

## 23 CFR Part 490 - Subpart C—National Performance Management Measures for Assessing Pavement Condition

For full version of the Rule, please see:

<https://www.federalregister.gov/documents/2017/01/18/2017-00550/national-performance-management-measures-assessing-pavement-condition-for-the-national-highway#sectno-reference-490.105%20>

Regulation Section	Regulation Text	KEY COMPONENT SYNOPSIS	KEY DATE
§ 490.301 Purpose	<p><b>The purpose of this subpart is to implement the following statutory requirements of 23 U.S.C. 150(c)(3) to:</b></p> <p>(a) Establish measures for State DOTs and MPOs to assess the condition of pavements on the Interstate System;</p> <p>(b) Establish measures for State DOTs and MPOs to assess the condition of pavements on the NHS (excluding the Interstate);</p> <p>(c) Establish minimum levels for pavement condition on the Interstate System, only for purposes of carrying out 23 U.S.C. 119(f)(1);</p> <p>(d) Establish data elements that are necessary to collect and maintain standardized data to carry out a performance-based approach; and</p> <p>(e) Consider regional differences in establishing the minimum levels for pavement conditions on the Interstate System.</p>		Effective Date: May 20, 2017
§ 490.303 Applicability	The performance measures in this subpart are applicable to the mainline highways on the Interstate System and on the non-Interstate NHS.		
§ 490.101 Definitions	<p><u>Performance period</u> means a determined time period during which condition/performance is measured and evaluated to: Assess condition/performance with respect to baseline condition/performance; and track progress toward the achievement of the targets that represent the intended condition/performance level at the midpoint and at the end of that time period. The term “performance period” applies to all proposed measures in this part, except the measures proposed for the Highway Safety Improvement Program (HSIP) in subpart B of this part. Each performance period covers a 4-year duration beginning on a specified date (provided in § 490.105).</p> <p><u>Target</u> means a quantifiable level of performance or condition, expressed as a value for the measure, to be achieved within a time period required by the Federal Highway Administration (FHWA).</p>	All performance periods have a 4 year duration starting on January 1 and finishing in December 31.	First Performance Period: Begins: January 1, 2018 Ends: December 31, 2021
§ 490.307 National performance management measures for assessing pavement condition	<p>To carry out the NHPP, the performance measures for State DOTs to assess pavement condition are:</p> <p>(1) Percentage of pavements of the Interstate System in Good condition;</p> <p>(2) Percentage of pavements of the Interstate System in Poor condition;</p> <p>(3) Percentage of pavements of the non-Interstate NHS in Good condition; and</p> <p>(4) Percentage of pavements of the non-Interstate NHS in Poor condition.</p>		

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Regulation Section	Regulation Text	KEY COMPONENT SYNOPSIS				KEY DATE
§ 490.313 Calculation of performance management measures	<p>Calculation of performance management measures</p> <p>(a) The pavement measures in § 490.307 shall be calculated in accordance with this section and used by State DOTs and MPOs to carry out the pavement condition related requirements of this part, and by FHWA to make the significant progress and minimum condition determinations specified in §§ 490.109 and 490.317, respectively.</p> <p>(b) The performance measure for pavements shall be calculated based on the data collected in § 490.309 and pavement condition metrics computed in § 490.311. The performance measure for pavements shall be based on three condition ratings of Good, Fair, and Poor calculated for each pavement section.</p> <p>Note: Refer to the final rules section § 490.313 for rating determination. The summary of this section and rating factors have been shown under the " Key Component Synopsis" column of this excel sheet</p>	Rating	Good	Fair	Poor	
		IRI (Inch/mile)	<95	95-170	>170	
		PSR (0.0-5.0 Value)	≥ 0.4	2.0-4.0	≤2.0	
		Cracking Percent (%)	<5	CRCP: 5-10 Jointed: 5-15 Asphalt: 5-20	>10 >15 >20	
		Rutting (inches)	<0.20	0.20-0.40	>0.40	
		Faulting (inches)	<0.10	0.10-0.15	>0.15	
§ 490.103 Data requirements.	<p>a) In general. Unless otherwise noted below, the data requirements in this section applies to the measures identified in subparts C and D of this part. Additional data requirements for specific performance measures are identified in 23 CFR sections—</p> <p>(3) 490.409 for the condition of bridges on the NHS;</p>					

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Regulation Section	Regulation Text	KEY COMPONENT SYNOPSIS	KEY DATE
§ 490.105 Establishment of performance targets	<p>(a) In general. State departments of transportation (State DOT) shall establish performance targets for all measures specified in paragraph (c) of this section for the respective target scope identified in paragraph (d) of this section with the requirements specified in paragraph (e) of this section, and the Metropolitan Planning Organizations (MPO) shall establish performance targets for all measures specified in paragraph (c) of this section for respective target scope identified in paragraph (d) of this section with the requirements specified in paragraph (f) of this section.</p> <p>(c) Applicable measures. State DOTs and MPOs that include, within their respective geographic boundaries, any portion of the applicable transportation network shall establish performance targets for the performance measures identified in 23 CFR sections—</p> <p style="margin-left: 20px;">(1) 490.307(a)(1) and 490.307(a)(2) for the condition of pavements on the Interstate System</p> <p style="margin-left: 20px;">(2) 490.307(a)(3) and 490.307(a)(4) for the condition of pavements on the National Highway System (NHS) (excluding the Interstate)</p> <p>(d) Target scope. Targets established by the State DOT and MPO shall, regardless of ownership, represent the transportation network, including bridges that cross State borders, that are applicable to the measures as specified in paragraphs (d)(1) and (2) of this section.</p> <p style="margin-left: 20px;">(1) State DOTs and MPOs shall establish Statewide and metropolitan planning area wide targets, respectively, that represent the condition/performance of the transportation network that is applicable to the measures, as specified in 23 CFR sections—</p> <p style="margin-left: 40px;">(i) 490.303 for the condition of pavements on the Interstate System measures specified in §§ 490.307(a)(1) and (a)(2);</p> <p style="margin-left: 40px;">(ii) 490.303 for the condition of pavements on the National Highway System (NHS) (excluding the Interstate) measures specified in §§ 490.307(a)(3) and (a)(4);</p> <p style="margin-left: 20px;">(2) [Reserved]</p> <p style="margin-left: 20px;">(3) For the purpose of target establishment in this section, reporting targets and progress evaluation in § 490.107 and significant progress determination in § 490.109, State DOTs shall declare and describe the urbanized area boundaries within the State boundary in the Baseline Performance Period Report required by § 490.107(b)(1). Any changes in urbanized area boundaries during a performance period would not be accounted for until the following performance period.</p>	<p>1. Applicable Measures. State DOTs and MPOs respective geographic boundaries.</p> <p>2 State DOTs and MPOs shall establish Statewide and metropolitan planning area wide targets, respectively.</p>	<p>State DOT's to establish targets by: May 20, 2018</p>

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§ 490.105(f) Establishment of performance targets (MPOs)	<p>(f) The MPOs shall establish targets for each of the performance measures identified in paragraph (c) of this section for the respective target scope identified in paragraph (d) of this section as (5)–(6) [Reserved]</p> <p>(7) MPO response to State DOT target adjustment.—For the established targets in paragraph (3) of this section, if the State DOT adjusts a 4-year target in the State DOT’s Mid Performance Period Progress Report and if, for that respective target, the MPO established a target by supporting the State DOT target as allowed under paragraph (f)(3)(i) of this section, then the MPO shall, within 180 days, report to the State DOT whether they will either:</p> <p style="padding-left: 20px;">(i) Agree to plan a program of projects so that they contribute to the adjusted State DOT target for that performance measure; or</p> <p style="padding-left: 20px;">(ii) Commit to a new quantifiable target for that performance measure for its metropolitan planning area.</p> <p>(8) Target adjustment. If the MPO establishes its target by committing to a quantifiable target, described in paragraph (f)(3)(ii) of this section, then the MPOs may adjust its target(s) in a manner that is mutually agreed upon by the State DOT and MPO.</p> <p>(9) Reporting. The MPOs shall report targets and progress toward the achievement of their targets as specified in § 490.107(c). After the MPOs establish or adjust their targets, the relevant State DOT(s) must be able to provide these targets to FHWA, upon request.</p>	<ol style="list-style-type: none"> <li>1. MPO shall establish 4-year targets by either adopting a State's performance targets and supporting the State's effort at achieving those targets, or establishing its own quantifiable performance targets.</li> <li>2. MPO shall coordinate with relevant State DOT(s) on the selection of targets.</li> <li>3. If the State DOT adjusts a 4-year target in the State DOT’s Mid Performance Period Progress Report, MPO can decide to contribute to the adjusted target or commit to a new quantifiable target.</li> </ol>	<p>MPOs to establish targets within 180 days of relevant State DOT establishing targets.</p> <p>- Note: A multiple planning area may choose different target establishment options for the portion of the planning area within each state.</p>
§ 490.107 Reporting on performance targets	<p>(c) <b>MPO Report.</b> The <b>MPOs</b> shall establish targets in accordance with § 490.105 and report targets and progress toward the achievement of their targets in a manner that is consistent with the following:</p> <p style="padding-left: 20px;">(1) The <b>MPOs</b> shall report their established targets to their respective State DOT in a manner that is documented and mutually agreed upon by both parties.</p> <p style="padding-left: 20px;">(2) The <b>MPOs</b> shall report baseline condition/performance and progress toward the achievement of their targets in the system performance report in the metropolitan transportation plan in accordance with Part 450 of this chapter.</p>		