

New Jersey
System Performance Management Written Procedures
among
Metropolitan Planning Organizations (North Jersey
Transportation Planning Authority, Delaware Valley
Regional Planning Commission, South Jersey Transportation
Planning Organization)
and
New Jersey Department of Transportation

Background

These performance management written procedures document agreement among the Metropolitan Planning Organizations (MPOs) and the New Jersey Department of Transportation (NJDOT) regarding the conduct of the performance based transportation planning and programming process required under MAP-21 and the FAST Act for system performance (PM 3) in the state of New Jersey. These requirements apply variously to the State, MPO-specific urbanized areas, and/or Air Quality areas.

The MPO(s) and NJDOT will collectively conduct continuing, comprehensive, and cooperative statewide and metropolitan transportation planning processes, pursuant to 23 USC 134. The final federal Planning Rule, adopted May 27, 2016, indicates in Section 450.314(h) that written procedures must be developed regarding the MAP-21 and FAST Act performance management requirements, and that these procedures be documented either through existing metropolitan planning agreements, or by another means, as determined cooperatively by the parties. **By use of these written procedures, New Jersey opts for the latter option.**

The provisions herein complement existing metropolitan planning agreements and may be supplemented by related agreements regarding performance management (such as covering other performance measures). Addenda to this document address system performance measures for urbanized areas extending beyond New Jersey and therefore involving other parties.

Scope of Agreement

Based on MAP-21 and the FAST Act, the final statewide and metropolitan transportation planning rule (23 CFR 450), requires the development and use of a performance based planning and programming process. As called for in the System Performance Measures (PM 3) Final Rule (under 23 CFR part 490 – National Performance Management of National Highway System, Freight Movement on Interstate System, and Congestion Mitigation and Air Quality (CMAQ) Improvement Program), this process includes developing a framework of system condition; data acquisition, sharing, analysis, target setting, and reporting for the following national transportation performance measures specified by the Federal Highway Administration (FHWA):

- Travel Time Reliability (Subpart E)
 - Percent of Interstate System person-miles traveled that are reliable
 - Percent of non-Interstate National Highway System person-miles traveled that are reliable
- Freight Reliability (Subpart F)
 - Percent of Interstate System providing reliable truck travel times
- CMAQ Traffic Congestion (Subpart G), addressed in the urbanized area addenda
 - Annual Hours of National Highway System Peak-Hour Excessive Delay (person hours) Per Capita (by multi-state urbanized area)
 - Percent of National Highway System Non-SOV travel (by multi-state urbanized area)
- CMAQ On Road Mobile Source Emissions (Subpart H)
 - Total CMAQ project emissions in US EPA designated as nonattainment or maintenance for ozone (O₃), carbon monoxide (CO), or particulate matter (PM₁₀ and PM_{2.5})

Agreement

The agencies listed in Table 1 agree to the provisions described below.

Table 1
Partner Agencies to the Written Procedures

State of New Jersey

New Jersey Department of Transportation (NJDOT)

Metropolitan Planning Organizations

Delaware Valley Regional Planning Commission (DVRPC)

North Jersey Transportation Planning Authority (NJTPA)

South Jersey Transportation Planning Organization (SJTPO)

1) Overall schedule and elements

The parties will collaboratively determine required metrics, data elements, sources, calculation methods, and a data collection, target setting, and reporting schedule.

2) Transportation performance data

- a. The parties will coordinate on the collection of data required to calculate the national performance measures and to develop targets. Coordination may involve in-person meetings, web meetings, conference calls, and/or email communication.
- b. The parties will use consistent datasets and methods in their respective analyses.
- c. The overall schedule will include timeframes for sharing of data, which will take into account when data is collected, when calculations are due, and when targets need to be set. The schedule will allow sufficient time for review by respective parties.

- d. Primary responsibility for data collection associated with PM 3 performance measures will reside with NJDOT. NJDOT will share this data with the other parties, where possible and appropriate.
 - 1) In the past, NJDOT has acquired additional data (through an AASHTO pooled fund) to support target-setting and trend analysis for PM 3 measures. If additional opportunities to acquire similar data arise and NJDOT acquired such data, NJDOT will endeavor to make those data available to MPOs, to the extent permitted by any licenses involved, where possible.
 - 2) The remainder of the NPMRDS (National Performance Management Research Data Set) data and tools are currently provided by FHWA through the University of Maryland Center for Advanced Transportation Technology Laboratory (UMD CATT Lab). If this changes in the future, the parties will collaboratively determine the best method to store, analyze and share the necessary data.
 - 3) NJDOT will support the development of MPO-specific summaries, where possible.
- e. Data for the CMAQ on-road mobile source emissions targets (Subpart H) will be taken directly from the FHWA CMAQ Public Access System (PAS) Database.
- f. The MPOs may contribute applicable data and will share this data with the other parties. The MPOs will share any supplemental data utilized for regional target setting.

3) Establishment of performance targets

- a. For the performance measures evaluated at the statewide level, NJDOT will establish draft and final statewide performance targets in coordination with MPOs. Coordination may involve collaborative in-person meetings, web meetings, conference calls, and/or email communication. MPOs shall be given an opportunity to provide comments before final statewide targets are adopted.
- b. The performance measures that are evaluated at the urbanized area level are covered in the addenda to these procedures.

- c. For those performance measures for which an MPO adopts its own quantitative planning area targets, the MPO will develop draft targets in coordination with the NJDOT.
- d. Coordination methods may involve collaborative in-person meetings, web meetings, conference calls, and/or email communication. NJDOT shall be provided an opportunity to provide comments on draft MPO performance targets prior to final MPO adoption.
- e. Coordination among the parties on draft performance targets will include communication about policies, trends, conditions and other factors that contribute to their determination.

4) Reporting of performance targets

- a. NJDOT will report final statewide and urbanized area performance targets to FHWA, as required. Each signatory to these Written Procedures will be notified when NJDOT has established final statewide targets, and reported final statewide and urbanized area targets, as described in more detail below.
- b. Each MPO will report its MPO-based performance targets to the NJDOT. For each target, the MPO will provide the following information no later than 180 days after the date the NJDOT establishes performance targets, or the date specified by federal code:
 - 1) A determination of whether the MPO is
 - i. agreeing to plan and program projects so that they contribute toward the accomplishment of the NJDOT performance target, or
 - ii. setting a quantifiable target for that performance measure for the MPO's planning area.
 - 2) Documentation of the MPO's target or support of the statewide target in the form of a resolution or meeting minutes.
- c. Each MPO will prepare a CMAQ Performance Plan, as required in 23 CFR 490.107(c)(3), and submit it to NJDOT before October 1, 2018, and every 2 years thereafter.

It should be noted that New Jersey's three MPOs have met this reporting deadline of October 1, 2018 by submitting appropriate baseline, 2-year and 4-year targets, and a CMAQ Performance Plan to NJDOT.

5) Resolving disputes

- a. The development of System Performance Measures (PM 3) targets will be undertaken collaboratively by the NJDOT Complete Team made up of representatives of the Partner Agencies listed in Table 1 above.
- b. To the extent possible, the interagency Complete Team will collaborate to achieve consensus on schedule, data, and the establishment and reporting of targets.
- c. As needed, each member of the team will collaborate with its own agency staff or others to answer questions that may arise.
- d. If the group identifies a dispute on a particular point, the group will attempt to resolve it together, to everyone's mutual satisfaction.
- e. If the group is unable to resolve the dispute and reaches an impasse, a brief summary of the dispute will be prepared and presented to the following individuals:
 - 1) The Assistant Commissioner of Planning, Multimodal and Grants Administration (PMGA) of the NJ Department of Transportation (NJDOT);
 - 2) The Executive Director of the Delaware Valley Regional Planning Commission (DVRPC);
 - 3) The Executive Director of the North Jersey Transportation Planning Authority (NJTPA);
 - 4) The Executive Director of the South Jersey Transportation Planning Organization (SJTPO); and
- f. The individuals listed in section 5(e) above will review the dispute and work to resolve it.
- g. If the attempt in 5(f) above is unsuccessful, the Assistant Commissioner of PMGA will elevate the dispute to the Deputy Commissioner of NJDOT to determine a recommended course of action.

- h. The resulting course of action will be issued in a memorandum with all partner agencies.

6) Documentation in supporting plans and programs

- a. The NJDOT will include information outlined in 23 CFR 450.216 (f) in any statewide transportation plan amended or adopted after May 20, 2019¹, and information outlined in 23 CFR 450.218 (q) in any statewide transportation improvement program amended or adopted after May 20, 2019.

To meet the requirements of 23 CFR 450.218 (q), the Department will, to the maximum extent practicable, include a description of the anticipated effects of the State Transportation Improvement Plan (STIP) toward achieving the performance targets required by MAP-21 and the FAST Act. Note that the Performance Based Planning and Programming (PBPP) requirements of the planning rule as outlined in 23 CFR 450.226 (b&c) shall apply to all STIP amendments, but not to administrative modifications of the STIP.

- b. MPOs will include information outlined in 23 CFR 450.324 (f) (3-4) in any metropolitan transportation plan or Transportation Improvement Program amended or adopted after May 20, 2019, and information outlined in 23 CFR 450.326 (c&d) in any transportation improvement program amended or adopted after May 20, 2019.

To meet the requirements of 23 CFR 450.326 (d), the MPO will, to the maximum extent practicable, include a description of the anticipated effects of the TIP toward achieving the performance targets required by MAP-21 and the FAST Act. Note that the Performance Based Planning and Programming (PBPP) requirements of the planning rule as outlined in 23 CFR 450.340 (b&c) shall apply to all TIP amendments, but not to administrative modifications of the TIP.

¹ The date of May 20, 2019 in this document reflects guidance from FHWA regarding the date for the phase-in of the Planning Rule relating to the System Performance measures, stipulated in 23 CFR 450.340(e) and (f).

- c. Establishment and reporting of targets and performance by the NJDOT and MPOs
MPOs shall conform to 23 CFR 490.