

23 CFR 490 - Subpart E/F/G and H (PM3) - System Performance/Freight Performance/CMAQ Performance Measures For Full Version of the Rule, See: https://www.federalregister.gov/documents/2017/01/18/2017-00681/national-performance-management-measures-assessing-performance-of-the-national-highway-system			
SECTION	REGULATION	KEY COMPONENT SYNOPSIS	KEY DATE
§ 490.101	Refer to Section 490.101 for key terms that are defined in this rule.		
§ 490.501	National Performance Measures to Assess the Performance of the NHS (as it pertains to MPOs)		
§ 490.501	SUBPART E: PURPOSE The purpose of this subpart is to implement the requirements of 23 U.S.C. 150(c)(3)(A)(ii)(IV) and (V) to establish performance measures for State DOTs and MPOs to use to assess: (a) Performance of the Interstate System; and (b) Performance of the non-Interstate National Highway System (NHS).	1st Performance Period: Jan 1, '18-Dec 31, '21 (Interstates) Jan 1, '20-Dec 31, '21 (non-Interstate) [Phase-in 490.105(e)(7), 109(e)(3)]	
§ 490.503	SUBPART E: APPLICABILITY (a) The performance measures are applicable to those portions of the mainline highways on the NHS as provided in paragraphs (a)(1) and (2) of this section (and in more detail in § 490.507): (1) The Travel Time Reliability measures in § 490.507(a) are applicable to all directional mainline highways on the Interstate System and non-Interstate NHS. (2) The Greenhouse Gas (GHG) measure in § 490.507(b) is applicable to all mainline highways on the Interstate and non-Interstate NHS.	The GHG measure was postponed when PM3 became effective, but it is now proposed to be removed (GHG requirements are not included here)	Effective Date: May 20, 2017
§ 490.503	Refer to Section 490.503 for additional key terms that are defined in this rule.		
§ 490.509(d)	The average occupancy factors for the State and/or metropolitan area (as applicable) needed to calculate Travel Time Reliability measures shall come from the most recently available data tables published by FHWA unless using other allowed data source(s).	The TTR measures are person-based rather than vehicle-based	
§ 490.513(a)	The NHS Performance measures in § 490.507 shall be calculated in accordance with this section by State DOTs and MPOs to carry out the Interstate System and non-Interstate NHS performance-related requirements of this part, and by FHWA to make the significant progress determinations specified in § 490.109 and to report on system performance.		
§ 490.601	National Performance Management Measures to Assess Freight Movement on the Interstate (as it pertains to MPOs)		
§ 490.601	SUBPART F: PURPOSE The purpose of this subpart is to implement the requirements of 23 U.S.C. 150(c)(6) to establish performance measures for State DOTs and the MPOs to use to assess the national freight movement on the Interstate System.	1st Performance Period: Jan 1, 2018 - Dec 31, 2021	
§ 490.603	SUBPART F: APPLICABILITY The performance measures to assess the national freight movement are applicable to the Interstate System.		Effective Date: May 20, 2017
§ 490.613(a)	The performance for freight movement on the Interstate in § 490.607 (the Freight Reliability measure) shall be calculated in accordance with this section by State DOTs and MPOs to carry out the freight movement on the Interstate System related requirements of this part, and by FHWA to make the significant progress determinations specified in § 490.109 and to report on freight performance of the Interstate System.		
§ 490.701	National Performance Measures to Assess the CMAQ Program - Traffic Congestion (as it pertains to MPOs)		
§ 490.703	SUBPART G: PURPOSE The purpose of this subpart is to implement the requirements of 23 U.S.C. 150(c)(5)(A) to establish performance measures for State DOTs and the MPOs to use in assessing CMAQ Traffic Congestion for the purpose of carrying out the CMAQ program.		
§ 490.701	SUBPART G: APPLICABILITY The CMAQ Traffic Congestion performance measures are applicable to all urbanized areas that include NHS mileage and with a population over 1 million for the first performance period and in urbanized areas with a population over 200,000 for the second and all other performance periods, that are, in all or part, designated as nonattainment or maintenance areas for ozone (O3), carbon monoxide (CO), or particulate matter (PM10 and PM2.5) National Ambient Air Quality Standards (NAAQS).	Subpart G does not apply to Florida at this time. [see 490.105(e)(9)(v)]	Effective Date: May 20, 2017
§ 490.801	National Performance Measures for Assess the CMAQ Prog. - On-Road Mobile Source Emissions (as it pertains to MPOs)		
§ 490.801	SUBPART H: PURPOSE The purpose of this subpart is to implement the requirements of 23 U.S.C. 150(c)(5)(B) to establish performance measures for State DOTs and the MPOs to use in assessing on-road mobile source emissions.		
§ 490.803	SUBPART H: APPLICABILITY The on-road mobile source emissions performance measure (called the Total Emissions Reduction- see § 490.807) is applicable to all States and MPOs with projects financed with funds from the 23 U.S.C. 149 CMAQ program apportioned to State DOTs for areas designated as nonattainment or maintenance for ozone (O3), carbon monoxide (CO), or particulate matter (PM10 and PM2.5) National Ambient Air Quality Standards (NAAQS).	Subpart H does not apply to Florida at this time. [see 490.105(e)(9)(v)]	Effective Date: May 20, 2017

§ 490.103	PM3 Data Requirements pertaining to MPOs		
§ 490.103(e)	The State DOT shall establish, in coordination with applicable MPOs, a single travel time data set (i.e., NPMRDS or equivalent data set) that will be used to calculate the annual metrics in subparts E, F, and G of this part.	for each upcoming year of a performance period	
§ 490.103(e)	A State DOT and MPO(s) must use the same travel time data set for each reporting segment for the purposes of calculating the metrics and measures.	Metrics are reported annually to HPMS	June 15th (every year)
§ 490.103(e)(1)	[If used] State DOTs and MPOs shall use the same equivalent data source(s) for a calendar year;	Use of NPMRDS is not required if equivalent data source(s) are requested and approved.	
§ 490.103(e)(2)	The State DOT shall request FHWA approval for the use of such equivalent data source(s) no later than October 1st before the beginning of the calendar year in which the data source would be used to calculate metrics and FHWA must approve the use of that data source prior to a State DOT and MPO(s)'s implementation and use of that data source.	Option may be consider for each year within the performance period.	State DOT to request by Oct 1 of prior year
§ 490.103(e)(5)	If approved by FHWA, the equivalent data source(s) shall...[see requirements under 490.103(e)(5)]		
§ 490.103(f)	State DOTs, in coordination with MPOs, shall define a single set of reporting segments of the Interstate System and non-Interstate NHS for the purpose of calculating the travel time-based measures specified in §§ 490.507, 490.607, and 490.707 in accordance with the following: [see requirements under 490.103(f)]	Option to accept the travel time segments of (and as defined in) the NPMRDS to be the reporting segments for the NHS, rather than defining own reporting segments in HPMS.	
§ 490.103(f)(4)	The State DOT and applicable MPOs shall document, in manner that mutually agreed upon by all relevant parties, the coordination and agreement on the travel time data set and the defined reporting segments.		
§ 490.105	Establishing PM3 Performance Targets pertaining to MPOs		
§ 490.105(a)	The MPOs 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.		
§ 490.105(c)	State DOTs and MPOs that include, within their respective geographic boundaries, any portion of the applicable transportation network or area shall establish performance targets for the performance measures identified in 23 CFR sections—... (4) 490.507(a)(1) and (2) for the NHS Travel Time Reliability;... (6) 490.607 for the freight movement on the Interstate System;		
§ 490.105(d)	Targets established by State DOTs and MPOs shall, regardless of ownership, represent the transportation network or geographic area, including bridges that cross State borders, that are applicable to the measures as specified in paragraphs (d)(1) and (2) of this section.		
§ 490.105(d)(1)	State DOTs and MPOs shall establish statewide and metropolitan planning area wide targets, respectively, that represent the condition/performance of the transportation network or geographic area that are applicable to the measures, as specified in 23 CFR sections—... (iv) 490.503(a)(1) for the Travel Time Reliability measures specified in § 490.507(a)(1) and (2);... (vi) 490.603 for the Freight Reliability measure specified in § 490.607;		
§ 490.105(e)(2)	State DOTs shall coordinate with relevant MPOs on the selection of targets in accordance with 23 U.S.C. 135(d)(2)(B)(i)(II) to ensure consistency, to the maximum extent practicable.	StateDOT may establish additional targets for any number and combination of urbanized area boundaries and may also select a non-urbanized area boundary of the State. [see requirements under 490.105(e)(3)]	
§ 490.105(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 follows:	First Baseline Condition for non-Interstate NHS is derived from data collected through 2019 and reported in 2020 [see Phase-in Period under 490.105(e)(7) and 109(e)(3)]. Requirements phased-in since Travel Time data on non-Interstate NHS was not previously required.	
§ 490.105(f)(1)	The MPOs shall establish targets no later than 180 days after the respective State DOT(s) establishes their targets, as provided in paragraph (e)(1) of this section.	StateDOT to establish targets by May 20, 2018 (for 1st Performance Period)	MPO w/in 180 days of StateDOT
§ 490.105(f)(1)(i)	The MPOs shall establish 4-year targets, described in paragraph (e)(4)(iv) of this section, for all applicable measures, described in paragraphs (c) and (d) of this section.		
§ 490.105(f)(2)	The MPOs shall coordinate with relevant State DOT(s) on the selection of targets in accordance with 23 U.S.C. 134(h)(2)(B)(i)(II) to ensure consistency, to the maximum extent practicable.		

§ 490.105(f)(3)	For each performance measure identified in paragraph (c) of this section, except the CMAQ Traffic Congestion measures in paragraph (f)(5) of this section, and MPOs meeting the criteria under paragraph (f)(6)(iii) of this section for Total Emissions Reduction measure, the MPOs shall establish targets by either: (a) Agreeing to plan and program projects so that they contribute toward the accomplishment of the relevant State DOT target for that performance measure; or (b) Committing to a quantifiable target for that performance measure for their metropolitan planning area.	Relevant StateDOT target includes applicable additional area targets that StateDOT may establish.	
§ 490.105(f)(7)&(8)	MPO Target Adjustment <i>[see requirements under 490.105(f)(7) and (8)]</i>	Dependent upon the manner MPO establishes targets.	
§ 490.105(f)(9)	After the MPOs establish or adjust their targets, the relevant State DOT(s) must be able to provide these targets to FHWA upon request.		
§ 490.107	PM3 Reporting Requirements (pertaining to MPOs)		
§ 490.107(a)(1)	All MPOs shall report in accordance with the schedule and content requirements under [...paragraph (c)] of this section.	StateDOT reports PM3 Baseline Condition/Performance, Mid-Performance Period, and Full Performance Period Progress to FHWA	
§ 490.107(c)	The MPOs 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...(see requirements under 490.107(c)).		
§ 490.107(c)(1)	The MPOs shall report their established targets to State DOT in a manner that is documented and mutually agreed upon by both parties.		
§ 490.107(c)(2)	The MPOs 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.		as per Part 450