

MEMORANDUM OF UNDERSTANDING

Between the Tennessee Department of Transportation (TDOT), the Johnson City Metropolitan Transportation Planning Organization (MTPO), the Johnson City Transit System (JCT) and Northeast Tennessee Regional Public Transportation (NET Trans) for cooperatively developing, sharing and reporting information related to performance measures and performance targets.

PURPOSE AND BACKGROUND

On May 27, 2016, the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) published the final rule for statewide and metropolitan transportation planning based on 2012's Moving Ahead for Progress in the 21st Century (MAP-21) Act and 2015's Fixing America's Surface Transportation (FAST) Act. As part of this final rule, 23 CFR 450.314 (h) was amended to state:

"The MPO(s), State(s), and the providers of public transportation shall jointly agree upon and develop specific written provisions for cooperatively developing and sharing information related to transportation performance data, the selection of performance targets, the reporting of performance targets, the reporting of performance to be used in tracking progress toward attainment of critical outcomes for the region of the MPO, and the collection of data for the State asset management plans for the NHS."

The phase-in deadline for this requirement is May 27, 2018. TDOT, MTPO, and public transportation providers agree to the following provisions in order to implement the requirements of 23 CFR 490 - National Performance Management Measures and 49 CFR 625 – Transit Asset Management.

GEOGRAPHIC SCOPE

For the purposes of this Memorandum of Understanding (MOU), TDOT, MTPO, and public transportation providers are responsible for carrying out performance-based planning in the Johnson City MTPO metropolitan planning area (MPA).

PERFORMANCE-BASED TRANSPORTATION PLANNING & PROGRAMMING

MTPO and public transportation providers will carry out a performance-based metropolitan transportation planning process for the MTPO planning area in cooperation and consultation with TDOT. Performance measures will be developed, tracked and reported in accordance with applicable laws and regulations.

DATA COLLECTION AND SHARING

TDOT, MTPO, and public transportation providers mutually agree to develop and share available data related to performance measurement and target setting with each other, subject to the policies and procedures of each agency and any restrictions on the data. Examples of such data include, but are not limited to, traffic counts, crashes, travel times/speeds, socioeconomic data, transit ridership data and infrastructure condition measures. TDOT will collect any data required for the National Highway System. TDOT will collect any National Highway System (NHS) data required for the State Asset Management Plan.

DEVELOPMENT OF PERFORMANCE TARGETS

TDOT will develop and select draft statewide performance targets in coordination with the Metropolitan Planning Organizations (MPOs) across the state. Coordination may include in-person meetings, webinars, conference calls, and/or email communication. TDOT will provide the MPOs an estimated timeline for each measure detailing the schedule of activities, decision milestones in the target setting process, and the methodology for when and how TDOT will obtain MPO input. MPO comments will be documented and shared with the Department's Oversight Committee and Executive Leadership as part of the target selection process.

If an MPO chooses to adopt its own target for any measure, the MPO will develop draft MPO performance targets in coordination with TDOT. Coordination methods will follow the general timeline of activities, decision milestones in the target setting process and methodology for obtaining TDOT review and approval as stated above. TDOT will be provided an opportunity to provide comments on draft MPO performance targets and the methodology used to develop them at least 30 calendar days prior to final adoption.

In support of a performance-based approach to the metropolitan transportation planning and programming process, and public transportation providers will develop targets for transit performance measures in accordance with 49 CFR 625 – Transit Asset Management, and will share information and coordinate with the MTPO regarding transit system condition, development methodology for targets, and investment priorities and strategies. JCT will share its targets annually with the MTPO. The MTPO shall select performance targets for its metropolitan planning area in coordination, to the maximum extent practical, with JCT.

REPORTING OF TARGETS

TDOT performance targets will be reported to FHWA and FTA, in accordance with Federal rule requirements. The MPOs will be notified when TDOT has reported final statewide targets. MPO performance targets will be reported to TDOT.

For each target, the MPO will provide formal documentation, in the form of a policy board resolution, as to whether the MPO is agreeing to support TDOT's or the provider(s) of public transportation's performance target or setting a quantifiable target for that performance measure for the MPO's planning area. This documentation will be provided to TDOT no later than 180 days after the date TDOT or the provider(s) of public transportation establish performance targets, or the date specified by Federal code. TDOT will be responsible for sending the MPO's documentation to FHWA/FTA within ten (10) business days of the date(s) the MPO's targets are due.

STATEWIDE TRANSPORTATION PLAN, STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM (STIP), METROPOLITAN TRANSPORTATION PLANS (MTPs) AND TRANSPORTATION IMPROVEMENT PROGRAMS (TIPs)

TDOT will include information outlined in 23 CFR 450.216 (f) in any statewide transportation plan amended or adopted after May 27, 2018, and information outlined in 23 CFR 450.218 (q) in any statewide transportation improvement program amended or adopted after May 27, 2018.

MPOs will include information outlined in 23 CFR 450.324 (g) (3-4) in any metropolitan transportation plan amended or adopted after May 27, 2018, and information outlined in 23 CFR 450.326 (d) in any transportation improvement program amended or adopted after May 27, 2018.

Reporting of targets and performance by the DOT and MPOs shall conform to 23 CFR 490.

EFFECTIVE DATE

The effective date of this MOU is the date is the date by which all parties below have signed the MOU.

IN WITNESS THEREOF,


JOHNSON CITY METROPOLITAN TRANSPORTATION PLANNING ORGANIZATION:

 28 AUG 2019
THE HONORABLE JENNY BROCK, EXECUTIVE BOARD CHAIR DATE

JOHNSON CITY TRANSIT SYSTEM:

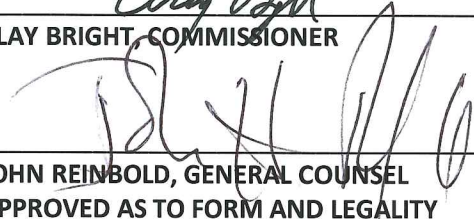
 28 AUG 2019
M. DENIS PETERSON, CITY MANAGER, CITY OF JOHNSON CITY DATE

NORTHEAST TENNESSEE RURAL PUBLIC TRANSIT SYSTEM:

 9-3-19
JASON CODY, EXECUTIVE DIRECTOR, FIRST TENNESSEE HUMAN RESOURCE AGENCY DATE

TENNESSEE DEPARTMENT OF TRANSPORTATION:

 10/3/19
CLAY BRIGHT, COMMISSIONER DATE

 10/3/19
JOHN REINBOLD, GENERAL COUNSEL DATE
APPROVED AS TO FORM AND LEGALITY