

Introduction and Overview

- Two recently published Federal Highway Administration (FHWA) transportation performance management (TPM) performance measures rulemakings took effect on May 20, 2017, with the exception of certain portions of one of the rules.¹
- One rule established performance measures for State Departments of Transportation (DOTs) and metropolitan planning organizations (MPOs) to use to report on the performance of the Interstate and non-Interstate National Highway System (NHS) to carry out the National Highway Performance Program (NHPP); freight movement on the Interstate system; and traffic congestion and on-road mobile source emissions for the purpose of carrying out the Congestion Mitigation and Air Quality Improvement (CMAQ) Program. While the published rule includes a greenhouse gas (GHG) measure (the percent change in CO₂ emissions from 2017, generated by on-road mobile sources on the NHS), the effective date of the portions of the Final Rule pertaining to that measure has been delayed. The FHWA will be publishing a Notice of Proposed Rulemaking (NPRM) in the *Federal Register* pertaining to this measure.
- The other final rule that took effect on May 20 established performance measures to assess the condition of bridges and pavements on the NHS.
- Both rules were published in the *Federal Register* on January 18, 2017 (82 FR 5886 and 82 FR 5970).
- These are the second and third Federal-aid highway performance measures rulemakings. In March 2016, FHWA published a final rule establishing five highway safety performance measures.
- The compliance schedule for the second and third rules aligns in a common target and progress reporting period beginning **October 1, 2018**.
- More information is available at the FHWA Transportation Performance Management site (<http://www.fhwa.dot.gov/tpm/>).

TPM Benefits

- The MAP-21 transformed the Federal-aid highway program by establishing new requirements for performance management to promote the most efficient investment of Federal transportation funds. Performance management increases the accountability and transparency of the Federal-aid highway program and provides for a framework to support improved investment decision making through a focus on performance outcomes for key national transportation goals.
- Collectively, the three published performance measure rulemakings establish the regulations needed to more effectively evaluate and report on safety, infrastructure condition, on-road mobile source emissions, and surface transportation performance

¹ While published on January 18, 2017, in accordance with the memorandum of January 20, 2017, from the Assistant to the President and Chief of Staff, entitled “Regulatory Freeze Pending Review,” the Department delayed the effective date of the rules to May 20, 2017. See 82 FR 10441 and 82 FR 14438. The delay of the effective date for the Greenhouse Gas (GHG) measure can be found at 82 FR 22879, published May 19, 2017.

across the Nation. State DOTs and MPOs should use the information and data generated to inform transportation planning and programming decisions. The FHWA will use the information to more reliably assess and report on the impacts of Federal funding investments.

System Performance Final Rule Specifics

- The rule, as effective on May 20, 2017, establishes six measures:
 - Two measures to assess reliability of system performance:
 - percent of reliable person-miles traveled on the Interstate.
 - percent of reliable person-miles traveled on the non-Interstate NHS.
 - A measure that will assess freight movement on the Interstate by the percentage of Interstate system mileage providing for reliable truck travel time (Truck Travel Time Reliability Index).
 - A measure that will assess total emissions reductions by applicable pollutants under the CMAQ program.
 - Two measures that will assess traffic congestion under the CMAQ program:
 - A measure that will assess annual hours of peak hour excessive delay per capita.
 - A measure that will assess modal share; specifically, the percent of non-single occupancy vehicle travel which includes travel avoided by telecommuting.
- While the published rule includes a GHG measure, the effective date of the portions of the Final Rule pertaining to that measure has been delayed. The FHWA will be publishing a NPRM in the Federal Register pertaining to this measure.

Other Changes from the Notice of Proposed Rulemaking

- Seven vehicle travel time-based measures in the proposed rule were reduced to four.
- Multimodal and person-focused concerns were addressed.
- Concerns about the use of absolute thresholds were addressed.
- A congestion measure on non-single occupancy vehicle (SOV) travel was added.