



***MAP-21 Analysis***  
***Performance Management Provisions***  
***Standing Committee on Performance Management***

**July 27, 2012**

## **Overview**

MAP-21 contains performance measures that will transform the federal-aid highway program and provide a means to the most efficient investment of federal funds. This is done by refocusing on national transportation goals, increasing the accountability and transparency of the federal-aid highway program and improving project decision making through performance-based planning and programming.

A Task Force on National Performance Measure Development, Coordination and Reporting has been developed by SCOPM and AASHTO to collaborate with FHWA and U.S. DOT as we work together to meet the new Federal performance management requirements. The task force will also work to develop a strategy for communicating national performance results to Congress and the public.

In general, the Secretary, in consultation with States, MPOs, and other stakeholders, will establish performance measures for pavement conditions and performance for the Interstate and National Highway Systems (NHS), bridge conditions on the NHS, injuries and fatalities on all public roadways, traffic congestion and on-road mobile source emissions in areas with population over one million, and freight movement on the Interstate System. States (and MPOs, where applicable) will set performance targets in support of those measures, and State and metropolitan plans (both long range plans and S/TIPS) will describe how program and project selection will help achieve the targets.

## **National Goal Areas for Performance Management**

1. **Safety:** To achieve reduction in fatalities and serious injuries on all public roads.
2. **Infrastructure Condition:** To maintain highway infrastructure assets in state of good repair.
3. **Congestion Reduction:** To achieve reduction in congestion on the National Highway System.
4. **System Reliability:** To improve the efficiency of the surface transportation system.
5. **Freight Movement and Economic Vitality:** To improve freight networks, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development.
6. **Environmental Sustainability:** To enhance the performance of the transportation system while protecting and enhancing the environment.
7. **Reduced Project Delivery Delays:** To reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies' work practices.

## Target Setting

The States are required to establish performance targets that reflect each of the performance measures established by the U.S. DOT. This target setting requirement must be met by the State no later than 1 year after the U.S. DOT issues the final rule establishing the performance measures. The States must establish their targets in “coordination” with MPOs and with public transit operators in areas not represented by MPOs. States may, as appropriate, provide for different targets for urbanized and rural areas.

The MPOs are required to establish performance targets, where applicable, to address each of the performance measures adopted by U.S. DOT. The MPOs are required to establish their targets in “coordination” with the State and with the public transit operator in the MPO area. This target setting requirement must be met by the MPO no later than 180 days after the establishment of targets by the State or public transit operator.

## Establishment of National Performance Measures

U.S. DOT is responsible for establishing the performance measures that will be used to assess progress in three apportioned Federal-aid programs: the National Highway Performance Program (NHPP); the Highway Safety Improvement Program (HSIP); and the Congestion Management and Air Quality (CMAQ) program. The legislation specifies the types of measures to be established, and does not allow USDOT to establish additional types of measures. The U.S. DOT is required to promulgate a rulemaking to establish the measures no later than 18 months after enactment.

National Performance Measures will be developed to assess the following<sup>1</sup>:

| National Goal Area                            | National Performance Measure Areas   | MAP-21 Program Area          |
|---|--|------------------------------|
| <b>Safety</b>                                 | 1. Serious Injuries per VMT<br>2. Fatalities per VMT<br>3. Number of Serious Injuries<br>4. Number of Fatalities   | HSIP<br>HSIP<br>HSIP<br>HSIP |
| <b>Infrastructure Condition</b>               | 5. Bridge Condition on the NHS<br>6. Pavement Condition of the Interstate System<br>7. Pavement Condition of the NHS ( <i>excluding the Interstate</i> ) | NHPP<br>NHPP<br>NHPP         |
| <b>Congestion Reduction</b>                   | 8. Traffic Congestion  | CMAQ                         |
| <b>System Reliability</b>                     | 9. Performance of the Interstate System<br>10. Performance of the NHS ( <i>excluding the Interstate</i> )  | NHPP<br>NHPP                 |
| <b>Freight Movement and Economic Vitality</b> | 11. Freight Movement on the Interstate   |                              |
| <b>Environmental Sustainability</b>           | 12. On-Road Mobile Source Emissions  | CMAQ                         |
| <b>Reduced Project Delivery Delays</b>        | None.  |                              |

<sup>1</sup> This table represents AASHTO’s interpretation linking the National Performance Measures to the National Goal Areas. While MAP-21 does not provide a direct connection between the National Goal Areas and the National Performance Measures, listed in this table is a natural correlation between the goal areas and measures.

## HSIP

### Measures

- *Serious Injuries per VMT*
  - *Fatalities per VMT*
  - *Number of Serious Injuries*
  - *Number of Fatalities*
- Who: U.S. DOT Secretary establishes the measures through rulemaking no later than 18 months after enactment in consultation with State DOTs, MPOs, and other stakeholders.
  - Targets:
    - States: Set performance targets within one year after final rulemaking
    - MPO: Set target no later than 180 days after the State target is set, if applicable.
    - U.S. DOT: Targets are established in law for high-risk rural road and older driver safety.
  - Penalties: Yes.
  - Reporting: There are two sets of reporting requirements for State DOTs. The first are the annual NHTSA reporting requirements. The second is under the HSIP program and FHWA. The NHTSA requirements (based on agreements with GHSA) call for annual reports of progress and annual targets for a host of safety performance measures. However, these are separate from the National Performance Measures. FHWA requirements include performance measures related to serious injuries and fatalities per VMT and a count of serious injuries and fatalities with an initial report is due four years after enactment and every two years thereafter.

## NHPP

### Measures

- *Bridge Condition on the NHS*
  - *Pavement Condition of the Interstate System*
  - *Pavement Condition of the NHS (excluding the Interstate)*
  - *Performance of the Interstate System*
  - *Performance of the NHS (excluding the Interstate)*
- Who: U.S. DOT Secretary established the measures through rulemaking no later than 18 months after enactment in consultation with State DOTs, MPOs, and other stakeholders.
  - Targets:
    - States: Set performance targets within one year after final rulemaking.
    - MPO: Set target no later than 180 days after the State target is set, if applicable.
    - U.S. DOT:
      - Minimum Allowable Condition for Bridges on the NHS
      - Minimum Allowable Condition for Pavements on the Interstate System
  - Penalty: Yes.
  - Reporting:
    - Bridge Condition: First report due four years after enactment; every two years thereafter.
    - Pavement Condition: First report due four years after enactment; every two years thereafter.

- Performance: First report due four years after enactment; every two years thereafter.

## CMAQ

### Measures

- *Traffic Congestion*
- *On-Road Mobile Source Emissions*

- Who: U.S. DOT Secretary establishes the measures through rulemaking no later than 18 months after enactment in consultation with State DOTs, MPOs, and other stakeholders.
- Targets:
  - States: Set performance targets within one year after final rulemaking.
  - MPO: Set target no later than 180 days after the State target is set, if applicable.
  - U.S. DOT: None.
- Penalty: None.
- Reporting: There are two reporting requirements for State DOTs. First, under the CMAQ program, a performance plan is required that shows progress made towards achieving the targets for both air quality (related to On-Road Mobile Source Emissions) and traffic congestion targets. Second, under the Performance Management section, an initial report is due four years after enactment; every two years thereafter. U.S. DOT will be coordinating these two reporting requirements.

## Freight Movement and Economic Vitality

### Measures

- *Freight Movement on the Interstate*

- Who: USDOT Secretary in conjunction with State DOT, MPOs and other stakeholders will set measures.
- Targets:
  - States: Set performance targets within one year after final rulemaking.
  - MPO: Set target no later than 180 days after the State target is set, if applicable.
  - U.S. DOT: None.
- Penalty: None.
- Reporting: First report due four years after enactment; every two years thereafter.

## State Required Plans

Aside from the traditional long range transportation plan and transportation improvement program (see below under Performance-Based Planning and Programming), there are a number of new and revised plans required by State DOTs and MPOs. The following is a description on the new plans required under MAP-21

1. **Risk-based Asset Management Plan**—This plan must be developed by each state based on requirements that the U.S. DOT must establish no later than 18 months after enactment. The planning process must be reviewed and certified by the U.S. DOT at least every four years. Failure to develop and implement the plan (beginning in FY 2016 at the earliest) would lower the federal share payable on projects to 65 percent. The plan shall include:
  - listing of pavement and bridge assets, including a description of their conditions,

- asset management objectives and measures,
  - performance gap identification,
  - lifecycle cost and risk management analysis,
  - financial plan, and
  - investment strategies.
2. **Strategic Highway Safety Plan (SHSP)<sup>2</sup>**—The SHSP is required under FHWA and is to be based on requirements that the U.S. DOT establishes no later than one year of enactment and will require regular updates; the timing of which will be established by U.S. DOT. The states must have an approved SHSP by August 1 of the FY following the requirements (August 1, 2014 at the earliest). The updated plan will be based upon, among other things:
    - Include accident locations
    - Include findings of road safety audits
    - Be based on all public roads
  3. **Freight Plan**—The Secretary encourages each State to develop a freight plan that provides a comprehensive plan for the immediate and long-range planning activities and investments of the State with respect to freight. States with a freight plan will be eligible for a larger federal share of project costs for those projects listed in the statewide freight plan (increase from 90% to 95% federal share).
  4. **CMAQ Program Performance Plan**—Each MPO serving a transportation management area with a population over 1 million people representing a nonattainment or maintenance area shall develop a performance plan that is related to the Congestion Mitigation and Air Quality Program (CMAQ). While not a requirement for the State DOT, the plan will have to:
    - Include an area baseline level for traffic congestion and on-road mobile source emissions for which the area is in nonattainment or maintenance;
    - Describe progress made in achieving the performance targets;
    - Include a description of projects identified for funding under this section and how such projects will contribute to achieving emission and traffic congestions reduction targets, established by the State DOT and MPO.

## Performance-Based Planning and Programming

States must continue to develop a long range transportation plan covering a minimum of 20 years. States must also develop a Statewide Transportation Improvement Program (STIP) that must include, to the maximum extent practicable, a discussion of the anticipated effect of the transportation improvement program toward achieving the performance targets established by the State and MPO, respectively, linking investment priorities to performance targets. MPOs are also required to include “system performance reports” as part of their transportation plans.

A major emphasis of MAP-21 is on a performance based process. In general, the statewide transportation plan and STIP must include consideration of the National Level Performance Measures and targets. More specifically, states must include in their statewide transportation plan an assessment of how MPOs are achieving progress towards performance targets in their regions. Both the S/TIP must

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<sup>2</sup> In addition to the SHSP, states are also required to develop a Highway Safety Plan that is focused on funding received from NHTSA for behavioral programs. This plan includes additional safety goals, measures and targets.

also be developed to demonstrate progress is being made toward established performance targets and include a description of the anticipated achievements.

The U.S. DOT is required to establish criteria for the evaluation of the new performance-based planning processes. The process will consider whether States developed appropriate performance targets and made progress toward achieving the targets. Five years after enactment of MAP-21, the Secretary is to provide to the Congress reports evaluating the overall effectiveness of performance-based planning and the effectiveness of the process in each State and for each MPO.