Estimated total cost and the amount of Federal funds proposed to be obligated during the program period.

(3) Proposed source of Federal and non-Federal matching funds; and

(4) Identification of the recipient and State and local agencies responsible for carrying out the project.

(c) Projects proposed for Federal funding that are not considered to be of appropriate scale for individual inclusion in the annual (or biennial) element may be grouped by functional classification, geographic area or work type.

(d) The annual (or biennial) element shall be reasonably consistent with the amount of Federal funds expected to be available to the area. Federal funds that have been allocated to the area pursuant to 23 U.S.C. 150 shall be identified.

(e) The total Federal share of projects included in the annual (or biennial) element and proposed for funding under Sections 5, 9, or 9A of the UMT Act (49 U.S.C. 1604, 1607a and 1607a-1) may not exceed apportioned Section 5, 9, or 9A funds available to the urbanized area during the program year (or 2 years).

#### § 450.210 Selection of projects for implementation.

(a) The projects proposed to be implemented with Federal assistance under Sections 3, 5, 9 and 9A of the UMT Act (49 U.S.C. 1602, 1604, 1607a and 1607a-1) and nonhighway public mass transit projects under 23 U.S.C. 103(e)(4) shall be those contained in the annual (or biennial) element of the TIP submitted to the Urban Mass Transportation Administrator.

(b) Upon receipt of the TIP, the State shall include in the statewide program of projects required under 23 U.S.C. 105:

(1) Those projects drawn from the annual (or biennial) element and

proposed to be implemented with Federal assistance under 23 U.S.C. 104(b)(6) (Federal-aid urban system) in which the State concurs); provided, however, that in case any where the State does not concur in a nonhighway public mass transit project, a statement describing the reasons for the nonconcurrence shall accompany the statewide program of projects.

(2) Those projects drawn from the annual (or biennial) element and proposed to be implemented with Federal assistance under 23 U.S.C. 104(b)(1) (projects on urban extensions of the Federal-aid primary system) and 23 U.S.C. 104(b)(5) (Interstate System projects in urbanized areas); and 23 U.S.C. 144 (highway bridge replacement and rehabilitation projects), in which it concurs;

(3) Those projects not drawn from the annual (or biennial) element that are proposed to be implemented with Federal assistance under 23 U.S.C. 104(b)(6) (Federal-aid highway urban system), 23 U.S.C. 104(b)(1) (Projects on urban extensions of the Federal-aid primary system) and 23 U.S.C. 104(b)(5) (Projects on the Interstate System) provided that:

(i) Previous phases of such project or projects were selected pursuant to Section 450.206, and advanced;

(ii) Such project or projects are for highway transportation improvements for which there has been a Federal authorization to acquire right-of-way or Federal approval of physical construction or implementation where right-of-way acquisition was not previously federally funded; and

(iii) A statement accompanies the statewide program of projects which includes for such projects the views of the metropolitan planning organization and indicates how the requirements of 23 U.S.C. 134(a) have been met; and

(4) Those projects not drawn from the annual (or biennial) element that were excluded under section 450.202(b) and are proposed to be implemented.

(c) The preparation and endorsement of the TIP, the selection of projects in accordance with this subpart, and the agreement under section 450.202(b), if any, will meet the requirements of 23 U.S.C. 105(d), 23 U.S.C. 134(a) and Section 8(c) of the UMT Act (49 U.S.C. 1607(c)).

(d) The State shall notify the appropriate metropolitan planning organizations of the 23 U.S.C 105 program actions taken on projects in each urbanized area.

#### § 450.212 Program approval.

(a) Upon the determination by the Federal Highway Administrator and the

Urban Mass Transportation Administrator that the TIP or portion thereof is in conformance with this subpart and that the planning process is in conformance with Subpart A, programs of projects and Interstate Substitution projects selected for implementation under §§ 450.210 and 450.206, respectively will be considered for approval as follows:

(1) Federal-aid urban system projects included in the statewide program of projects under 23 U.S.C. 105 will be approved by:

(i) The Federal Highway administrator with respect to highway projects;

(ii) The Urban Mass Transportation Administrator with respect to nonhighway public mass transit projects; and

(iii) The Federal Highway Administrator and the Urban Mass Transportation Administrator jointly in any case where the statewide program of projects submitted pursuant to 23 U.S.C. 105 does not include all Federal-aid urban system nonhighway public mass transit projects contained in the annual (or biennial) element.

(2) Interstate substitution nonhighway public mass transit projects included in the annual (or biennial) element will be approved by the Urban Mass Transportation Administrator.

(3) Projects proposed to be implemented under Sections 3, 5, 9, and 9A of the UMT act (49 U.S.C. 1602, 1604, 1607a and 1607a-1) included in the annual (or biennial) element will be approved by the Urban Mass Transportation Administrator after considering any comments received from the Governor within 30 days of the submittal required by § 450.204(d)(1).

(4) Federal-aid urban extensions of primary projects, Interstate projects and highway bridge replacement and rehabilitation projects included in the statewide program of projects under 23 U.S.C. 105 will be approved by the Federal Highway Administrator.

(b) Approvals by the Federal Highway Administrator or joint approvals by the Federal Highway Administrator and Urban Mass Transportation Administrator will be in accordance with the provisions of this subpart and with 23 CFR Part 630, Subpart A. These approvals will constitute:

(1) The approval required under 23 U.S.C. 105; and

(2) A finding that the projects are based on a continuing, comprehensive transportation planning process carried on cooperatively by the States and local communities in accordance with the provisions of 23 U.S.C. 134.

(c) Approvals by the Urban Mass Transportation Administrator will be in

accordance with the provisions of this subpart. These approvals will constitute:

(1) The approval required under Section 8(c) of the UMT Act (49 U.S.C. 1607(c));

(2) A finding that the program is based on a continuing, cooperative and comprehensive transportation planning process carried on in accordance with the provisions of Section 8 of the UMT Act (49 U.S.C. 1607), as applicable;

(3) A finding that the projects are needed to carry out a program for a unified officially coordinated urban transportation system in accordance with the provisions of Section 3(e)(1), 5(l), or 8(c) of the UMT Act (49 U.S.C. 1602(e)(1), 1604(l) or 1607(c)), as applicable; and

(4) In nonattainment areas which require transportation control measures, a finding that the program conforms with the SIP in accordance with procedures in 49 CFR Part 623.

Part 613 of 49 CFR is amended as set forth below:

#### PART 613—PLANNING ASSISTANCE AND STANDARDS

4. Subpart A of Part 613 is revised as set forth below:

##### Subpart A—Urban Transportation Planning

#### § 613.100 Urban transportation planning.

The urban transportation planning regulations implementing 23 U.S.C. 134 and Section 8 of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1607), which require comprehensive planning of transportation improvements which are set forth in 23 CFR Part 450, Subpart A, are incorporated into this subpart.

(23 U.S.C. 104(f)(3), 134 and 315; sec. 3, 5, 8, 9, and 9A of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602, 1604, 1607, 1607a and 1607a-1); secs. 174 and 176 of the Clean Air Act (42 U.S.C. 7504 and 7506); and 49 CFR 1.48(b) and 1.51)

5. Subpart B of Part 613 is revised as set forth below:

##### Subpart B—Transportation Improvement Program

#### § 613.200 Transportation improvement program.

The transportation improvement program regulations establishing guidelines for the development, content, and processing of a cooperatively developed transportation improvement program in urbanized areas which are set forth in 23 CFR Part 450, Subpart B are incorporated into this subpart.

(23 U.S.C. 105, 134(a), and 135(b); secs. 3, 5, and 8(c) of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602, 1604, and 1607(c)); secs. 174, and 176 of the Clean Air Act (42 U.S.C. 7504, and 7506); and 49 CFR 1.48(b) and 1.51)

(Catalog of Federal Domestic Assistance Program Numbers 20.205, Highway Research Planning, and Construction; 20.500 Urban

Mass Transportation Capital Grants; 20.501, Urban Mass Transportation Capital Improvement Loans; and 20.507, Urban Mass Transportation Capital and Operating Assistance Formula Grants. The provisions of OMB Circular No. A-95 regarding State and State and local clearinghouse review of Federal and federally assisted programs and projects apply to these programs)

Issued on June 27, 1983.

**R. A. Bernhart,**

*Federal Highway Administrator, Federal Highway Administration.*

**Arthur E. Teele, Jr.,**

*Urban Mass Transportation Administrator, Urban Mass Transportation Administration.*

[FR Doc. 83-17709 Filed 6-29-83; 8:45 am]

**BILLING CODE 4910-22-M**

**APPENDIX C**

**FEDERAL-AID HIGHWAY PROGRAM MANUAL**

U. S. DEPARTMENT OF TRANSPORTATION  
**FEDERAL HIGHWAY ADMINISTRATION**  
**FEDERAL-AID HIGHWAY PROGRAM MANUAL**

VOLUME	4	PLANNING
CHAPTER	4	URBAN TRANSPORTATION PLANNING
SECTION	2	URBAN TRANSPORTATION PLANNING PROCESS

Transmittal 370  
February 15, 1984  
HHP-21

- Par. 1. Purpose
- 2. Authority
- 3. Applicability
- 4. Definitions
- 5. Metropolitan Planning Organization
- 6. Urban Transportation Planning Process: Funding
- 7. Urban Transportation Planning Process: Products
- 8. Urban Transportation Planning Process: Participant Responsibilities
- 9. Urban Transportation Planning Process: Certification

1. *PURPOSE. \*To implement 23 U.S.C. 134, and Section 8 of the Urban Mass Transportation Act of 1964, as amended (UMT Act) (49 U.S.C. 1607), which require that each urbanized area, as a condition to the receipt of Federal capital or operating assistance, have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensively planned development of the urbanized area. These plans and programs support transportation improvements and subsequent project development activities in the area.*
2. *AUTHORITY. 23 U.S.C. 104(f)(3), 134, and 315; Sections 3, 5, 8, 9, and 9A of the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. 1602, 1604, 1607, 1607a, and 1607a-1); Sections 174, and 176 of the Clean Air Act (42 U.S.C. 7504 and 7506); and 49 CFR 1.48(b) and 1.51.*

\*Italicized material is published in 23 CFR 450A.

3. APPLICABILITY. *The provisions of this directive are applicable to the transportation planning process in urbanized areas.*
4. DEFINITIONS
  - a. *Except as otherwise provided, terms defined in 23 U.S.C. 101(a) are used in this directive as so defined.*
  - b. *As used in this directive:*
    - (1) Governor - *the Governor of any one of the fifty States, or Puerto Rico, and includes the Mayor of the District of Columbia.*
    - (2) Designated Section 9 Recipient - *that organization designated in accordance with Section 9(m) or 5(b)(1) of the UMT Act, as amended, as being responsible for receiving and dispensing Section 9 and/or Section 5 funds.*
    - (3) Metropolitan Planning Organization - *that organization designated as being responsible, together with the State, for carrying out the provisions of 23 U.S.C. 134, as provided in 23 U.S.C. 104(f)(3), and capable of meeting the requirements of Sections 3(e)(1), 5(l), 8(a) and (c) and 9(e)(3)(G) of the UMT Act (49 U.S.C. 1602(e)(1), 1604(1), 1607(a) and (c) and 1607a(e)(3)(G). The metropolitan planning organization is the forum for cooperative transportation decisionmaking.*
    - (4) Annual (or Biennial) Element - *a list of transportation improvement projects proposed for implementation during the first year (or 2 years) of the program period.*
    - (5) Transportation Improvement Program (TIP) - *a staged multiyear program of transportation improvements including an annual (or biennial) element.*

5. METROPOLITAN PLANNING ORGANIZATION

- a. *Designations of a metropolitan planning organization shall be made by agreement among the units of general purpose local governments and the Governor. To the extent possible, only one metropolitan planning organization should be designated for each urbanized area or group of contiguous urbanized areas.*
- b. *Principal elected officials of general purpose local governments shall be represented on the metropolitan planning organization to the extent agreed to pursuant to paragraph 5a of this directive.*

6. URBAN TRANSPORTATION PLANNING PROCESS: FUNDING

- a. *Funds authorized by 23 U.S.C. 104(f) shall be made available by the State to the metropolitan planning organization, as required by 23 U.S.C. 104(f)(3).*
- b. *Funds authorized by Section 8 of the UMT Act (49 U.S.C. 1607) shall be made available to the metropolitan planning organization, to the extent possible, in urbanized areas with populations of 200,000 or more or where the metropolitan planning organization represents a group of contiguous or related urbanized areas with an aggregate population of 200,000 or more. In urbanized areas with populations below 200,000 such funds shall be made available to the State, at the State's option, to allocate among such urbanized areas, or, with respect to any given urbanized area, to use for the benefit of such area with the concurrence of the metropolitan planning organization. If the State does not elect this option, these funds shall be made available directly to the metropolitan planning organization, to the extent possible.*

- c. In urbanized areas with populations of 200,000 or more, the State, metropolitan planning organization, and designated Section 9 or 9A funds recipient, where Section 9 or 9A funds are used for planning purposes, shall develop a unified planning work program (UPWP) which describes urban transportation and transportation related planning activities anticipated in the area during the next 1 or 2-year period including the planning work to be performed with Federal planning assistance and with funds available under Section 9 or 9A, if any. The UPWP shall be endorsed by the metropolitan planning organization. (OMB Control Number 2132-0031)
  - d. In urbanized areas with populations below 200,000, the State and the metropolitan planning organization (and where Section 9 or 9A funds are to be used for planning, the designated recipient) shall cooperatively describe and document how Federal planning funds and funds available under Section 9 or 9A if any, would be expended for planning in each area, who would do the work and what work in general would be done. The work proposed shall be endorsed by the metropolitan planning organization.
  - e. The staff resources of other agencies (such as the State, local government and transit operator staff) may be utilized where appropriate to carry out the planning process, including the activities funded with Federal planning funds, through contractual agreements.
7. URBAN TRANSPORTATION PLANNING PROCESS: PRODUCTS. The urban transportation planning process shall include the development of:
- a. A transportation plan describing policies, strategies and facilities or changes in facilities proposed. The transportation plan shall be formulated according to the requirements of 23 U.S.C. 134 and Section 8 of the UMT Act (49 U.S.C. 1607) which include an analysis of transportation system management strategies to make more efficient use of existing transportation systems.

- b. *A transportation improvement program (TIP) including an annual (or biennial) element as prescribed in Federal-Aid Highway Program Manual (FHPM) 4-4-6, Transportation Improvement Program. The program shall be a staged multiyear program of transportation improvement projects consistent with the transportation plan. (OMB Control Number 2132-0529)*
- c. *Other planning and project development activities deemed necessary by State and local officials to assist in addressing transportation issues in the area.*

8. URBAN TRANSPORTATION PLANNING PROCESS: PARTICIPANT RESPONSIBILITIES

- a. *The metropolitan planning organization, the State, and publicly owned operators of mass transportation services shall determine their mutual responsibilities in the development of the planning work program, transportation plan and TIP specified in paragraphs 6 and 7.*
- b. *The metropolitan planning organization shall endorse the transportation plan and TIP required by paragraph 7 and FHPM 4-4-6, Transportation Improvement Program, paragraph 4. These endorsements are prerequisites for the approval of programs of projects in urbanized areas pursuant to 23 U.S.C. 105(d) and 134(a), Section 8(c) of the UMT Act (49 U.S.C. 1607(c)), and FHPM 4-4-6, Transportation Improvement Program.*

9. URBAN TRANSPORTATION PLANNING PROCESS: CERTIFICATION

- a. *The urban transportation planning process shall include activities to support the development and implementation of a transportation plan and TIP/annual (or biennial) element and subsequent project development activities, including the environmental impact assessment process. These activities shall be included as necessary and to the degree appropriate for the size of the metropolitan area and the complexity of its transportation problems.*

- b. The planning process shall be consistent with:
- (1) Section 8(e) and 3(e) (49 U.S.C. 1607 and 1602(e)) of the UMT Act concerning involvement of the appropriate public and private transportation providers;
  - (2) Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by each State under 23 U.S.C. 324 and 29 U.S.C. 794;
  - (3) Section 105(f) of the Surface Transportation Assistance Act of 1982 regarding the involvement of minority business enterprises in Federal Highway Administration and Urban Mass Transportation Administration funded projects (Public Law No. 97-424, Section 105(f); 49 CFR 23); and
  - (4) Section 16 of the UMT act (49 U.S.C. 1612), Section 165(b) of the Federal-Aid Highway Act of 1973, as amended, and 49 CFR 27, which call for special efforts to plan public mass transportation facilities and services that can effectively be utilized by elderly and handicapped persons.
- c. At the time the TIP/annual (or biennial) element is submitted, the State and the metropolitan planning organization shall certify that the planning process is being carried on in conformance with all applicable requirements of:
- (1) 23 U.S.C. 134, Section 8 of the UMT Act (49 U.S.C. 1607) and these regulations;
  - (2) Section 174 and 176(c) and (d) of the Clean Air Act (42 U.S.C. 7504, 7506(c) and (d)).

**APPENDIX D**

**MPO COMMITTEE MEMBERSHIPS**

COMMITTEE MEMBERSHIP BY STUDY AREA AND COMMITTEE TYPE

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: ABILENE  
 DESIGNATED MPO: City of Abilene  
 AREA PLANNER: Walt Bailey

\*\*\*\* Policy Committee \*\*\*\*  
 =====

Member Name	Representing	Title	Voting
CONDROY, James	City of Abilene	Dir. Traffic	X
GEORGE, Lee Roy	City of Abilene	Dir. Planning	X
MC CALEB, Gary	City of Abilene	Mayor	X
PRITCHETT, Marva	City of Abilene	Dir. Plan/Dev	X
WILLIAMSON, Dale	City of Abilene	City Engineer	X
PERKINS, Dallas	City of Impact	Mayor	X
LAW, Violet E.	City of Tye	Mayor	X
ASHWORTH, Virgil	Jones County	Commissioner	X
THORN, Roy	Jones County	County Judge	X
BURNETT, William G.	SDH&PT, Dist. 8	District Engr.	X
JACKSON, Billy	SDH&PT, Dist. 8	Dist. Design	X
MAY, Doug	SDH&PT, Dist. 8	Mgr Urban Study	X
SMITH, Linda	SDH&PT, Dist. 8	Resident Engr.	X
HOLLOWAY, Jesse A.	Taylor County	County Judge	X
TURNER, Jack	Taylor County	Commissioner	X
LEARY, Mike	FHWA - Austin	Urban Plan Engr	
CUELLAR, Robert	SDH&PT - Austin	Engr Trans Sys	
DIXON, Temple	State of Texas, Dist. 24	State Senator	
CARRIKER, Steven A.	State of Texas, Dist. 30	State Senator	
COUNTS, David	State of Texas, Dist. 78	Representative	
HUNTER, Bob	State of Texas, Dist. 79	Representative	
KANDT, Paul	TACB - Abilene	Regional Supv.	
WILKINS, Clay	TX Aeronautics Commission	TAC Represent.	
STENHOLM, Charles A.	U.S. Congress, 17th Dist.	Congressman	
HARE, Wilbur	UMTA - Ft. Worth	Regional Admin.	
HOLBERT, Brad	West Central TX COG	Exec. Director	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: AMARILLO  
DESIGNATED MPO: City of Amarillo  
AREA PLANNER: Walt Bailey

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
ADAMS, Keith	City of Amarillo	Mayor	X
DAVIS, Richard H.	City of Amarillo	Dir. Traffic	X
KENNEDY, Mike	City of Amarillo	Dir. Pub. Works	X
WARD, John G.	City of Amarillo	City Manager	X
DEMERSON, Elisha	Potter County	County Judge	X
HARRIS, Richard	Potter County	Commissioner	X
PURCELL, Charles	Randall County	County Judge	X
THOMAS, Bill	Randall County	Commissioner	X
JOHNSON, Roy L.	SDH&PT, Dist. 4	Planning Engr.	X
LANCASTER, William A	SDH&PT, Dist. 4	Dist. Engineer	X
LEARY, Mike	FWWA - Austin	Urban Plan Engr	
PITNER, Gary	Panhandle Reg. Plan. Com.	Exec. Director	
CUELLAR, Robert	SDH&PT - Austin	Engr Trans Sys	
GODDWYN, Merrell	TX Aeronautics Commission	Director	
HARE, Wilbur	UMTA - Ft. Worth	Regional Admin.	

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COMMITTEE MEMBERSHIP

STUDY AREA: AUSTIN  
DESIGNATED MPO: Policy Advisory Committee  
AREA PLANNER: Eddie Shafie

\*\*\* Policy Committee \*\*\*  
=====

Member Name	Representing	Title	Voting
BAYER, Steve	Capitol Metro		X
COOK, Lee	City of Austin	Mayor	X
NOFZIGER, Max	City of Austin	Councilmember	X
URDY, Charles	City of Austin	Councilmember	X
GARBADE, William	SDH&PT, Dist. 14	District Engr.	X
BARRIENTOS, Gonzalo	State of Texas-Travis Co.	State Senator	X
DELCO, Wilhelmina	State of Texas-Travis Co.	Representative	X
GUERRERO, Lena	State of Texas-Travis Co.	Representative	X
LINEBARGER, Libby	State of Texas-Travis Co.	Representative	X
RICHARDSON, Bob	State of Texas-Travis Co.	Representative	X
SMITH, Terriel	State of Texas-Travis Co.	Representative	X
ARMBRISTER, Kenneth	State of Texas-Williamson	State Senator	X
MCCOLLOUGH, Parker	State of Texas-Williamson	Representative	X
ALSHIRE, Bill	Travis County	County Judge	X
GONZALEZ, Hank	Travis County	Commissioner	X
TODD, Bruce	Travis County	Commissioner	X
HEILIGENSTEIN, Mike	Williamson County	Commissioner	X

## COMMITTEE MEMBERSHIP

STUDY AREA: BROWNSVILLE  
 DESIGNATED MPD: City of Brownsville  
 AREA PLANNER: Joe Impey

\*\*\*\* Policy Committee \*\*\*\*  
 =====

Member Name	Representing	Title	Voting
CORTINAS, Miguel	Cameron County	Commissioner	X
ROSENBAUN, Lucindo	Cameron County	Commissioner	X
AUSTIN, Susan	City of Brownsville	Councilmember	X
FITZGIBBONE, Steve	City of Brownsville	City Manager	X
GARZA, Ignacio	City of Brownsville	Mayor	X
McNAIR, Harry	City of Brownsville	Councilmember	X

LEARY, Mike	FHWA - Austin Lower Rio Grande Valley	Urban Plan Engr	
IMPEY, Joe	SDH&PT - Austin	Area Planner	
GARCIA, G. G.	SDH&PT, Dist. 21	District Engr.	
OLIVEIRA, Rene	State of Texas, Dist. 39 TACB - TX Aeronautics Commission UMTA - Ft. Worth	Representative	

\*\*\*\* Steering Committee \*\*\*\*  
 =====

Member Name	Representing	Title	Voting
HINOJOSA, Timo	Airport Adv. Board		X
KLANKKE, Fred	Airport Adv. Board		X
JOHNSON, Paul	Brownsville ISD		X
ROSALES, Leonel	Brownsville ISD		X
LINCK, Joseph	Brownsville Navig. Dist.		X
REED, W. W. Jr.	Brownsville Navig. Dist.		X
GONZALES, Edmundo	C of C, Hwy Committee		X
HYKES, Greg	C of C, Hwy Committee		X
BREDENBERG, Roland	So. Pac. RR (Houston)		X

\*\*\*\* Technical Committee \*\*\*\*  
 =====

Member Name	Representing	Title	Voting
BROWN, Larry	Brownsville Aviation Dept		
GARCIA, P. J.	Brownsville Engineer Dept		
GALVAN, Jose F.	Brownsville Planning Dept		

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COMMITTEE MEMBERSHIP

STUDY AREA: BROWNSVILLE  
DESIGNATED MPO: City of Brownsville  
AREA PLANNER: Joe Impey

\*\*\*\* Technical Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
SHANAHAN, John H.	Brownsville Planning Dept		
PECK, George	Brownsville Traffic Dept		
BROWN, Larry	Brownsville Transit Dept		
BROWN, Jack	Cameron County	County Engineer	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: BRYAN-COLL. STA.  
DESIGNATED MPO: Bryan-College Station Metro. Planning Organization  
AREA PLANNER: Joe Impey

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
HOLMGREEN, R. J.	Brazos County	County Judge	X
TATE, Marvin	City of Bryan	Mayor	X
RINGER, Larry	City of College Station	Mayor	X
ZEIGLER, Carol D.	SDH&PT, Dist. 17	District Engr.	X
BOND, James	Texas A&M University	Dep. Chancellor	X
COOK, Glenn	Brazos Valley Dev Council	Director	
LEARY, Michael	FHWA - Austin	Urban Plan. Eng	
IMPEY, Joe	SDH&PT - Planning Div.	Area Planner	
CHRISTIE, Richard	SDH&PT - Pub. Trans. Div.	Dir. Pub. Trans	
WILLIAMSON, D. D.	SDH&PT, Dist. 17	Planning Engr.	
MURPHY, Charles E.	TX Aeronautics Commission		
URIBE, Blas M. IV	UMTA - Ft. Worth	Planner	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: CORPUS CHRISTI  
DESIGNATED MPO: City of Corpus Christi  
AREA PLANNER: Walt Bailey

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
TURNER, Betty	City of Corpus Christi	Mayor	X
WEBB, Billy G.	City of Portland	Mayor	X
BARNES, Robert N.	Nueces County	County Judge	X
EISENHAUER, Pat	Regional Transit Auth.	Director	X
GUTIERREZ, Secundino	SDH&PT, Dist. 16	Dist. Engineer	X
EDMONDSON, J.M.	San Patricio County	County Judge	X

\*\*\*\* Technical Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
CRULL, Carl	City of Corpus Christi	Dir. Engr. Serv	X
GARZA, Jesus	City of Corpus Christi	Asst. City Mngr	X
HARVEY, Brandol M.	City of Corpus Christi	Dir. Planning	X
TAYLOR, Kenneth	City of Portland	City Manager	X
SCALF, Gerald	Nueces County	County Engineer	X
NISKALA, Tom	Regional Transit Auth.	General Mngr.	X
MINOR, Bill	SDH&PT, Dist. 16	Design Engineer	X

7/09/90

## COMMITTEE MEMBERSHIP

STUDY AREA: DALLAS-FT WORTH  
 DESIGNATED MPO: North Central Texas Council of Govts (NCTCOG)  
 AREA PLANNER: Joe Impey

\*\*\*\* Policy Committee \*\*\*\*  
 =====

Member Name	Representing	Title	Voting
LYNN, Dottie	City of Arlington	Councilmember	X
COHN, Sam	City of Carrollton	Councilmember	X
WOLFE, Mark	City of Coppell	Mayor	X
BARTOS, Jerry	City of Dallas	Councilmember	X
BOX, Glenn	City of Dallas	Councilmember	X
EVANS, John	City of Dallas	Mayor Pro Tem	X
TARDY, Charles M.D.	City of Dallas	Councilmember	X
ALEXANDER, Jim Ph.D.	City of Denton	Councilmember	X
SMITHEY, Grady Jr.	City of Duncanville	Mayor Pro Tem	X
GARRISON, William	City of Ft. Worth	Councilmember	X
WEBBER, Virginia	City of Ft. Worth	Councilmember	X
	City of Garland		X
GALLIGAN, Ed	City of Grand Prairie	Councilmember	X
WILSON, Henry	City of Hurst	Councilmember	X
RANDLE, Randy	City of Irving	Councilmember	X
VENNER, George	City of Mesquite	Mayor	X
DAVIS, Richard	City of N. Richland Hills	Mayor Pro Tem	X
MARTIN, Art	City of Plano	Councilmember	X
SLAGEL, Gary	City of Richardson	Mayor Pro Tem	X
THORNTON, Howard	Collin County	Commissioner	X
MATKIN, R. Dan	Dallas Area Rapid Transit	DART Represent.	X
JACKSON, Jim	Dallas County	Commissioner	X
JUDY, Nancy	Dallas County	Commissioner	X
WALKER, Lee	Denton County	Commissioner	X
KEMBLE, George M.D.	Ft. Worth Transport. Auth	FWTA Represent.	X
STONE, J. R.	SDH&PT, Dist. 2	District Engr.	X
HUFFMAN, James	SDH&PT, Dist. 18	District Engr.	X
ENGLISH, Roy	Tarrant County	County Judge	X
HAMPTON, Bob	Tarrant County	Commissioner	X

STUDY AREA: EL PASO  
 DESIGNATED MPO: City of El Paso  
 AREA PLANNER: Walt Bailey

\*\*\*\* Policy Committee \*\*\*\*  
 =====

Member Name	Representing	Title	Voting
	At-large Citizen		X
ARMES, Jay J.	City of El Paso	Councilman	X
AZAR, Suzanne S.	City of El Paso	Mayor	X
PONCE, Tony	City of El Paso	Councilman	X
JONES, Luther	El Paso County	County Judge	X
SANCHEZ, Rogelio	El Paso County	Commissioner	X
BATTLE, Joe M.	SDH&PT, Dist. 24	Dist. Engineer	X
SANTIESTEBAN, Tati	State of Texas, Dist. 29	State Senator	X
VOWELL, Jack	State of Texas, Dist. 70	Representative	X
HAGGERTY, Pat	State of Texas, Dist. 71	Representative	X
MORENO, Paul	State of Texas, Dist. 72	Representative	X
MCDONALD, Nancy	State of Texas, Dist. 73	Representative	X
PEREZ, Nick	State of Texas, Dist. 74	Representative	X
CARRASCO, Joe	Town of Socorro	Mayor	X
COLEMAN, Ronald D.	U.S. Congress, 16th Dist.	Congressman	X

\*\*\*\* Steering Committee \*\*\*\*  
 =====

Member Name	Representing	Title	Voting
DORADO, Fermin	City of El Paso	City Engineer	X
HARNED, David W.	City of El Paso	Dir. Pub. Works	X
PARKER, Jim	City of El Paso	Access. Coord.	X
PERRY, George	City of El Paso	Airport Mngr.	X
SMITH, J. Dryden	City of El Paso	Dir. Traffic	X
VALENCIA, Nestor A.	City of El Paso	Dir. Planning	X
GEORGES, Marti	El Paso County	Commissioner	X
MUNDOZ, Raul	El Paso County	Chief Environ.	X
RIVERA, Robert	El Paso County	County Engineer	X
BATTLE, Joe M.	SDH&PT, Dist. 24	District Engr.	X
DOMINGUEZ, Carlos	SDH&PT, Dist. 24	Design Engineer	X
RAMSEY, Judy	SDH&PT, Dist. 24	Planning Admin.	X
DORFMAN, Mark	Sun Metro (Transit)	Dir. Transit	X
HALL, Jerry	Town of Anthony		X
MONTGOMERY, Jerry	Town of Anthony	Mayor	X
GOODWIN, G. Michael	Town of Clint	Mayor	X
HERNANDEZ, Jesus	Town of Socorro	Councilman	X
PRICE, Judith M.	City of El Paso FAA - SW Region(Ft Worth)	MPO Coordinator	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: EL PASO  
DESIGNATED MPO: City of El Paso  
AREA PLANNER: Walt Bailey

\*\*\*\* Steering Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
LEARY, Mike	FHWA - Austin	Urban Plan Engr	
ORMSBY, Justin	Rio Grande COG	Executive Dir.	
BAILEY, Walt	SDH&PT - Austin	Area Planner	
AGUIRRE, Manuel	TACB - El Paso	Regional Supvr	
HARE, Wilbur	UMTA - Ft. Worth	Regional Admin.	
KOHAN, Mike	US Army - Ft. Bliss	Chief Bldg Grnd	
BARTEL, Herb	University of Texas, EP	Prof. CE Dept.	
REYNA, Mauro	Ysleta Ind. School Dist.	Administrator	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: HARLINGEN-SAN BENITO  
DESIGNATED MPD: City of Harlingen  
AREA PLANNER: Joe Impey

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
VALENCIA, Tivia	Cameron County	Commissioner	X
CARD, H. William	City of Harlingen	Mayor	X
GALVAN, Gilbert	City of San Benito	Mayor	X
GARCIA, G. G.	SDH&PT, Dist. 21	District Engr.	X
SALDANA, Frank	Town of Combes	Mayor	X
PUHL, John	Town of Palm Valley	Mayor	X
HARWELL, Ronald	Town of Primara	Mayor	X
LEARY, Mike	FHWA - Austin	Urban Plan Engr	
IMPEY, Joe	SDH&PT - Planning Div.	Area Planner	
	TACB -		
	TX Aeronautics Commission		
	UMTA - Ft. Worth		

7/09/90

## COMMITTEE MEMBERSHIP

STUDY AREA: HOUSTON-GALVESTON  
 DESIGNATED MPO: Houston-Galveston Area Council (HGAC)  
 AREA PLANNER: Joe Impey

\*\*\*\* Policy Committee \*\*\*\*  
 =====

Member Name	Representing	Title	Voting
HOWARD, Steve	At-Large Cities/Counties	Dir Prog (HGAC)	X
SKELTON, B. Don Sr.	At-Large Cities/Counties	Clman (LaPorte)	X
STRAMLER, James H.	At-Large Cities/Counties	Clman (Mo City)	X
LAWSON, David A.	Brazoria County	County Attorney	X
BETTIS, Kenneth G.	Chambers County	Commissioner	X
HARRIS, Richard L.	City of Baytown	Dir Plan/Traf	X
SARGENT, Jeff Jr.	City of Galveston	Dir Traf/Transt	X
GOODNER, John G.	City of Houston	Councilmember	X
JILLA, Robert J.	City of Houston	Dir Traf/Tran	X
KNUDSON, Patricia D.	City of Houston	Dir Plan/Devel	X
HENSCH, Bill	City of Pasadena	Dir Traf/Tran	X
MCWHORTER, James F.	City of Texas City	Dir Traf/Tran	X
DRACHENBERG, Ronald	Fort Bend County	County Engineer	X
FITZGERALD, Michael	Galveston County	County Engineer	X
ANDERSON, Terry A.	Harris County	County Engineer	X
LINDSAY, Jon S.	Harris County	County Judge	X
BENTON, James F.	Liberty County	County Engineer	X
SEDLAK, John M.	Metropolitan Transit Auth	Asst Gen Mngr	X
BLANTON, J. Don	Montgomery County	County Engineer	X
DIETERT, Milton M.	SDH&PT, Dist. 12	District Engr.	X
FRANKLIN, D. S.	Waller County	County Engineer	X
MARSHAND, Doug	City of Galveston	Wharves Mngr.	
BRANHAM, Henry L.	City of Houston	Chief, AQ Bur	
GAINES, Paul B.	City of Houston	Aviation Dir.	
SMITH, C.J.	City of Houston	Dir. Public Wks	
BROYLES, Ragan	EPA - Region VI	Chief, St. Prog	
ERWAY, Paul S.	FAA - Houston	Supvr AP Sys	
LEARY, Michael	FHWA - Austin	Urban Plan Engr	
CLARK, Alan	HGAC	Trans. Mngr.	
PEIRCE, Allison, R.	Harris Co. PC Dept.	Dir, Poll. Ctrl	
FREISE, Wesley	Harris Co. Toll Road Auth	Executive Dir	
REIXACH, A.J. "Pete"	Port of Freeport	Port Director	
PUGH, James D.	Port of Houston	Executive Dir.	
CUELLAR, Robert	SDH&PT - Planning Div.	Eng Trans Sys	
CHRISTI, Richard G.	SDH&PT - Pub. Trans. Div.	Dir Public Tran	
OLAVSON, Hans C.	SDH&PT, Dist. 12	Tran Plan Admin	
BOHUSLAV, Benjamin	SDH&PT, Dist. 13	District Engr	
ZEIGLER, Carol D.	SDH&PT, Dist. 17	District Engr	
YOUNG, Franklin C.	SDH&PT, Dist. 20	District Engr	
WILLIAMS, He bert W.	TACB - Houston	Regional Supv	
SCHMIDT, Alan	TX Aeronatics Commission	Chief, Plan/Pro	
GRIFFIN, James W.	Texas Turnpike Authority	Act Exec. Dir.	
HARE, Wilbur	UMTA - Ft. Worth	Regional Admin.	

7/09/90

## COMMITTEE MEMBERSHIP

STUDY AREA: JEFFERSON-ORANGE  
 DESIGNATED MPO: Southeast Texas Regional Plan. Comm. (SETRPC)  
 AREA PLANNER: Joe Impey

\*\*\*\* Policy Committee \*\*\*\*  
 =====

Member Name	Representing	Title	Voting
LORD, Evelyn	City of Beaumont	Mayor	X
BANKEN, John	City of Bridge City	Mayor	X
MOORE, Sylvester	City of Groves	Mayor	X
LaBLANC, Carl	City of Nederland	Mayor	X
MOHON, Dan	City of Orange	Mayor	X
SUMMERLIN, Mary E.	City of Port Arthur	Mayor	X
GRAHAM, Gary C.	City of Port Neches	Mayor	X
HUNTER, Larry	City of Vidor	Mayor	X
THIBODEAUX, Carl	City of West Orange	Mayor	X
McKINNEY, Milton R.	Hardin County	County Judge	X
LEBLANC, Richard P.	Jefferson County	County Judge	X
STRINGER, James	Orange County	County Judge	X
YOUNG, Franklin C.	SDH&PT, Dist. 20	District Engr.	X
PICKETT, Jerry	City of Bevil Oaks	Mayor	
ESHLIMAN, Harry	City of China	Mayor	
DUNAWAY, Wilton	City of Lumberton	Mayor	
ELLIOTT, Billy	City of Pine Forest	Mayor	
MORGAN, A. R.	City of Pinehurst	Mayor	
FERGUSON, Hugh	City of Rome	Mayor	
DUBUISSON, H. P.	City of Rose City	Mayor	
LITTLETON, David	City of Rose Hill Acres	Mayor	
LEARY, Michael	FHWA - Austin	Urban Plan Engr	
RUTTER, Allan	Governor's Office	Bdgt & Planning	
CUELLAR, Robert	SDH&PT - Planning Div.	Engr Trans Sys	
DICKINSON, Bob	Southeast Tx RPC (SETRPC)	Trans. Planner	
HALEY, Bill	State of Texas, Dist. 3	State Senator	
PARKER, Carl	State of Texas, Dist. 4	State Senator	
LEWIS, Ron	State of Texas, Dist. 19	Representative	
SOILEAU, Curtis	State of Texas, Dist. 20	Representative	
STILES, Mark	State of Texas, Dist. 21	Representative	
PRICE, Albert J.	State of Texas, Dist. 22	Representative	
COLLAZO, Frank Jr.	State of Texas, Dist. 23	Representative	
FAIR, Vic	TACB - Beaumont	Regional Dir.	
WHITING, A. A.	U.S. Coast Guard, MSO	Captain	
WILSON, Charles	U.S. Congress, 2nd Dist.	Congressman	
BROOKS, Jack	U.S. Congress, 9th Dist.	Congressman	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: KILLEEN-TEMPLE  
DESIGNATED MPO: Central Texas Council of Governments (CTCOG)  
AREA PLANNER: Joe Impey

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
MACHII, Richard	Bell County	County Engineer	X
GRIFFEN, Louis	City of Belton	Dir. Pub. Works	X
HOLBERG, Jeff	City of Belton	City Manager	X
DURHAM, Jean	City of Copperas Cove	Councilmember	X
STOLDT, Mike	City of Copperas Cove	Planner	X
BONE, Richard	City of Harker Heights	Dir. Pub. Works	X
BAUMGARTNER, John	City of Killeen	City Engineer	X
LATHAM, Fred	City of Killeen	Councilmember	X
NORRIS, Don	City of Killeen	Planner	X
DAKE, Bill	City of Temple	Asst. City Mngr	X
LISTI, Sam	City of Temple	Planner	X
PREWITT, Buck	City of Temple	Mayor	X
PICKETT, Kirby	SDH&PT, Dist. 9	District Engr.	X
JOHNSON, A. C.	Gen. Tex. COG (CTCOG)	Executive Dir.	
LEARY, Michael	FHWA - Austin	Urban Plan Engr	
IMPEY, Joe	SDH&PT - Planning Div.	Area Planner	
DICKSON, Temple	State of Texas, Dist. 24	State Senator	
SHINE, Hugh	State of Texas, Dist. 53	Representative	
BLACK, Layton	State of Texas, Dist. 54	Representative	
MELTON, Bob	State of Texas, Dist. 57	Representative	
WRIGHT, Bobby	U.S. Army, Fort Hood	Facilities Dir.	
LEATH, Marvin	U.S. Congress, 11th Dist.	Congressman	
URIBE, Blas	UMTA - Ft. Worth	Urban Planner	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: LAREDO  
DESIGNATED MPO: City of Laredo  
AREA PLANNER: Joe Impey

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
	City of Laredo	Councilman	X
	City of Laredo	Councilman	X
JUAREZ, Jacinto	City of Laredo	Councilman	X
TATANGELO, Aldo	City of Laredo	Mayor	X
GARCIA, G. G.	SDH&PT, Dist. 21	District Engr.	X
ZAFFIRINI, Judith	State of Texas, Dist. 21	State Senator	X
CUELLAR, Henry	State of Texas, Dist. 43	Representative	X
RAMOS, Andy	Webb County	County Judge	X
SANTOS, Fito	Webb County	Commissioner	X
LEWIS, Tim	FAA - FHWA - Austin		
IMPEY, Joe	SDH&PT - Planning Div.	Area Planner	
GARZA, Amando	South Texas Dev. Council TACB - TX Aeronautics Commission UMTA - Ft. Worth		

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: LONGVIEW  
DESIGNATED MPD: City of Longview  
AREA PLANNER: Eddie Shafie

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
BAUGH, Jim	City of Longview	City Manager	X
GALOSY, Lou	City of Longview	Mayor	X
JOHNSTON, Andy	City of Longview	City Engineer	X
ROHNER, Ed	City of Longview	Dir Plan & Opns	X
KUTCH, George	City of White Oak	Mayor	X
ATKINSON, Henry	Gregg County	County Judge	X
ADKISSON, Mike	Harrison County	Commissioner	X
EVANS, James R.	SDH&PT, Dist. 10	District Engr.	X
JESTER, Lawrence	SDH&PT, Dist. 19	District Engr.	X
SMYSER, Tom	East Texas COG	Reg Devel Cood	
LEARY, Mike	FHWA - Austin	Urban Plan Engr	
SHAFIE, Eddie	SDH&PT, Planning Div.	Area Planner	
LEARD, Richard	TACB - Tyler	Regional Supvr	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: LUBBOCK  
DESIGNATED MPO: Lubbock UTS Steering Committee  
AREA PLANNER: Walt Bailey

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
CASS, Bob	City of Lubbock	Dep. City Mngr	X
McMINN, B.C	City of Lubbock	Mayor	X
TREJO, Maggie	City of Lubbock	Councilwoman	X
BRAZELL, Alton	Lubbock County	Commissioner	X
FREEMAN, Jim	Lubbock County	Admin. Asst.	X
POPE, William M.	SDH&PT, Dist. 5	Dist. Engineer	X
JONES, Delwin	State of Texas	Representative	X
MONTFORD, John T.	State of Texas	State Senator	
ROBNETT, Nolan J.	State of Texas	Representative	
COMBEST, Larry	U.S. Congress	Congressman	

\*\*\*\* Steering Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
BERTRAM, James	City of Lubbock	Asst City Mngr	X
HOFFMAN, Larry	City of Lubbock	Dir. Trans.	X
BIGGS, Coy	Lubbock County	Commissioner	X
SOLIS, Eliseo	Lubbock County	Commissioner	X
MOORE, Jack N.	SDH&PT, Dist. 5	Plan. Engineer	X
LEARY, Mike	FHWA - Austin	Urban Plan Engr	
BAILEY, Walt	SDH&PT - Austin	Area Planner	
KING, Karen	So. Plains Assoc. of Govt		
HUDSON, Gerald	TACB - Lubbock	Regional Supvr.	
GODDWYN, H. Merrill	TX Aeronautics Commission	Director	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: MCALLEN-PHARR  
DESIGNATED MPO: Hidalgo Metropolitan Trans. Planning Committee  
AREA PLANNER: Joe Impey

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
CHAVEZ, Ricardo	City of Alamo	Mayor Pro Tem	X
VILLARREAL, Ruby	City of Alamo	Mayor	X
DeLaVINA, Ruby	City of Edinburg	Mayor	X
VILLARREAL, Mike	City of Edinburg	Mayor Pro Tem	X
FRANZ, John David	City of Hidalgo	Mayor	X
PEREZ, Tomas Jr.	City of Hidalgo	Mayor Pro Tem	X
BRAND, Othal	City of McAllen	Mayor	X
MONTALVO, Leo	City of McAllen	Mayor Pro Tem	X
RODRIGUEZ, Arnulfo	City of Mission	Mayor Pro Tem	X
TOWNSEND, Pat Jr.	City of Mission	Mayor	X
GARCIA, Victor	City of Pharr	Mayor Pro Tem	X
SALINAS, Rubio O.	City of Pharr	Mayor	X
GARCIA, Antonio	City of San Juan	Mayor Pro Tem	X
GUARJARDO, Arturo	City of San Juan	Mayor	X
RUIZ, Edgar	Hidalgo County	County Judge	X
GARCIA, G. G.	SDH&PT, Dist. 21	District Engr.	X
	State of Texas, Dist. 40	Representative	X
	State of Texas, Dist. 41	Representative	X
	State of Texas, Dist. 42	Representative	X
LEARY, Mike	FHWA - Austin Lower Rio Grande Del Coun TACB - TX Aeronautics Commission UMTA - Ft. Worth	Urban Plan Engr	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: MIDLAND-ODESSA  
DESIGNATED MPD: Permian Basin Regional Planning Commission  
AREA PLANNER: Walt Bailey

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
RENDALL, Robert	City of Midland	Councilman	X
RODRIGUEZ, Jaime	City of Odessa	Councilman	X
FISHER, Jan	Ector County	County Judge	X
WRIGHT, Durward	Midland County	Commissioner	X
CRADDICK, Tom	State of Texas	Representative	
MONTFORD, John T.	State of Texas	State Senator	
SIMS, Bill	State of Texas	State Senator	
WATKINS, Gary	State of Texas	Representative	
COMBEST, Larry	U.S. Congress	Congressman	
SMITH, Lamar	U.S. Congress	Congressman	

\*\*\*\* Steering Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
HANSEN, Harvey	City of Midland	Dir. Engr/Tran.	X
HENNESSY, Richard	City of Midland	Dir. Planning	X
KHOURY, Marwan	City of Odessa	Dir. Planning	X
TUCKER, Bobby	City of Odessa	Dir. Pub. Works	X
HENDERSON, Bryan	Ector County	Commissioner	X
HARRAL, Bill	Midland County	County Engineer	X
HUFFMAN, Marshall	SDH&PT, Dist. 6	Dist. Engineer	X
WEBB, Charles	SDH&PT, Dist. 6	Planning Engr.	X
LYON, Hugh	FAA - ASW 601 Ft Worth	Acting Director	
LEARY, Mike	FHWA - Austin	Urban Plan Engr	
CRAWFORD, Ernie	Permian Basin RPC	Exec. Director	
CUELLAR, Robert	SDH&PT - Austin	Engr Trans Sys	
SIMS, Charley	TACB - Odessa	Regional Dir.	
GOODWYN, Merrell	TX Aeronautics Commission	Director	
HARE, Wilbur	UMTA - Ft. Worth	Regional Dir.	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: SAN ANGELO  
DESIGNATED MPO: City of San Angelo  
AREA PLANNER: Walt Bailey

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
ABELL, Don	City of San Angelo	Asst City Mngr	X
BROWN, Stephen	City of San Angelo	City Manager	X
EDWARDS, Tim	City of San Angelo	Mayor	X
PUGH, Dan	City of San Angelo	Dir. Planning	X
MCCULLOUGH, Walter G	SDH&PT, Dist. 7	Dist. Engineer	X
CAFFEY, Delbert	Tom Green County	Commissioner	X
DOMINGUEZ, B.C.	Tom Green County	Commissioner	X
WEAVER, Robert	Concho Valley COG	Executive Dir.	
LEARY, Mike	FHWA - Austin	Urban Plan Engr	
BAILEY, Walt	SDH&PT - Austin	Area Planner	
JUNELL, Robert	State of Texas	Representative	
SIMS, Bill	State of Texas	State Senator	
SMITH, Lamar	U.S. Congress	Congressman	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: SAN ANTONIO-BEXAR CO.  
 DESIGNATED MPO: Steering Committee  
 AREA PLANNER: Eddie Shafie

\*\*\*\* Policy Committee \*\*\*\*  
 =====

Member Name	Representing	Title	Voting
FRIESENHAHN, Bruce	Bexar Co Council of Mayor	Mayor (Converse)	X
ELIZONDO, Paul	Bexar County	Commissioner	X
LEE, Robert G.	Bexar County	Commissioner	X
TOMASINI, Robert	Bexar County	Dir. Pub. Works	X
VICKERS, Tom	Bexar County	County Judge	X
	City of San Antonio		X
COCKRELL, Lila	City of San Antonio	Mayor	X
DUTMER, Helen	City of San Antonio	Councilmember	X
LABATT, Weir	City of San Antonio	Councilmember	X
MARTINEZ, Walter	City of San Antonio	Councilmember	X
THOMPSON, Robert	City of San Antonio	Councilmember	X
WOLFF, Nelson	City of San Antonio	Councilmember	X
WEAVER, Thomas G.	Randolph Region	Gen Mngr CCMA	X
LOCKHART, Richard D.	SDH&PT, Dist. 15	District Engr.	X
COOK, Wayne M.	VIA	General Manager	X
NOTZON, Al J. III	Alamo Area COG	Exec. Director	
LEARY, Michael	FHWA - Austin	Urban Planner	
SHAFIE, Eddie	SDH&PT - Planning Div.	Area Planner	
SEEWALD, Emil E.	SDH&PT, Dist. 15	Planning Engr.	
PERKINS, Loris D.	San Antonio Devel. Agency	Spec Prod Mngr	
MENKE, Jim	TACB - San Antonio	Regional Supv.	
WILLIAMS, C.A. "Clay"	TX Aeronautics Commission	Director	
JAMES, Michael	TX Railroad Commission	Trans. Div.	
HARE, Wilbur	UMTA - Ft. Worth	Regional Mngr.	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: SHERMAN-DENISON  
DESIGNATED MPO: Texoma Council of Governments  
AREA PLANNER: Eddie Shafie

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
ANDREWS, Jim	City of Denison	Asst. City Mngr	X
CRUISE, Larry	City of Sherman	City Manager	X
MC CRAW, Butch	Grayson County	Commissioner	X
MYERS, Bobby	SDH&PT, Dist. 1	District Engr.	X
LEARY, Michael	City of Howe	Urban Plan Engr	
JONES, Kenneth	FHWA - Austin	Design Engineer	
FACE, Don	SDH&PT, Dist. 1	Mgr Urban Study	
SHAFIE, Eddie	SDH&PT, Planning Div.	Area Planner	
SPEAKMAN, Tom	Texoma COG	Trans. Planner	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: TEXARKANA  
DESIGNATED MPO: Arkansas-Texas Council of Governments (ARKTEX COG)  
AREA PLANNER: Eddie Shafie

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
DAVIS, Bryan H.	Arkansas DOT	Chief, Plan Div	X
TYLER, William	Arkansas DOT	District Engr.	X
CARLOW, James M.	Bowie County	County Judge	X
WILLIAMS, James	City of Nash	Mayor	X
CROWELL, Olin	City of Texarkana, Ark.	City Manager	X
EASLEY, Hubert	City of Texarkana, Ark.	Councilmember	X
FERGUSON, Bobby	City of Texarkana, Ark.	Mayor	X
	City of Texarkana, Texas	Councilmember	X
JARVIS, John	City of Texarkana, Texas	Mayor	X
SHACKELFORD, George	City of Texarkana, Texas	City Manager	X
HUDDLESTON, Michael	City of Wake Village	Mayor	X
PARHAM, Wiley	Miller County	County Judge	X
JESTER, L. L. Jr.	SDH&PT, Dist. 19	District Engr.	X
WADE, Monte G.	SDH&PT, Dist. 19	Planning Engr.	X
DOWD, Travis	State of Arkansas	Representative	X
DOWD, Wayne	State of Arkansas	State Senator	X
TELFORD, Barry B.	State of Texas	Representative	X
GOERKE, James	ARKTEX COG	Executive Dir.	
HOLLAND, Eddie	Ark. Dept. of Aeronautics	Director	
	Arkansas Pollution Contrl		
FAULKNER, Gene L.	FAA		
LEARY, Michael	FHWA - Austin, TX	Urban Plan Engr	
FAIRBROTHER, Richard	FHWA - Little Rock, Ark	Division Engr	
CUELLAR, Robert	SDH&PT, Planning Div.	Engr Trans Sys	
LEARD, Richard	TACB -		
	TX Aeronautics Commission		
VICKERS, Jeff	Texarkana Airport Auth.	Airport Mngr	
HARE, Wilbur	UMTA - Ft. Worth	Regional Admin.	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: TYLER  
DESIGNATED MPO: City of Tyler  
AREA PLANNER: Eddie Shafie

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
GWYN, Gary	City of Tyler	City Manager	X
PARKER, Paul	City of Tyler	Asst City Mngr	X
REYNOLDS, Smith Jr.	City of Tyler	Mayor	X
THOMAS, Charlie	City of Tyler	City Engineer	X
EVANS, James R.	SDH&PT, Dist. 10	District Engr.	X
CRAIG, Larry	Smith County	County Judge	X
KLINE, Kenneth	Smith County	County Engineer	X
HUDSON, David	State of Texas, Dist. 6	Representative	X
SMYSER, Tom	East Texas COG	Reg. Devel Cood	
LEARY, Mike	FHWA - Austin	Urban Plan Engr	
SHAFIE, Eddie	SDH&PT, Planning Div.	Area Planner	
LEARD, Richard	TACB - Tyler	Regional Supvr	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: VICTORIA  
DESIGNATED MPO: City of Victoria  
AREA PLANNER: Joe Impey

\*\*\* Policy Committee \*\*\*  
=====

Member Name	Representing	Title	Voting
	City of Victoria	Councilmember	X
ASHLEY, Delton	City of Victoria	Councilmember	X
MENVILLE, Edward	City of Victoria	Dir. of Engr.	X
MILLER, James J.	City of Victoria	City Manager	X
BOHUSLAV, Ben	SDH&PT, Dist. 13	District Engr.	X
PETRUSEK, Reuben J.	SDH&PT, Dist. 13	Resident Engr.	X
JONES, Norman	Victoria County	County Judge	X
TARGAC, Frank	Victoria County	Commissioner	X
RHODES, Patrick	Victoria County Airport	Airport Mngr.	X
KENNEDY, Patrick	Golden Crescent RPC	Executive Dir.	
IMPEY, Joe	SDH&PT - Planning Div.	Area Planer	
COBLER, Harold	Victoria Cham. of Comm.	Trans. Chairman	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: WACO  
DESIGNATED MPO: City of Waco  
AREA PLANNER: Joe Impey

\*\*\*\* Policy Committee \*\*\*\*  
=====

Member Name	Representing	Title	Voting
DUNSLAP, Sam	City of Bellmead	Councilmember	X
WOODARD, Dennis	City of Hewitt	City Manager	X
SIMONS, Billy	City of Robinson	Mayor	X
CROTH, Larry	City of Waco	City Engineer	X
HARRISON, John	City of Waco	City Manager	X
HOLZE, Harry	City of Waco	Plan Commission	X
McGLOSSON, Sam Jack	City of Waco	Mayor Pro Tem	X
PATTILLO, R. D.	City of Waco	Mayor	X
NORWOOD, Marvin	City of Woodway	City Manager	X
DAVIS, Wayne	McClenman County	Commissioner	X
LEWIS, Jim	McClenman County	Commissioner	X
PICKETT, Kirby	SDH&PT, Dist. 9	District Engr.	X
LEARY, Michael	FHWA - Austin	Urban Plan Engr	
DAVIS, Hugh	Heart of Texas COG	Executive Dir	
IMPEY, Joe	SDH&PT - Planning Div.	Area Planner	
EDWARDS, Chet	State of Texas, Dist. 9	State Senator	
TAYLOR, M. A.	State of Texas, Dist. 55	Representative	
DENTON, Betty	State of Texas, Dist. 56	Representative	
FULTON, Eugene	TACB -		
LEACH, Marvin	U.S. Congress, 11th Dist.	Congressman	
URIBE, Blas	UMTA - Ft. Worth	Urban Planner	
CLEVELAND, Curtis	Waco Chamber of Commerce	Trans. Chairman	

7/09/90

COMMITTEE MEMBERSHIP

STUDY AREA: WICHITA FALLS  
DESIGNATED MPO: City of Wichita Falls  
AREA PLANNER: Eddie Shafie

\*\*\*\* Policy Committee \*\*\*\*  
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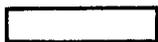
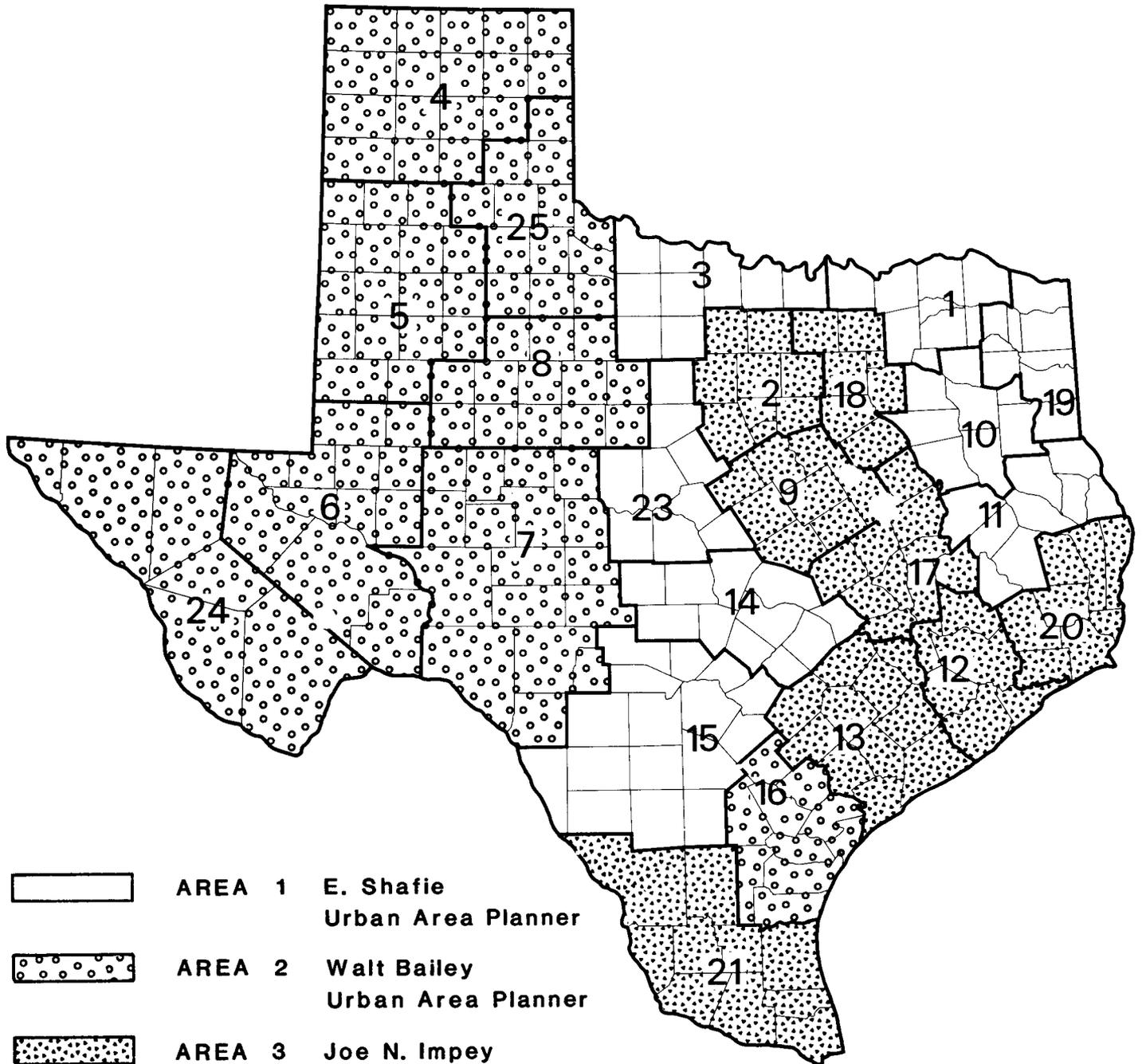
Member Name	Representing	Title	Voting
BONNETT, George	City of Wichita Falls	Dir. Pub. Works	X
LAM, Michael	City of Wichita Falls	Mayor	X
MC KINNEY, Roger	City of Wichita Falls	Dir. Planning	X
PARKER, Bob	City of Wichita Falls	Dir. Traf/Trans	X
WILDE, Dennis	Nortex Reg. Plan. Comm.	Exec. Director	X
CANTRELL, Dale C.	SDH&PT, Dist 3	Design Engr.	X
PRESTON, Bruce J.	SDH&PT, Dist 3	ROW/Traf Engr	X
GREER, H. C.	Wichita County	Commissioner	X
HICKEY, Lee	City of Lakeside	Mayor	
LITTLE, Leon T.	City of Pleasant Valley	Mayor	
BERZINA, Jim	City of Wichita Falls	City Manager	
LEARY, Michael	FHWA - Austin	Urban Plan Engr	
STACKS, Jimmy L.	SDH&PT, Dist. 3	District Engr.	
SHAFIE, Eddie	SDH&PT, Planning Div.	Area Planner	
CARRIKER, Stephen	State of Texas	State Senator	
FINNELL, Charles	State of Texas	Representative	
GAVIN, John	State of Texas	Representative	
BARBER, Debra	TACB - Wichita Falls	Regional Dir.	
WILKINS, Clay	TX Dept. of Aviation	Director	
WENDLANDT, Walter	TX Railroad Commission	Act. Dir. Trans	
SARPALIUS, Bill	U.S. Congress	Congressman	

**APPENDIX E**

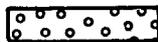
**TRANSPORTATION PLANNING DIVISION  
URBAN PLANNING AREAS**

# TRANSPORTATION PLANNING DIVISION

## Urban Planning Areas, by District



**AREA 1** E. Shafie  
Urban Area Planner



**AREA 2** Walt Bailey  
Urban Area Planner



**AREA 3** Joe N. Impey  
Urban Area Planner

## **APPENDIX F**

### **QUESTIONS AND ANSWERS**

QUESTIONS AND ANSWERS ON  
URBAN TRANSPORTATION PLANNING  
IN TEXAS

1. WHEN AND WHY WERE STYLIZED URBAN TRANSPORTATION PLANNING STUDIES INSTITUTED?

In accordance with the 1962 Federal Aid Highway Act 23, U.S.C. 134 and Section 8 of the Urban Mass Transportation Act of 1964, urbanized areas were required to have a continuing, cooperative and comprehensive transportation planning process in order to receive Federal-Aid Highway funds or Urban Mass Transportation funds. This process, known as the 3-C Planning Process, aids in the creation of plans and programs consistent with the development of each urbanized area.

2. WHO AND WHAT IS THE METROPOLITAN PLANNING ORGANIZATION (MPO)?

The 1973 Federal-Aid Highway Act and the Urban Mass Transportation Act of 1964 assured the involvement of the local entities in highway planning in urbanized areas throughout the country. It required the governor of each state to designate a metropolitan planning organization for each urbanized area. Principal elected officials of general purpose local governments must be represented on the MPO, but the structure of each MPO is established by agreement between the Governor and these local governments.

The MPO is the organization which shares responsibility with the State for carrying out the 3-C planning process and is the forum for cooperative transportation decision making in the urban transportation planning process.

3. WHAT IS THE MAKEUP OF THE MPO IN TEXAS URBANIZED AREAS?

The MPO's in urbanized areas of Texas vary from local Councils of Government, the major local cities, the Steering Committee, or the Policy Advisory Committee.

4. WHO MAKES THE DECISION AS TO WHO IS TO BE DESIGNATED THE MPO?

The local cities and counties in each urbanized areas, in coordination with the Governor, make the decision as to the designation of the area MPO.

5. WHAT IS THE SOURCE OF THE FUNDS THAT ARE USED BY THE MPO FOR PLANNING? AMOUNT ANNUALLY? WHO FURNISHES MATCH?

Federal funds referred to as PL 112 funds are set aside from Federal Aid Highway funds for each MPO to use in carrying out the urban transportation planning for that area. These funds require a 15% local match, which is furnished, in kind, by the State Department of Highways and Public Transportation. The Urban Mass Transportation Administration (UMTA), Section 8 & 9 funds are also used for planning.

6. WHO USES THESE FUNDS?

This is a local determination, by the MPO.

7. WHO DEVELOPS THE TRANSPORTATION PLAN?

The Transportation Plan is to be developed by the MPO in coordination with the local governmental entities and SDHPT. This is most necessary since no project will be developed unless it is desired by the effected entity. It must have final approval of the MPO.

8. WHO DECIDES THE LIMITS OF THE AREA TO BE INCLUDED IN THE PLAN?

The area to be included in the plan is part of an agreement between the local government and the SDHPT.

9. WHAT IS THE DIFFERENCE BETWEEN THE STUDY AREA, THE URBAN AREA AND THE URBANIZED AREA?

The Study Area is the area for which the Metropolitan Planning Organization (MPO) develops a long range transportation plan. As a minimum, it covers the urbanized area, as designated by the Bureau of Census, and the area likely to be urbanized in the period covered by the long-range element of the transportation plan.

The urban area is that area which encompasses the entire urbanized area as designated by the Bureau of Census plus that adjacent area as agreed upon by local officials in cooperation with the State. (This is the area in which projects must be included in the TIP/AE to be eligible for certain Federal Aid Highway and Urban Mass Transportation Administration funds).

The urbanized area is the area designated by the Bureau of Census each 10 years after the census has been compiled. It must as a minimum include all of the city limits. It is determined beyond the city limits by the density of population.

10. WHAT EFFECT DOES ENLARGING THE URBAN AREA HAVE ON FEDERAL AID HIGHWAY FUNDS FOR PROJECTS?

The enlargement of the Urban Area effects the ability to use certain Federal Aid Highway funds on highways within the urban area limits. Federal Aid Urban funds can be used only within the urban area limits and Federal Aid Secondary funds cannot be spent within those limits. The Federal Aid Urban System funds are very limited and Federal Aid Secondary funds are a major source of highway funds. (Currently, the Combined Roadway Program (CPR) renders this point moot. The CPR is only a demonstration program at this time.)

11. WHAT IS THE UNIFIED PLANNING WORK PROGRAM (UPWP)?

The Unified Planning Work Program (UPWP) is an annual outline for the use of the PL 112 and the UMTA Section 8 funds. This document must be approved by the MPO and submitted to the Federal Highway Administration (FHWA) and the Urban Mass Transportation Administration (UMTA) for review and approval before the Federal Planning funds become available.

12. WHAT IS THE TRANSPORTATION IMPROVEMENT PROGRAM (TIP)?

As a minimum, the Transportation Improvement Program (TIP) consists of a listing of projects or capital improvements from the transportation plan that are within the Urban Limits and are recommended for Federal funding during the next 3 to 5 years.

13. WHAT IS THE ANNUAL ELEMENT (AE)?

The Annual Element consists of a listing of projects or capital improvements anticipated to begin during the next Federal fiscal year.

14. HOW IS THE TIP/AE DEVELOPED?

The TIP/AE is a compilation of approved projects submitted to the study coordinator by implementing agencies.

15. WHAT PROJECTS ARE REQUIRED TO BE IN THE MPO APPROVED TIP/AE TO RECEIVE FEDERAL FUNDS?

Only those projects that are within the urban area limits are required to be in the TIP/AE approved by the MPO before they can receive Federal funds. Even within the urban area projects which are for resurfacing, restoration, rehabilitation, reconstruction (4R), or highway safety improvements, and which will not alter the functional traffic capacity or capability of the facility being improved may be excluded from the TIP/AE by agreement between the State and the MPO. In most areas in Texas this agreement has been executed in order that safety, rehabilitation and restoration projects will not be delayed.

16. WHAT IS THE CERTIFICATION STATEMENT?

At the time the TIP/AE is submitted to the Federal Highway Administration, the MPO and the State certify that the planning process is being carried on in conformance with all applicable Federal requirements. This certification must be submitted with the TIP/AE to obtain Federal approval.

17. WHO DECIDES THE SOURCE OF HIGHWAY FUNDS THAT WILL BE USED ON A PROJECT?

On highway projects, the source of the funds for the highway project is decided by SDHPT within applicable federal requirements.

18. DO WE LOSE ANY FEDERAL FUNDS WHEN WE DON'T USE THEM ON A HIGHWAY PROJECT?

When a decision is made by SDHPT to use all State funds on a project no federal funds are lost. Federal funds represent only a portion of the funds spent by SDHPT for highway construction.

19. WHY ARE PROJECTS NOT IN THE URBAN LIMITS OR THAT ARE NOT TO BE FEDERALLY FUNDED INCLUDED IN THE PLAN, TIP AND AE?

Other projects in the planning area may be included in the TIP/AE for informational purposes. This is a means by which anyone can see how the Long Range Transportation Plan is developing and is a means of keeping all elected officials and the public informed of project planning.

20. IF A PROJECT IS ADDED TO THE PLAN, THE TIP AND THE AE BY THE MPO, DOES THIS MEAN IT WILL BE CONSTRUCTED?

No, the MPO, by a majority vote, can add a project to the TIP/AE and Transportation Plan. In the case of a highway project, the project must first be approved by the State Highway and Public Transportation Commission before State or Federal funds could be used for construction.

21. WHO HAS THE TOTAL RESPONSIBILITY FOR DEVELOPING THE DESIGN OF A PROJECT?

The design of a highway project is entirely the responsibility of registered professional engineers whether employed by SDHPT or as a consultant. This design does take into account environmental, social, and economic concerns as well as input from public meetings and public hearings.

22. WHAT PART DOES THE FEDERAL HIGHWAY ADMINISTRATION HAVE IN THE PLANNING PROCESS?

The Federal Highway Administration (FHWA) is responsible for seeing that the States are meeting all of the applicable requirements in the planning process when Federal Aid Highway funds are to be used. They must also approve the UPWP and the TIP/AE each year.

23. IS THERE ANY REQUIREMENT, FEDERAL OR STATE, THAT REQUIRES A PUBLIC HEARING OF THE TRANSPORTATION PLAN, TRANSPORTATION IMPROVEMENT PROGRAM OR ANNUAL ELEMENT?

There are no Federal or State requirements for a public hearing of the Transportation Plan, TIP or AE. Public hearings may be required at a certain stage of the individual Federally funded project.

24. ARE ALL MEETINGS OF THE MPO REQUIRED TO MEET THE STATE OPEN MEETING LAW REQUIREMENTS?

Yes, the courts have recently ruled that the policy committee must meet the requirements of the Texas Open Meeting Law.