

Why It Is Critical for Private Transportation Providers to Participate in Local and Statewide Planning

By Harold Morgan



In the previous edition of *Transportation Leader*, we announced that a grant had been awarded to TLPA by the Federal Transit Administration to fund educational seminars, instructional articles, technical assistance, and other materials to assist private for-hire vehicle operators (taxicab, limousine, paratransit, airport shuttle, bus, non-emergency medical transportation...) in understanding and becoming involved in the local collaborative transportation planning processes through their local Metropolitan Planning Organization (MPO) or in their statewide planning processes. (See the Winter 2008 edition of *Transportation Leader*, pages 18-20)

What is the Transportation Planning Process?

Transportation planning plays a fundamental role in a state, region or community's vision for its future. Transportation planning is a cooperative process designed to foster involvement by all users of the system, such as

the business community, community groups, environmental organizations, the traveling public, private transportation providers, freight operators, and the general public, through a proactive public participation process conducted by the Metropolitan Planning Organization (MPO), state Department of Transportation (state DOT), and transit operators. Transportation planning includes a number of steps:

- Monitoring existing conditions;
- Forecasting future population and employment growth, including assessing projected land uses in the region and identifying major growth corridors;
- Identifying current and projected future transportation problems and needs and analyzing, through detailed planning studies, various transportation improvement strategies to address those needs;
- Developing long-range plans and short-range programs of alternative capital improvement and operational strategies for moving people and goods;
- Estimating the impact of recommended future improvements to the transportation system on environmental features, including air quality; and
- Developing a financial plan for securing sufficient revenues to cover the costs of implementing strategies.

What is a Metropolitan Planning Organization and What are its Typical Functions?

A Metropolitan Planning Organization (MPO) is a transportation policy-making body made up of representatives from local government and transportation agencies with authority and responsibility in metropolitan planning areas. Federal legislation passed in the early 1970s required the formation of an MPO for any urbanized area (UA) with a population greater

than 50,000. MPOs were created in order to ensure that existing and future expenditures for transportation projects and programs were based on a continuing, cooperative and comprehensive (3-C) planning process. Federal funding for transportation projects and programs is channeled through the MPO. Note that some MPOs are found within agencies such as Regional Planning Organizations (RPOs), Councils of Governments (COGs), and others. TLPA has developed a list of MPOs. TLPA members who want to participate in their local planning process should use this list to identify their local MPO. It can be found in the Members Only Resource Center area of the TLPA web site: www.tlpa.org.

There are Five Core Functions of an MPO:

- Establish a setting: Establish and manage a fair and impartial setting for effective regional decision making in the metropolitan area.
- Identify and evaluate alternative transportation improvement options: Use data and planning methods to generate and evaluate alternatives. Planning studies and evaluations are included in the Unified Planning Work Program (UPWP).
- Prepare and maintain a Metropolitan Transportation Plan (MTP): Develop and update a long-range transportation plan for the metropolitan area covering a planning horizon of at least twenty years that fosters (1) mobility and access for people and goods, (2) efficient system performance and preservation, and (3) good quality of life.
- Develop a Transportation Improvement Program (TIP): Develop a short-range (four-year) program of transportation improvements based on the long-range transportation plan; the TIP should be designed to achieve the area's goals by using spending, regulating, operating, management, and financial tools.
- Involve the public: Involve the general public (including private transportation service providers) and other affected constituencies in the four essential functions listed above.

In accordance with federal regulations, the MPO is required to carry out metropolitan transportation planning in cooperation with the state and with operators of publicly owned transit services. The MPO approves the metropolitan transportation plan. Both the governor and the MPO approve the TIP. Most MPOs will not take the lead in implementing transportation projects, but will provide an overall coordination role in planning and programming funds for projects and operations. The MPO must involve local transportation providers in the planning process by including transit agencies, state and local highway departments, airport authorities, maritime operators, rail-freight operators, Amtrak, port

operators, private providers of public transportation, and others within the MPO region. From an organizational perspective, there is no required structure for an MPO; serving as a decision making policy body, an MPO may be composed of a policy or executive board, or technical and citizen advisory committees, or a director and staff.

MPO staff assists the MPO board by preparing documents, fostering interagency coordination, facilitating public input and feedback, and managing the planning process. The MPO staff may also provide committees with technical assessments and evaluations of proposed transportation initiatives. The MPO staff may also engage consultants to generate needed data. A technical advisory committee may then provide recommendations to the board on specific strategies or projects. An advisory committee may also provide technical analysis, specialized knowledge, and citizen input on specific issues. It is common for an MPO to have a Technical Advisory Committee and Citizen Advisory Committee, and to have subcommittees on specific issues such as environmental justice, bicycle issues, or travel demand modeling.

What is a State DOT and What are its Typical Functions?

Each of the U.S. states, Puerto Rico, and the District of Columbia have an agency or department with official transportation planning, programming, and project implementation responsibility for that state or territory, referred to as the state DOT. In addition to transportation planning responsibilities, these agencies may have responsibility for the design, construction, operation, or maintenance of state facilities for multiple modes of transportation (including air, water, and surface transportation). State departments of transportation also work cooperatively with tolling authorities, ports, local agencies, and special districts that own, operate, or maintain different portions of the transportation network, or individual facilities. Primary transportation planning functions of the state DOT are to:

- Prepare and Maintain a Long-Range Statewide Transportation Plan: Develop and update a long-range transportation plan for the state. Plans vary from state to state and may be broad and policy-oriented, or may contain a specific list of projects.
- Develop a Statewide Transportation Improvement Program (STIP): Develop a program of transportation projects based on the state's long-range transportation plan and designed to serve the state's goals by using spending, regulating, operating, management, and financial tools. For

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metropolitan areas, the STIP incorporates the TIP developed by the MPO.

- Involve the public: Involve the general public (including private transportation operators) and all of the other affected constituencies in the essential functions listed above.



What are the Relationships Among the MPO, the State DOT, and Other Agencies Involved in Transportation Planning and Project Implementation?

Transportation planning must be cooperative because no single agency has responsibility for the entire transportation system. For example, some roads that are part of the Interstate Highway System are subject to certain standards and are usually maintained by a state DOT. Others are county arterials or city streets, which are designed, operated, and maintained by counties or local municipalities. Transit systems are often built, operated, and maintained by a separate entity. In metropolitan areas, the MPO is responsible for actively seeking the participation of all relevant agencies and stakeholders in the planning process; similarly, the state DOT is responsible for activities outside metropolitan areas. The MPO and state DOT also work together. For example, a state DOT staff person may sit on the MPO board. The state DOT follows special requirements to document its process for consulting with officials from local governments located outside the metropolitan area. This process is separate and distinct from the broad public involvement process and must be documented separately. It provides an opportunity for local officials to participate in the development of the long-range statewide transportation plan and the Statewide Transportation Improvement Program (STIP). SOURCE: <http://www.planning.dot.gov/documents/briefingbook/bbook.htm>

How does FTA Monitor Opportunities for Private Enterprise Participation?

On an ongoing basis, FTA Regional Offices and FHWA Division Offices jointly oversee local planning efforts. At least every four years, FTA and the Federal Highway Administration (FHWA) jointly review planning processes in each state to ensure that they are being carried out in compliance with federal requirements. At least once every four years, FTA and FHWA also jointly review planning processes in each of the largest metropolitan areas (over 200,000 in population) and certify that they are meeting all statutory and regulatory

requirements. Private enterprise participation in these planning processes is one of the planning elements monitored. FTA conducts about 180 Triennial Reviews each year, completing a review of all grant recipients of urbanized area formula funds every three years. The Triennial Review includes a review of the grantee's oversight of private provider performance and compliance with FTA regulations, including the statutory protections for the private sector. Similarly, FTA conducts periodic State Management Reviews of the states' administration of the non-urbanized, Elderly and Persons with Disabilities, JARC, and New Freedom programs. If FTA finds, when conducting oversights or reviews, that a grantee has not met these requirements, FTA will seek appropriate action by the grantee to come into compliance.

What Should a Private Sector Operator Do if it is not Being Given the Opportunity to Participate in Community Transportation Planning?

If a private sector transportation provider believes that he or she is not being afforded the opportunity to participate in state or local metropolitan transportation planning, then the operator should first contact the responsible planning organization for the local area, i.e., the MPO in urbanized areas and state DOT in rural areas. The operator should convey his or her interest in becoming involved in local planning processes and attempt to work through any problems. Federal requirements for private sector participation in the transportation planning work in

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metropolitan and rural areas are clear and specific, and an expression of interest or discussion of the issues may serve to address the problems. If the private operator is not satisfied with the results, the next step is to contact the responsible FTA Regional Office regarding his or her concerns, including



as many specifics as possible about the complaint. While FTA does not mandate specific procedures to foster

private sector participation in the operation of transit services, an opportunity for private participation in metropolitan and statewide planning is required for MPOs and state DOTs. SOURCE: www.fta.dot.gov/private

New Toll Free Line to Request Assistance

If a private operator has a question on how private operators should be involved in the planning process, or on how to overcome problems the operator is having getting involved in the planning process, or for assistance in developing a service to be considered in the planning process, TLPA is prepared to help. Call our toll free technical assistance hotline at 1-866-928-6550 and ask to speak with Hal Morgan. He will discuss your needs and identify the appropriate type of assistance. Initial assistance is provided at no cost to the operator.



In the next issue of Transportation Leader, we will feature an article from the consultant chosen by TLPA to develop and present a training seminar on how private operators can better understand and become more completely involved in the MPO, Statewide and local coordinated planning processes. These courses will be presented in Washington, DC; Chicago, IL; Denver, CO; Las Vegas, NV; and Tampa, FL in the coming months. Be sure to watch the TLPA web site (www.tlpa.org) for more information on the seminar presentations. ■

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