



## MPO Frequently Asked Questions

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**Are recipients who do not receive Section 5307 funds but do receive local initiatives Congestion Mitigation and Air Quality (CMAQ) funds (awarded by MPOs then flexed to the Section 5307 program) required to develop an Agency Safety Plan?**

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**How do the requirements for safety performance targets and coordination with the statewide/metropolitan planning process affect the transit agency's relationship with the MPO?**

**If MPOs receive transit provider safety performance targets for the first time in July 2020, will MPOs then set transit safety targets for the first time 180 days after (in January 2021)?**



**If the 180-day timeline applies only to initial targets, is there a regulatory/statutory/policy citation for this?**

**Is there a compliance date for MPOs to set transit safety performance targets since it will take time after this July 2020 deadline for an MPO to implement the targets?**

**What are the timing requirements for MPOs for setting safety targets once they have received safety performance targets from a public transportation agency?**

**Are both transit agencies and MPOs required to set targets annually?**

**Will targets be quantified as an annual number or as a 5-year average, as the road safety targets are quantified?**



## Deadlines

(See also [Safety Performance Targets](#).)

### What are the major deadlines in the PTASP and joint Federal Highway Administration (FHWA)/FTA planning rules?

Major deadlines for the PTASP and joint planning regulations include the following:

- **July 20, 2020:** Transit providers subject to the PTASP final rule are required to have their certified Agency Safety Plans in place, which includes safety performance targets, and share the targets with their MPO and State. For small public transportation providers, a State must certify compliance unless the provider opts to draft and certify its own Agency Safety Plan.
- **January 20, 2021 (or no more than 180 days after receipt of the Agency Safety Plan from public transportation providers):** MPOs are required to set their initial transit safety targets.
- **July 20, 2021:** Specific written provisions for the transit safety measure are jointly agreed upon and adopted by the MPO(s), State(s), and providers of public transportation. The MPO reflects the transit safety measures and targets in all Metropolitan Transportation Plans (MTPs) and Transportation Improvement Programs (TIPs) updated or amended after this date.

(See the second page of [Public Transportation Agency Safety Plan Roles & Responsibilities Fact Sheet](#).)

## Funding

### Can my State Department of Transportation (DOT) use Metropolitan Planning Program (MPP) grant funds to draft and certify Agency Safety Plans for the small public transportation providers in my State?

Yes. The State DOT can use FTA funds (please see the [FTA PTASP FAQs](#)) from other grant programs to cover the costs of bus transit Agency Safety Plan development, including:

- 49 U.S.C. § 5303 – Metropolitan Planning Program Grants,
- 49 U.S.C. § 5304 – Statewide Planning Program Grants,
- 49 U.S.C. § 5307 – Urbanized Area Formula Program Grants,
- 49 U.S.C. § 5309 – Capital Investment Program Grants,
- 49 U.S.C. § 5337 – State of Good Repair Grants, and
- 49 U.S.C. § 5339 – Bus and Bus Facilities Grants.



You can find more information about Transportation Planning on [FTA's website](#).

**If the State uses Section 5303 or Section 5304 Metropolitan Planning Program (MPP) or Statewide Planning Program funds to develop the PTASP plans for the small urban transit providers, how should it reflect the use of these funds in its agreement with the MPO and Unified Planning Work Program (UPWP)?**

The State Department of Transportation (DOT) can provide a single line item in the Statewide UPWP for “develop Agency Safety Plans required in FTA's PTASP regulation for small urban transit systems, share with MPOs.” There is no requirement that use of these funds by the State DOT to develop Agency Safety Plans be included in each individual MPO’s UPWP or the Statewide Transportation Improvement Program (STIP), as long as it is in the Statewide UPWP. Small urbanized MPOs are permitted to include a “simplified statement of work” in the “Statewide Unified Planning Work Program” as a single line item (e.g., a UPWP is not required for MPOs under 200,000). The State DOT then can use MPP funds to cover the PTASP-related safety planning work in the urbanized areas. The use of the Section 5303 funds for this purpose should be documented in the metropolitan planning agreement (e.g., split letter) between the State and MPOs that documents how the State will sub-allocate the Section 5303 funds.

**Are recipients who do not receive Section 5307 funds but do receive local initiatives Congestion Mitigation and Air Quality (CMAQ) funds (awarded by MPOs then flexed to the Section 5307 program) required to develop an Agency Safety Plan?**

The PTASP regulation applies to all operators of public transportation systems that are recipients and subrecipients of Urbanized Area Formula Grant Program funds under 49 U.S.C. § 5307 and operators of rail transit systems that are subject to FTA’s State Safety Oversight Program (49 CFR § 673.1).

The regulation does not apply to services that are exclusively funded with CMAQ funds, unless or until service is funded with Section 5307 funds. If an agency receives Section 5307 funds and uses these funds for any allowable purpose, the agency must comply with the PTASP regulation and have an Agency Safety Plan.

## **Safety Performance Targets**

**Are MPOs required to integrate safety performance targets into their planning processes?**

The MPO is responsible for integrating performance measures from PTASP into their planning processes: 23 CFR § 450.306(d)(4) states that “an MPO shall integrate in the metropolitan



transportation planning process, directly or by reference, the goals, objectives, performance measures, and targets described in other State transportation plans and transportation processes, as well as any plans developed under 49 U.S.C. Chapter 53 by providers of public transportation, required as part of a performance-based program...” The regulation lists nine plans that are among those the MPO must integrate into its planning process (23 CFR § 450.306(d)(4)(i)-(viii)), and PTASP is one of them.

### **How will my performance targets be incorporated into the State and MPO planning process?**

The FTA and the Federal Highway Administration (FHWA) have published a [final rule](#) on Statewide and Nonmetropolitan Transportation Planning and Metropolitan Transportation Planning that establishes new requirements for MPOs and State Departments of Transportation (DOTs) to coordinate with transit providers, set performance targets, and integrate those performance targets and performance plans into their planning documents by certain dates. As part of this performance-based approach, recipients of federal highway and transit funds are required to link investment priorities from their Statewide Transportation Improvement Program (STIP) and Transportation Improvement Program (TIP) to achieve performance targets.

FTA’s PTASP regulation, 49 CFR Part 673, requires the State or transit agency that drafted the Agency Safety Plan to make its safety performance targets available to States and MPOs to aid in the planning process and to coordinate with States and MPOs in the selection of State and MPO safety performance targets.

MPOs will integrate transit agency performance targets and performance plans into their planning documents, including the TIP, by certain dates set in the FTA/FHWA planning rules. States will incorporate transit agency safety performance targets into their STIP. The safety performance targets will help States and MPOs develop their investment priorities for upcoming transit projects within their jurisdictions for the upcoming four years, at a minimum. States, MPOs, and transit agencies should coordinate with each other throughout this planning process.

You can find more information about Transportation Planning on [FTA’s Website](#).

### **Do both Transit Asset Management (TAM) and transit safety targets need to be incorporated into the MPO planning and programming processes and Metropolitan Transportation Plans (MTPs)/Long Range Transportation Plans (LRTP) and Transportation Improvement Programs (TIP)s?**

When an MPO identifies and sets performance targets for transit safety and transit asset management performance measures, the MPO must work cooperatively with the transit



providers in the metropolitan planning area to determine appropriate performance targets. The MPO may adopt a transit provider's targets, or in regions with multiple transit providers, identify appropriate targets that reflect the needs of that region.

The process for setting performance targets for safety and transit asset management, sharing data and the public transit Agency Safety Plans and transit asset management plans, updating targets, and tracking progress toward meeting the performance targets must be defined within the metropolitan planning agreements or other written provisions between the MPO, the State Department of Transportation, and transit providers. The decision as to whether the MPO targets are the same or different from the targets set by each transit agency is up to the MPO and transit provider.

### **How will transit safety performance targets be addressed in Transportation Improvement Programs (TIPs) and Metropolitan Transportation Plans (MTP)?**

MPOs are required to reference the safety performance targets and Agency Safety Plans in their TIPs and MTPs updated or amended after July 20, 2021. The planning products must include a description of the performance measures and performance targets used in assessing the performance of the transportation system, for transit asset management, safety, and the Federal Highway Administration performance measures. This should also include, to the maximum extent practicable, a description of the anticipated effect of the TIP toward achieving the performance targets identified in the MTP, linking investment priorities to those performance targets.

### **Is there a deadline for when MPOs need to integrate safety performance targets into their Transportation Improvement Programs (TIPs) and Metropolitan Transportation Plans (MTPs)?**

MPOs have 180 days from receipt of transit agency safety performance targets to prepare their initial public transportation safety performance targets (23 CFR § 450.306 d (3)). MPOs should work with their transit providers to identify appropriate targets for that metropolitan area.

Each transit provider is required to review its Agency Safety Plan annually and update the plan, including the safety performance targets, as necessary.

### **How do the requirements for safety performance targets and coordination with the statewide/metropolitan planning process affect the transit agency's relationship with the MPO?**

MPOs should initiate discussions with transit agencies, the State Department of Transportation (DOT), and planning partners to update their Metropolitan Planning Agreements (23 CFR §



450.314). This presents an opportunity for the MPO and its planning partners to clarify roles and responsibilities for developing and sharing performance data, setting performance targets, reporting of targets, and tracking progress toward meeting targets, through a formal agreement. In addition, the transit agency or State DOT must make its safety performance targets available to States and MPOs to aid in the planning process and must coordinate with the States and MPOs in the selection of State and MPO safety performance targets, to the maximum extent practicable (49 CFR § 673.15).

**If MPOs receive transit provider safety performance targets for the first time in July 2020, will MPOs then set transit safety targets for the first time 180 days after (in January 2021)?**

The PTASP rule requires transit providers to have their Agency Safety Plans in place, which includes the first set of required safety performance targets, and share these targets with the MPO no later than July 20, 2020. MPOs then have 180 days from receipt of the agency's safety performance targets to prepare their initial public transportation safety performance targets (23 CFR. § 450.306d (3)). MPOs with multiple transit providers are encouraged to coordinate with the providers to identify appropriate targets for that metropolitan area.

**If the 180-day timeline applies only to initial targets, is there a regulatory/statutory/policy citation for this?**

The process for setting performance targets for safety and Transit Asset Management (TAM), sharing data, and the public transit Agency Safety Plans and TAM plans, as well as frequency for updating the targets and tracking progress toward meeting the targets, must be defined within the metropolitan planning agreements or other written provisions between the MPO, the State Department of Transportation, and transit providers. The decision on how often the MPO will adopt new targets when a transit provider updates their safety targets is up to the MPO and transit provider. The citation for the 180-day requirement is 23 CFR § 450.306 d (3).

**Is there a compliance date for MPOs to set transit safety performance targets since it will take time after this July 2020 deadline for an MPO to implement the targets?**

The MPO is not required to set new transit safety performance targets each year but can choose to revisit the MPO's safety targets based on the schedule for submission of its system performance report that is part of the Metropolitan Transportation Plan (MTP). The first MPO MTP update or amendment to be approved on or after July 20, 2021, will include the adopted transit safety targets for the region. The next MTP update, but not each MTP amendment, also includes an updated system performance report that contains the adopted transit safety targets.





**What are the timing requirements for MPOs for setting safety targets once they have received safety performance targets from a public transportation agency?**

The MPO's initial transit safety targets are set within 180 days of receipt of the safety performance targets from the transit agencies. The MPO then revisits its targets based on the schedule for preparation of its system performance report that is part of the Metropolitan Transportation Plan (MTP). The first MTP update or amendment to be approved on or after July 20, 2021, is required to include the MPO's transit safety targets.

The next MTP update, but not each MTP amendment, also includes an updated system performance report that must include the MPO's transit safety targets. MPOs may choose to update their transit targets more frequently, but the second federally required system performance report must reference the information contained in the first federally required system performance report.

For more information, please refer to the [Public Transportation Agency Safety Plan Informational Guidance: Roles & Responsibilities](#) fact sheet.

**Are both transit agencies and MPOs required to set targets annually?**

Each transit provider is required to review its Agency Safety Plan annually and update the plan, including the safety performance targets, as necessary.

The MPO is not required to set new transit safety targets each year but can choose to revisit the MPO's safety performance targets based on the schedule for preparation of its system performance report that is part of the Metropolitan Transportation Plan (MTP). The first MPO MTP update or amendment to be approved on or after July 20, 2021, must include the transit safety performance targets for the region. The next MTP update, but not each MTP amendment, also includes an updated system performance report that incorporates transit safety performance targets.

**Will targets be quantified as an annual number or as a 5-year average, as the road safety targets are quantified?**

Each agency and MPO should establish the time horizon for their safety performance targets. FTA has prepared the [Safety Performance Targets Guide](#) to highlight considerations and methods for developing safety performance targets.