

**BALTIMORE METROPOLITAN PLANNING ORGANIZATION
BALTIMORE REGIONAL TRANSPORTATION BOARD**

RESOLUTION #18-15

**ESTABLISHING AN AGREEMENT FOR SHARING DATA AND METHODOLOGIES
TO EFFECTIVELY APPLY A PERFORMANCE-BASED APPROACH TO
PLANNING AND PROGRAMMING IN THE BALTIMORE REGION**

WHEREAS, the Baltimore Regional Transportation Board (BRTB) is the designated metropolitan planning organization (MPO) for the Baltimore region, encompassing the Baltimore Urbanized Area, and includes official representatives of the cities of Annapolis and Baltimore, the counties of Anne Arundel, Baltimore, Carroll, Harford, Howard, and Queen Anne's, as well as representatives of the Maryland Department of Transportation, the Maryland Department of the Environment, the Maryland Department of Planning, the Maryland Transit Administration, and Harford Transit; and

WHEREAS, the BRTB, as the MPO for the Baltimore region, has the responsibility under the provisions of the Fixing America's Surface Transportation Act (FAST Act) for developing and carrying out a continuing, cooperative and comprehensive transportation planning process for the metropolitan area; and

WHEREAS, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) issued a joint final rule on planning (Statewide and Nonmetropolitan Transportation Planning; Metropolitan Transportation Planning) requiring MPOs, state departments of transportation (DOTs), and providers of public transportation to cooperatively determine their mutual responsibilities in carrying out the metropolitan planning process; and

WHEREAS, this rule requires MPOs, state DOTs, and providers of public transportation to clearly identify these responsibilities in a written agreement and recommends that these parties periodically review and update the agreement, as appropriate, to reflect effective changes; and

WHEREAS, the FAST Act continued the implementation of performance-based planning and programming to achieve desired performance outcomes for the multimodal transportation system, including setting targets for future performance by MPOs, states, and providers of public transportation; and

WHEREAS, the process of establishing performance measures and setting targets relies on cooperation and sharing of data and methodologies to effectively apply the performance-based approach to planning and programming mandated by law and regulations.

NOW, THEREFORE BE IT RESOLVED that the Baltimore Regional Transportation Board as the Metropolitan Planning Organization for the Baltimore region adopts the revised data sharing agreement (see Attachment 1) as described.

I HEREBY CERTIFY that the Baltimore Regional Transportation Board as the Metropolitan Planning Organization for the Baltimore region approved the aforementioned resolution at its May 22, 2018 meeting.

Date

Michelle Pourciau, Chair
Baltimore Regional Transportation Board

DRAFT 04/17/18

Jurisdiction or Agency Head
Organization's Address

Subject: Letter of Agreement and Documentation of Responsibilities for Federal Transportation
Performance-Based Planning and Programming

Dear _____:

This Letter of Agreement ("LOA") between the Baltimore Regional Transportation Board ("BRTB") and Maryland Department of Transportation ("MDOT") sets forth the agreement between the parties to implement the metropolitan transportation planning provisions of the federal Performance-Based Planning and Programming ("PBPP") process.

First legislated in 2012 in the Moving Ahead for Progress in the 21st Century Act (MAP-21) and, subsequently expanded in the Fixing America's Surface Transportation (FAST) Act of December 2015, the PBPP process calls for the MDOT, BRTB, and Providers of Public Transportation to transition to a performance-driven, outcome-based program that provides for a greater level of transparency and accountability, improved project decision-making, and more efficient investment of federal transportation funds, as part of the cooperative, comprehensive, and continuing ("3C") performance-based multimodal transportation planning and programming process for the metropolitan planning area.

MDOT, BRTB and Providers of Public Transportation must link investment priorities to the achievement of performance targets in:

1. Highway Safety
2. Highway Assets: Pavement and Bridge Condition
3. System Performance (National Highway System Congestion, Freight, CMAQ Program)
4. Transit Asset Management
5. Transit Safety

On May 27, 2016, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) jointly published the final Statewide and Nonmetropolitan Transportation Planning and Metropolitan Transportation Planning regulations (23 CFR Parts 450, 771 and 49 CFR Part 613; "Planning Rule"). This final rule updated the regulations governing the development of metropolitan transportation plans and programs for urbanized areas, long-range statewide transportation plans and programs, and the congestion management process, as well as revisions related to the use of and reliance on planning products developed during the planning process for project development and the environmental review process. The update makes the regulations consistent with current statutory planning requirements, including the new mandate for a PBPP.

Regulation 23 CFR §450.314(a) requires that the BRTB, MDOT and Providers of Public Transportation "shall cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process. These responsibilities shall be clearly identified in written agreements among the Metropolitan Planning Organization, the State, and the Providers of Public Transportation".

With regard to the FAST Act provisions of PBPP, the updated regulation for Metropolitan Planning Agreements (23 CFR §450.314(h)), notes that the BRTB, MDOT and Providers of Public Transportation

“shall jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region”.

Consistent with the above regulation and in consideration of the mutual promises contained herein, BRTB and MDOT agree to the following:

MDOT and the BRTB shall perform tasks related to PBPP as outlined in Article A — General Agreement on Performance-Based Planning and Programming and Metropolitan Transportation Planning, and Articles B through F (as applicable) — PBPP Areas.

The communication outlined in these provisions between MDOT and BRTB will generally be through the BRTB Technical Committee, and the BRTB.

IN WITNESS WHEREOF, the parties hereto have caused this LOA to be executed by their proper and duly authorized officers, on the day and year first written above.

Baltimore Regional Transportation Board

BY: _____

Todd Lang
Transportation Director
Baltimore Regional Transportation Board
Administrative Agent for the _____

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Brian Shepter, Council to BMC

Maryland Department of Transportation

BY: _____

Pete Rahn
Secretary

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Article A

General Agreement on Performance-Based Planning and Programming (PBPP) and Metropolitan Transportation Planning

Under the LOA and this article, the Baltimore Regional Transportation Board (BRTB), the Maryland Department of Transportation (MDOT) and the Providers of Public Transportation recognize and agree that they will conduct a cooperative, comprehensive, and continuing transportation planning and programming process for the Baltimore region in accordance with the Planning Rule and as described in the Planning Agreement on Performance-Based Metropolitan Transportation Planning Responsibilities (“3C” Metropolitan Planning Agreement/Agreement) signed by MDOT and the BRTB.

The following articles for Performance-Based planning and programming establish the general mutual responsibilities for carrying out this planning process in the Region. The remaining articles (B through F) document specific provisions for each performance area for cooperatively developing and sharing information related to the requirements for transportation performance data, the selection of performance targets, the reporting of performance targets, and the reporting of performance, as well as programming and projects.

Article 1

Cooperative, Comprehensive, and Continuing Process for Metropolitan Transportation Planning

The BRTB uses the committee structures and meeting schedules for the metropolitan transportation process, as needed and as described in Article 1 of the “3C” Metropolitan Planning Agreement. The BRTB coordinates with numerous planning processes at the local and state levels to help determine the content of the long-range metropolitan transportation plan (Plan). The BRTB is guided by its own vision and priorities which in turn reflect federal policy guidance.

Signatories to the LOA participate as stakeholders in the metropolitan planning process, which provides a forum for cooperative transportation planning and decision-making. There is also a BRTB Public Participation Plan (PPP) to provide citizens, affected public agencies, and all interested parties with reasonable opportunities to be involved in the performance-driven metropolitan transportation planning process and to review and comment at key decision points, as described in Article 6 of the “3C” Metropolitan Planning Agreement.

Article 2

Performance-Based Planning and Programming

The Performance-Based planning and programming process will be conducted for the Baltimore region, the metropolitan planning area for the BRTB, as described in the “3C” Metropolitan Planning Agreement. The remaining articles of this LOA specify the roles and responsibilities for each signatory for specific PBPP performance areas, as applicable. In general, these include collecting data, cooperatively establishing all federally required performance targets for the

metropolitan planning area (or urbanized area), sharing performance data, and supporting preparation of the system performance report.

The BRTB will prepare and submit the system performance report, CMAQ performance plan, TIP assessment, and other reports as required by the federal performance rules.

Article 3

Performance Inputs to the Metropolitan Transportation Plan

As described in Article 9 of the “3C” Metropolitan Planning Agreement, as amended or at least every four (4) years, the BRTB shall develop an integrated multimodal performance-based long-range metropolitan transportation plan (Plan) that includes both long-range and short-range strategies and actions to facilitate the safe and efficient movement of people and goods in addressing current and future transportation trends and demands as specified in 23 CFR 450.324. This Plan shall be approved by the BRTB and submitted for information purposes to the States and Providers of Public Transportation, and copies of updated and/or revised Plans shall be made available to the FHWA and FTA.

When updating the Plan, the BRTB will coordinate with MDOT, Providers of Public Transportation, and other stakeholders to conduct a cooperative, comprehensive, and continuing process to develop inputs on performance of the region’s highway and transit systems for inclusion in the Plan.

Article 4

Performance Inputs to the Transportation Improvement Program

As described in Article 10 of the “3C” Metropolitan Agreement, the BRTB will develop a Transportation Improvement Program (“TIP”) for the Region that reflects the investment priorities established in the current Plan and shall cover a period of no less than four (4) years. The TIP will be approved by the BRTB and transmitted to MDOT for inclusion in their State Transportation Improvement Programs (STIP).

The TIP will provide a notice to the public that the public participation process used for its development meets the public participation requirements for the program of projects prepared by Providers of Public Transportation under 49 U.S.C. 5307.

The TIP will be designed such that, once implemented, it makes progress toward achieving the performance-driven, outcome-based targets established under 23 CFR §450.306 (c) and (d). The TIP will include, at minimum, the elements listed under 23 CFR 450.326 (e) through (h).

MDOT and Providers of Public Transportation, and other stakeholders will conduct a cooperative, comprehensive, and continuing process to develop project inputs to improve the performance of the Baltimore region’s highway and transit systems.

Article B

Performance-Based Planning and Programming Responsibilities for Highway Safety

The final Highway Safety Rule was published in the Federal Register on March 15, 2016, and became effective April 14, 2016. Federal regulations require state departments of transportation (DOTs) to establish and report annual targets related to each of the five highway safety performance measures by August 31 of each year. The BRTB is required to either adopt and support the MDOTs' statewide targets or set its own targets specific to the metropolitan planning area. Annual targets are expressed as five-year rolling averages and are compared with a five-year rolling average base period comprising of the five (5) calendar years ending two (2) years before targets are due for fatalities (from NHTSA FARS data) and the year prior for serious injury data from the States.

1) Transportation performance data

- a. By August 31st of each year, each MDOT will provide the BRTB with the statewide performance data and methodology used in developing the annual statewide targets and will also provide the BRTB any additional available data for the BRTB's planning area.
- b. By February 27th of the following year, the BRTB will provide MDOT with any data developed or supplemental data utilized in the performance process by the BRTB and will provide subsets of metropolitan planning area performance data by state.

2) Selection of performance targets

- a. The BRTB will develop draft metropolitan planning area performance targets in coordination with the MDOT. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. MDOT shall be given an opportunity to provide comments on the BRTB targets before final targets are adopted.
- b. The BRTB will be presented with the set of draft annual targets for consideration and adopt the final targets at a subsequent meeting.

3) Reporting of performance targets

- a. When final statewide targets are adopted, MDOT will transmit a copy to the BRTB.
- b. The targets approved by the BRTB will be reported to MDOT. For each target, the BRTB will provide the following information to MDOT no later than 180 days after the date MDOT establishes performance targets, or the date specified by federal code.
 1. A determination of whether the BRTB is 1) agreeing to plan and program projects that contribute toward the accomplishment of MDOT or relevant provider of public transportation performance target, or 2) setting a quantifiable target for that performance measure for the BRTB's planning area.
 2. When any quantifiable target is set for the BRTB planning area, the BRTB will provide any supplemental data used in determining any such target to MDOT.

Article B: Highway Safety, continued

3. Documentation of the BRTB's target or support of the statewide target will be provided in the form of a resolution or meeting minutes of the BRTB.
- 4) **Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the Baltimore region**
 - a. MDOT will provide the BRTB with the statewide performance data used in developing statewide targets and will also provide the BRTB with subsets of the statewide data, based on the BRTB planning area boundaries. Updates of this data will include prior performance data.
 - b. MDOT will provide their annual performance report to the BRTB.
 - c. As part of the Constrained Long-Range Plan, the BRTB will prepare a System Performance Report on the Region's transportation performance. MDOT will be given an opportunity to provide comments on the report before the report is finalized. The final report will be transmitted to MDOT, FHWA, and FTA.
- 5) **Programming and projects**
 - a. MDOT will provide to the BRTB:
 1. A list of projects that use Highway Safety Improvement Program (HSIP) funds planned for the BRTB metropolitan planning area as part of their input to the metropolitan Transportation Improvement Program (TIP).
 2. The annual obligation listing of HSIP funds expended in the past year that includes funds expended in the BRTB metropolitan planning area, by December 30 of each year.
 3. Any highway safety information outlined in any statewide transportation plan or any statewide transportation improvement program
 4. Any narrative report or analysis that reviews highway safety performance relevant to safety performance in the BRTB metropolitan planning area.
 - b. The BRTB will provide to MDOT:
 1. Technical support for the TIP database to facilitate the integration of highway safety performance into the project programming process.

Article C

Performance-Based Planning and Programming Responsibilities for Highway Asset Condition – Pavement and Bridge

The final Pavement and Bridge Condition Performance Measures rule was published in the Federal Register on January 18, 2017, and became effective May 20, 2017. This and other federal regulations require MDOT to establish and report on two-year and four-year targets related to

Article C: Highway Asset Condition – Pavement & Bridge, continued

highway asset condition on a biennial cycle. The initial set of highway asset targets for pavement and bridge condition are due by **May 20, 2018**, for the period 2018 to 2021. Thereafter, MDOT will report on their targets and performance by October 1st of even-numbered years (i.e., 2020, 2022, 2024, etc.). The BRTB is required to either adopt and support the MDOTs' statewide targets or set its own four-year targets specific to the metropolitan planning area. Other owners of National Highway System (NHS) assets (i.e. the Maryland Transportation Authority and local governments) shall provide supporting information to MDOT and to the BRTB.

1) Transportation performance data

- a. MDOT is responsible for collecting bridge and pavement condition data for the State asset management plan for the NHS and report this data to the Highway Performance Monitoring System (HPMS) and National Bridge Inventory (NBI). By October 1 of reporting years, each State DOT will provide the BRTB the statewide performance data and the methodology used in developing the annual statewide targets, and MDOT will also provide the BRTB any additional available data for the BRTB's metropolitan planning area.
- b. The BRTB will provide MDOT with any additional data developed or supplemental data utilized in the performance process by the BRTB and will provide subsets of metropolitan planning area performance data.
- c. Other NHS Asset Owners will provide both MDOT and the BRTB with any additional published or publicly available data on bridge and pavement condition for their assets.

2) Selection of performance targets

- a. The BRTB will develop draft metropolitan planning area performance targets in coordination with MDOT and other NHS Asset Owners. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. State DOTs and other NHS Asset Owners shall be given an opportunity to provide comments on the BRTB targets before final targets are adopted.
- b. The BRTB board will be presented with the set of draft targets for consideration and adopt the final targets at a subsequent meeting.

3) Reporting of performance targets

- a. When final statewide targets are adopted, MDOT will transmit a copy to the BRTB.
- b. The targets approved by the BRTB will be reported to MDOT. For each target, the BRTB will provide the following information to MDOT no later than 180 days after the date MDOT establishes performance targets or the date specified by federal regulation.
 1. A determination of whether the BRBT is 1) agreeing to plan and program projects that contribute toward the accomplishment of MDOT or relevant Provider of Public

Transportation performance target, or 2) setting a quantifiable target for that performance measure for the BRTB's planning area.

Article C: Highway Asset Condition – Pavement & Bridge, continued

2. When any quantifiable target is set for the BRTB planning area, the BRTB will provide any supplemental data used in determining any such target to MDOT and other NHS Asset Owners.
 3. Documentation of the BRTB's target or support of the statewide target will be provided in the form of a resolution or meeting minutes.
- 4) **Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the BRTB region**
- a. MDOT will provide the BRTB with information about the statewide performance data used in developing statewide targets and will also provide the BRTB with any available subsets of the statewide data for the BRTB planning area. Updates of this data will include prior performance data.
 - b. MDOT will provide its biennial performance reports to the BRTB.
 - c. As part of the Constrained Long-Range Plan, the BRTB will prepare a System Performance Report on the Region's transportation performance. MDOT will be given an opportunity to provide comments on the report before the report is finalized. The final report will be transmitted to MDOT, federal agencies, and other NHS Asset Owners.
 - d. Other NHS Asset Owners will provide any additional published or publicly available documents or materials relevant to the performance of the pavement and bridge condition of their NHS assets to the BRTB.
- 5) **Programming and projects**
- a. MDOT will provide to the BRTB:
 1. A list of projects that use National Highway Performance Program (NHPP), Surface Transportation Program (STP), or other funds to address pavement and bridge conditions planned for the BRTB metropolitan planning area as part of their input to the metropolitan Transportation Improvement Program (TIP).
 2. The annual obligation listing of NHPP and STP funds expended in the past year that includes funds expended for the BRTB metropolitan planning area by December 30 of each year.
 3. Any highway asset condition information outlined in any statewide transportation plan or any statewide transportation improvement program.

4. Any published or publicly available reports or analysis that reviews highway asset condition performance relevant to highway condition performance in the BRTB metropolitan planning area.

b. The BRTB will provide to MDOT and Other NHS Asset Owners:

Article C: Highway Asset Condition – Pavement & Bridge, continued

1. Technical support for the TIP database to facilitate the integration of projects that affect highway asset condition performance into the project programming process.

Article D

Performance-Based Planning and Programming Responsibilities for System Performance (National Highway System Congestion, Freight, CMAQ Program)

The final System Performance (National Highway System Congestion, Freight, Congestion Management and Air Quality (CMAQ) Program) rule was published in the Federal Register on January 18, 2017, and became effective May 20, 2017, with the exception of the greenhouse gas performance measure, which became effective on September 28, 2017. Federal regulations require MDOT to establish and report on two-year and four-year targets related to highway system performance on a biennial cycle. The initial set of highway system performance targets for National Highway System (NHS) congestion, Freight, and the CMAQ Program for the period 2018 to 2021 must be set by **May 20, 2018**, with the exception of the greenhouse gas performance measure target which must be set by **September 28, 2018**. Thereafter, the State DOTs will report on their targets and performance by October 1 of even-numbered years (i.e., 2020, 2022, 2024, etc.). The BRTB is required to either adopt and support MDOTs' statewide targets or set its own targets specific to the metropolitan planning area or for the urbanized area.

1) Transportation performance data

- a. MDOT will be responsible for collecting congestion, freight, and CMAQ Program data. By October 1 of reporting years, MDOT will provide the BRTB with the statewide performance data and methodology used in developing the annual statewide targets and will also provide the BRTB any additional available data for the BRTB's planning area.
- b. The BRTB will provide MDOT with any data developed or supplemental data utilized in the performance process by the BRTB and will provide subsets of metropolitan planning area or urbanized area performance data.

2) Selection of performance targets

- a. The BRTB will develop draft metropolitan planning area or urbanized area performance targets in coordination with MDOT. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. MDOT shall be given an opportunity to provide comments on the BRTB targets before final targets are adopted.

- b. The BRTB board will be presented with the set of draft targets for consideration and adopt the final targets at a subsequent meeting.

3) Reporting of performance targets

- a. When final statewide targets are adopted, MDOT will transmit a copy to the BRTB.

Article D: NHS, Freight, CMAQ System Performance, continued

- b. The targets approved by the BRTB will be reported to MDOT. For each target, the BRTB will provide the following information to MDOT no later than 180 days after the date MDOT establishes performance targets, or the date specified by federal code.

- 1. A determination of whether the BRTB is 1) agreeing to plan and program projects that contribute toward the accomplishment of MDOT or relevant Provider of Public Transportation performance target, or 2) setting a quantifiable target for that performance measure for the BRTB's planning area.
- 2. When any quantifiable target is set for the BRTB planning area or one of the urbanized areas, the BRTB will provide any supplemental data used in determining any such target to MDOT.
- 3. Documentation of the BRTB's target or support of the statewide target will be provided in the form of a resolution or meeting minutes.

4) Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the BRTB region

- a. MDOT will provide the BRTB with the statewide performance data used in developing statewide targets and will also provide the BRTB with subsets of the statewide data, based on the BRTB planning area or urbanized area boundaries. Updates of this data will include prior performance data.
- b. MDOT will provide its biennial performance report to the BRTB.
- c. As part of the Constrained Long-Range Plan, the BRTB will prepare a System Performance Report on the Region's transportation performance. MDOT will be given an opportunity to provide comments on the report before the report is finalized. The final report will be transmitted to MDOT and federal agencies.
- d. The BRTB will prepare a CMAQ Performance Plan on a biennial basis, as required by the regulations. The plan will be prepared every other year, starting in 2018. MDOT will be given an opportunity to provide comments on the Plan before the Plan is finalized. The final Plan will be transmitted to MDOT for further transmittal to federal agencies.

5) Programming and projects

- a. MDOT will provide to the BRTB:

1. A comprehensive list of projects affecting highway system performance planned for the BRTB metropolitan planning area as part of their input to the metropolitan TIP.
2. The annual obligation listing of funds expended on projects affecting highway system performance in the past year that includes funds expended in the BRTB metropolitan planning area by December 30th of each year.

Article D: NHS, Freight, CMAQ System Performance, continued

3. Any published or publicly available narrative report or analysis that reviews system performance relevant to system performance in the BRTB metropolitan planning area.
- b. The BRTB will provide to MDOT:
1. Technical support for the TIP database to facilitate the integration of highway system performance into the project programming process.

Article E

Performance-Based Planning and Programming Responsibilities for Transit Asset Management

The final Transit Asset Management rule was published in the Federal Register on July 26, 2016, and became effective October 1, 2016. Transit asset management (TAM) is “a strategic and systematic process of operating, maintaining, and improving public transportation capital assets effectively through the life cycle of such assets.” Under the final TAM rule, Providers of Public Transportation must collect and report data for four (4) performance measures, covering rolling stock, equipment, infrastructure, and facility condition. For these measures, providers of public transportation have to annually set targets for the fiscal year, develop a four-year TAM plan for managing capital assets, and use a decision support tool and analytical process to develop a prioritized list of investments. Small providers can be reported for by a Group Sponsor. Subsequently, the BRTB must adopt transit asset targets for the metropolitan planning area to comply with requirements when the BRTB updates its Constrained Long-Range Plan or TIP.

1) Transportation performance data

- a. Each Provider of Public Transportation is responsible for collecting its own transit asset data and reporting it in the National Transit Database (NTD), or of providing it to a Group Sponsor that reports the data on its behalf. When required to submit transit asset targets and data to the NTD (annually by October 31st for providers with fiscal year of July 1 to June 30), each Provider of Public Transportation or Group Sponsor will provide the BRTB with the performance data and methodology used in developing the annual targets and will also provide the BRTB with any additional available data for the BRTB’s planning area.

- b. The BRTB will provide each Provider of Public Transportation with any data developed or supplemental data utilized in the performance process by the BRTB.

2) Selection of performance targets

- a. The BRTB will develop draft metropolitan planning area performance targets in coordination with the Providers of Public Transportation or Group Sponsors. Coordination may include in-person meetings, web meetings, conference calls, and/or email

Article E: TAMP, continued

- b. communication. Providers of Public Transportation or Group Sponsors shall be given an opportunity to provide comments on the BRTB targets before final targets are adopted.
- c. The BRTB will be presented with the set of draft targets for consideration and adopt the final targets at a subsequent meeting.

3) Reporting of performance targets

- a. When final transit asset management targets are adopted, each Provider of Public Transportation or Group Sponsor will transmit a copy to the BRTB.
- b. The targets approved by the BRTB will be reported to each Provider of Public Transportation or Group Sponsor. For each target, when the BRTB approves a long range plan or TIP, the BRTB will provide the following information to each Provider of Public Transportation or Group Sponsor:
 - 1. A determination of whether the BRTB is 1) agreeing to plan and program projects that contribute toward the accomplishment of the provider of public transportation performance target, or 2) setting a quantifiable target for that performance measure for the BRTB's planning area.
 - 2. When any quantifiable target is set for the BRTB planning area, the BRTB will provide any supplemental data used in determining any such target to each Provider of Public Transportation or Group Sponsor.
 - 3. Documentation of the BRTB's target or support of the public transportation provider target will be provided in the form of a resolution or meeting minutes.

4) Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the BRTB region

- a. Each Provider of Public Transportation or Group Sponsor will provide the BRTB with the performance data used in developing targets, and will also provide the BRTB with subsets of any data based on the BRTB planning area boundaries. Updates of this data will include prior performance data.

- b. Each Provider of Public Transportation or Group Sponsor will provide its adopted performance reports and Transit Asset Management Plans to the BRTB.
- c. As part of the long-range plan, the BRTB will prepare a System Performance Report on the Region's transportation performance. Providers of Public Transportation or Group Sponsors will be given an opportunity to provide comments on the report before the report is finalized. The final report will be transmitted to the Providers of Public Transportation and Group Sponsors.

5) Programming and projects

- a. Each Provider of Public Transportation or Group Sponsor will provide to the BRTB:

Article E: TAMP, continued

- 1. A list of projects that affect transit asset performance and use federal transit or other funds planned for the BRTB metropolitan planning area as part of their input to the metropolitan TIP.
 - 2. The annual obligation listing of federal transit funds expended on transit asset projects and programs in the past year that includes funds expended for the BRTB metropolitan planning area by December 30th of each year.
 - 3. Any published or publicly available report or analysis that reviews transit asset performance relevant to transit asset performance in the BRTB metropolitan planning area.
- b. The BRTB will provide to each Provider of Public Transportation or Group Sponsor:
 - 1. Technical support for the TIP database to facilitate the integration of transit asset performance into the project programming process.

Article F

Performance-Based Planning and Programming Responsibilities for Transit Safety

The final National Public Transportation Safety Plan rule was published on January 18, 2017, finalizing the transit safety performance measures. However, the Public Transportation Agency Safety Plan which would specify the target-setting process and timeline is still pending, anticipated in April 2018. Once the transit safety rules are complete, Providers of Public Transportation must collect and report data for four (4) performance measures, covering fatalities injuries, safety events (derailments, collisions, fires, and evacuations), and system reliability (mean distance between major and other mechanical system failures). For these measures, providers of public transportation will have to annually set targets for the fiscal year. A Group Sponsor can report for small providers. Subsequently, the BRTB must adopt transit safety targets for the metropolitan planning area to comply with requirements when the BRTB updates its Constrained Long-Range Plan or TIP.

1) Transportation performance data

- a. Each Provider of Public Transportation is responsible for collecting its own transit safety data and reporting it in the National Transit Database (NTD) or of providing it to a Group Sponsor that reports the data on its behalf. When required to submit transit safety targets and data to the NTD, each Provider of Public Transportation or Group Sponsor will provide the BRTB with the performance data and methodology used in developing the annual targets and will also provide the BRTB with subsets of the data based on the BRTB's planning area boundaries.
- b. The BRTB will provide each Provider of Public Transportation with any data developed or supplemental data utilized in the performance process by the BRTB.

Article F: Transit Safety, continued

2) Selection of performance targets

- a. The BRTB will develop draft metropolitan planning area performance targets in coordination with the Providers of Public Transportation or Group Sponsors. Coordination may include in-person meetings, web meetings, conference calls, and/or email communication. Providers of Public Transportation or Group Sponsors shall be given an opportunity to provide comments on the BRTB targets before final targets are adopted.
- b. The BRTB board will be presented with the set of draft targets for consideration and adopt the final targets at a subsequent meeting.

3) Reporting of performance targets

- a. When final transit safety targets are adopted, each Provider of Public Transportation or Group Sponsor will transmit a copy to the BRTB.
- b. The targets approved by the BRTB will be reported to each Provider of Public Transportation or Group Sponsor. For each target, when the BRTB approves a Constrained Long-Range Plan or TIP, the BRTB will provide the following information to each Provider of Public Transportation or Group Sponsor.
 1. A determination of whether the BRTB is 1) agreeing to plan and program projects that contribute toward the accomplishment of the provider of public transportation performance target, or 2) setting a quantifiable target for that performance measure for the BRTB's planning area.
 2. When any quantifiable target is set for the BRTB planning area, the BRTB will provide any supplemental data used in determining any such target to each Provider of Public Transportation or Group Sponsor.

3. Documentation of the BRTB's target or support of the public transportation provider target will be provided in the form of a resolution or meeting minutes.
- 4) **Reporting of performance to be used in tracking progress toward attainment of critical outcomes for the BRTB region**
- a. Each Provider of Public Transportation or Group Sponsor will provide the BRTB with the performance data used in developing targets and will also provide the BRTB with subsets of any data based on the BRTB planning area boundaries. Updates of this data will include prior performance data.
 - b. Each Provider of Public Transportation or Group Sponsor will provide any performance report to the BRTB.
 - c. As part of the Constrained Long-Range Plan, the BRTB will prepare a System Performance Report on the Region's transit performance. Providers of Public Transportation or Group Sponsors will be given an opportunity to provide comments on the report before the

Article E: TAMP, continued

report is finalized. The final report will be transmitted to the Providers of Public Transportation and Group Sponsors.

5) **Programming and projects**

- a. Each Provider of Public Transportation or Group Sponsor will provide to the BRTB:
 1. A list of projects that affect transit safety performance and use federal transit or other funds planned for the BRTB metropolitan planning area as part of their input to the metropolitan TIP.
 2. The annual obligation listing of federal transit funds expended on transit safety projects and programs in the past year that includes funds expended for the BRTB metropolitan planning area by December 30 of each year.
 3. Any published or publicly available report or analysis that reviews transit safety performance relevant to transit safety performance in the BRTB metropolitan planning area.
- b. The BRTB will provide to each Provider of Public Transportation or Group Sponsor:
 1. Technical support for the TIP database to facilitate the integration of transit safety performance into the project programming process.