

Appendix C: Additional Documents
for
NCHRP Synthesis 626: Practices for Statewide and MPO Coordination

NCHRP Project 20-05, Topic 54-05

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This appendix includes documents, legislation, and guidance related to coordination between DOTs and MPOs. Contents in this section were provided by staff in state DOTs interviewed for the synthesis case examples.

Roles and Responsibilities of the Wisconsin DOT MPO/RPC Liaisons

Note: To accommodate the size and retain legibility for the roles and responsibilities matrix, it has been split across three pages in this Appendix.

Note: BPED is not spelled out in the table and is the Bureau of Planning and Economic Development.

Region and BPED MPO Planning Liaisons - Roles and Responsibilities	
	<p>Region Planning Liaison</p> <p>MPO Technical Advisory Committee (TAC) and Policy Board (PB) meeting attendance</p> <p>a. Discuss agenda topics with relevant WisDOT staff prior to TAC and PB meetings. b. Attend all or most of the TAC and PB meetings as required and/or practical. c. Provide feedback to BPED Planning Liaisons after TAC and PB meetings, if the BPED Planning Liaison was not in attendance. d. Inform BPED Planning Liaisons of essential notifications to be shared prior to and after these meetings.</p>
	<p>Region Planning Liaison/Region TIP Coordinator</p> <p>Annual Transportation Improvement Program (TIP) review and approval coordination</p> <p>a. Submit programmed projects within the metropolitan planning area as requested by the MPOs. b. Review draft annual TIP to ensure projects are included as submitted. c. Provide written comments to MPOs. Copy BPED Planning Liaison when providing comments. d. Communicate pertinent information and non-project communications. It is anticipated most project related topics would not include BPED Planning Liaison involvement. e. Communicate concurrence with the final draft to the BPED Planning Liaison and Statewide MPO/RPC Coordinator.</p>
	<p>Region Planning Liaison/Region TIP Coordinator</p> <p>Transportation Improvement Program (TIP) Amendment review and approval coordination</p> <p>a. Submit projects for TIP amendments in coordination with the MPOs. Copy BPED Planning Liaison when providing amendment requests. b. Review and provide comment on all amendment projects during TAC meetings. c. Advise BPED Planning Liaison of any amendment related discussion at TAC meetings as necessary.</p>
	<p>Region Planning Liaison</p> <p>MPO Unified Planning Work Program (UPWP) review and approval</p> <p>a. Participate in the development of UPWP planning activities. b. Suggest potential activities in coordination with WisDOT planning goals and objectives. c. Coordinate review comments with BPED Planning Liaison. Review and provide comments on draft UPWP before and/or during fall review meeting. d. Ensure review comments are incorporated within final UPWP.</p>
	<p>Region Planning Liaison</p> <p>UPWP Fall Review meetings</p> <p>a. Monitor completion of the draft UPWPs for assigned MPOs. b. Participate in the development of the fall review meeting agendas. c. Attend and participate in the fall review meetings.</p>
	<p>Region Planning Liaison</p> <p>UPWP Mid-year Review meetings</p> <p>a. Participate in the development of the mid-year review meeting agendas. b. Attend and participate in the mid-year review meetings.</p>
	<p>Region Planning Liaison</p> <p>UPWP Reimbursement Request Process</p> <p>a. Communicate any information or questions with the BPED Planning Liaison, as necessary.</p>
	<p>Region Planning Liaison</p> <p>MPOs Long Range Transportation Plans</p> <p>a. Be the main point of contact for review and input on the MPO's L RTPs. b. Attend TAC and LTRP development meetings. c. Provide input to assist in the development of L RTPs that are consistent with state transportation plans. d. Assist in data sharing with the MPOs. e. Coordinate and communicate with WisDOT Region staff, BPED Planning Liaisons, the Statewide MPO/RPC Coordinator, other WisDOT transportation planners for L RTP review and provide comment. f. Coordinate with applicable WisDOT staff to share data with MPOs.</p>
Yellow highlight means these staff members are the lead for the indicated MPO coordination activity.	

Region and BPED MPO Planning			
	Reg.	BPED Planning Liaison	M
MPO Technical Advisory Committee (TAC) and Policy Board (PB) meeting attendance	a. DT b. AL c. PR not d. IR	a. Discuss agenda topics with relevant WisDOT staff prior to TAC and PB meetings. b. Lead in the coordination of any DTIM staff members that should attend the meetings. c. Attend all or most of the TMA TAC meetings as required and/or practical. d. Attend TAC meetings via teleconference when available and as practical. e. Inform Region Planning Liaisons of essential notifications to be shared with Region management, both prior to and after these meetings.	
	Reg.	BPED Planning Liaison	M
Annual Transportation Improvement Program (TIP) review and approval coordination	a. SU b. RE c. PR d. CO relat e. CO Coo	a. Review draft annual TIP to ensure compliance with 23 CFR 450 requirements and the MPO's TIP public participation plan. b. Provide written comments to the MPO and copy Region Planning Liaison. c. Communicate concurrence with the final draft to the Region Planning Liaison, Region TIP Coordinator and Statewide MPO/RPC Coordinator.	a. dr b. c. In d. B
	Reg.	BPED Planning Liaison	M
Transportation Improvement Program (TIP) Amendment review and approval coordination	a. SU pro b. RE c. AC	a. Review proposed TIP amendments included in TAC meeting agendas. b. Ensure compliance with 23 CFR 450 requirements and the MPO's TIP public participation plans. c. Communicate questions and/or concurrence with TIP amendments to Region Planning Liaison, Region TIP Coordinator, and Statewide MPO/RPC Coordinator.	a. b. c. C
	Reg.	BPED Planning Liaison	M
MPO Unified Planning Work Program (UPWP) review and approval	a. PA b. SE c. CO befo d. E	a. Participate in the development of UPWP planning activities. b. Suggest potential activities in coordination with WisDOT planning goals and objectives. c. Coordinate review comments with other DTIM Bureau/Section staff (i.e. Forecasting). d. Review and provide comments on draft UPWP before and/or during fall review meeting. e. Review UPWP work elements to ensure eligibility for federal planning (PL) funding. f. Ensure review comments are incorporated within final UPWP.	a. b. c. d. e. f. ap
	Reg.	BPED Planning Liaison	M
UPWP Fall Review meetings	a. M b. PE c. AL	a. Monitor completion of the draft UPWPs for assigned MPOs. b. Send out draft agenda with a solicitation for additional agenda topics. c. Coordinate final agenda with the MPO and assigned Region Liaison. d. Facilitate the fall review meeting.	a. V b. a
	Reg.	BPED Planning Liaison	M
UPWP Mid-year Review meetings	a. PE b. AL	a. Send out draft agenda with a solicitation for additional agenda topics. b. Coordinate final agenda with the MPO and assigned Region Liaison. c. Facilitate the mid-year review meeting.	a. ot be b pe c
	Reg.	BPED Planning Liaison	M
UPWP Reimbursement Request Process	a. CO	a. Be the main contact to receive the MPO's reimbursement requests. b. Review quarterly reimbursement requests for completeness per WisDOT's UPWP Handbook guidelines. c. Work with the MPOs on any missing or unclear information. d. Approve processing of reimbursement request by email to the Statewide MPO/RPC Coordinator. e. The goal for BPED is to review, approve and forward requests to the Bureau of Business Services (BBS) within 5 business days after receipt of complete requests.	a. b. c. re
	Reg.	BPED Planning Liaison	M
MPOs Long Range Transportation Plans	a. BR b. AL c. PR d. AL e. CO Coo f. CO	a. Attend TAC and LTRP development meetings. b. Be a resource for state and federal requirements for LRTPs. c. Provide input to assist in the development of LRTPs that are consistent with state transportation plans. d. Coordinate with applicable WisDOT staff to share data with MPOs. e. Be a conduit to all DTIM staff in the coordination of LTRP development. f. Ensure Metropolitan Planning Area (MPA), TMA, and local goals are incorporated within the state LRTPs (i.e. air quality conformity, congestion management plans and environmental justice).	a. a c. a a a a a
Yellow highlight means these staff members			

Region and BPED MPO Planning		
	Reg	MPO/RPC Statewide Coordinator
MPO Technical Advisory Committee (TAC) and Policy Board (PB) meeting attendance	a. Dr b. A c. P d. In	
	Reg	MPO/RPC Statewide Coordinator
Annual Transportation Improvement Program (TIP) review and approval coordination	a. Su b. R c. Pr d. Co e. C f. Co	a. Verify Region TIP Coordinator, Region Planning Liaison, and BPED Planning Liaison concurrence with final draft of the MPO TIPs. b. Draft approval letters for Secretary's signature and route letters for signature. c. Coordinate with FHWA and FTA for the inclusion of the WisDOT approved annual TIPs in the Statewide Improvement Program (STIP) by reference. d. Forward copies of signed TIP approval letters to MPOs, FHWA, FTA, BPED/Region Planning Chiefs, BPED/Region Planning Liaisons and Region TIP Coordinators.
	Reg	MPO/RPC Statewide Coordinator
Transportation Improvement Program (TIP) Amendment review and approval coordination	a. Su b. R c. Ac	a. Verify concurrence of the TIP amendments with BPED Planning Liaison. b. Draft approval letters for Secretary's signature and route letters for signature. c. Forward copies of signed TIP amendment approval letters to MPOs, FHWA, FTA, BPED/Region Planning Chiefs, BPED/Region Planning Liaisons and Region TIP Coordinators.
	Reg	MPO/RPC Statewide Coordinator
MPO Unified Planning Work Program (UPWP) review and approval	a. Pa b. S c. C d. E	a. Review UPWP work elements to ensure eligibility for federal planning (PL) funding. b. Verify concurrence for approval with Planning Liaisons. c. Draft approval letters for the WisDOT Secretary's signature and route letters for signature. d. Forward WisDOT Secretary signed letters for FHWA approval. e. Work with FHWA and appropriate WisDOT staff for funding authorization. f. Send out the authorization letters, with FHWA UPWP approval attached, to the MPOs and Cc: appropriate WisDOT Planning Liaisons (both Region and BPED) and WisDOT BPED/Region Planning Chiefs.
	Reg	MPO/RPC Statewide Coordinator
UPWP Fall Review meetings	a. M b. P c. A	a. Work with FHWA, WisDOT Region, BPED Planning Liaisons, the Statewide MPO Coordinator, and other WisDOT transportation planners to develop draft fall review meeting agenda topics by the end of August. b. Attend review meetings, with an emphasis on ensuring the UPWP budgets are consistent with the MPO's annual allocations.
	Reg	MPO/RPC Statewide Coordinator
UPWP Mid-year Review meetings	a. P b. At	a. Work with FHWA, WisDOT Region, BPED Planning Liaisons, the Statewide MPO/RPC Coordinator, and other WisDOT transportation planners to develop draft mid-year review meeting agenda topics by the beginning of May. b. Attend review meetings, with an emphasis on monitoring if the MPO is on track to expend all approved PL funding by the end of the calendar year. c. Discuss funding availability and estimates for next year's UPWP, as known at the time.
	Reg	MPO/RPC Statewide Coordinator
UPWP Reimbursement Request Process	a. Co b. es	a. Review financial spreadsheet for accuracy. b. Work with the BPED Liaison and MPOs on any missing or unclear information. c. Forward check request to BBS within the goal of 5 business days after receiving complete and accurate requests.
	Reg	MPO/RPC Statewide Coordinator
MPOs Long Range Transportation Plans	a. B b. A c. P d. A e. C f. C	

Yellow highlight means these staff members

Source: Wisconsin Department of Transportation, used with permission

Examples of Texas Law Pertaining to Coordination between the Texas DOT and MPOs

Title 43, Texas Administrative Code, Rule 16.51, Responsibilities of Metropolitan Planning Organizations (MPO), Subsection (f):

(f) Metropolitan planning in areas with multiple MPOs. If more than one MPO has authority in a metropolitan planning area (including multistate metropolitan planning areas) or in an area which is designated as nonattainment or maintenance for transportation related pollutants, the MPOs, the governor, and the governor's counterpart in any other involved state shall cooperatively establish the boundaries of the metropolitan planning area (including the 20-year planning horizon and relationship to the nonattainment or maintenance areas) and the respective jurisdictional responsibilities of each MPO. The MPOs shall consult with each other and the states to assure the preparation of integrated plans and transportation improvement programs for the entire metropolitan planning area. While an individual MPO's metropolitan transportation plan and transportation improvement program may be developed separately, each plan and transportation improvement program must be consistent with the plans and transportation improvement programs of other MPOs in the metropolitan planning area. For the overall metropolitan planning area, the individual MPO planning process shall reflect coordinated data collection, analysis, and development. In those areas where this provision is applicable, coordination efforts shall be initiated and the process and outcomes documented in subsequent transmittals of the unified planning work program and various planning products (e.g., the metropolitan transportation plan and transportation improvement program) to the department for further transmittal to the FHWA, FTA, and other applicable federal agencies.

Title 43, Texas Administrative Code, Rule 16.53, Metropolitan Transportation Plan (MTP), Subsection (a):

(a) Requirements. Pursuant to 23 C.F.R. Part 450, each metropolitan planning organization (MPO) shall develop a metropolitan transportation plan (MTP) to address at least a 20-year planning horizon and include both long-range and short-range strategies or actions that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and freight. In addition, the MTP will include a mid-range component of projects covering a period of ten years. The MTP is cooperatively developed by the MPO, the department [i.e., TxDOT], and public transportation operators as defined by 23 C.F.R. Part 450. The MTP must be based on the funding assumptions and forecasts set forth in §16.151 and §16.152 of this chapter (relating to Long-Term Planning Assumptions and Cash Flow Forecast, respectively) as well as reasonably expected local funding options and contingent state, federal, and local funding sources in accordance with federal regulations. The funding assumptions used to develop the ten-year component of the MTP may be subject to review by the department.

Title 43 Texas Administrative Code, Rule 16.54, Statewide Long-Range Transportation Plan (SLRTP), Subsection (b) Requirements:

The plan must:

- (1) include the statewide transportation improvement program developed under §16.103 of this chapter (relating to Statewide Transportation Improvement Program (STIP)) by reference;
- (2) include the unified transportation program developed under §16.105 of this chapter (relating to Unified Transportation Program (UTP)) by reference;

(3) contain specific and clearly defined transportation system strategies and long-term transportation goals for the state, including efforts to maintain a safe transportation system, address travel congestion, and connect Texas communities;

(4) contain specific, measurable targets for each transportation goal and other related performance measures;

(5) consider the projects and strategies adopted by each metropolitan planning organization and rural planning organization in the organization's long-range plans;

(6) contain a long-range rural component for areas not included in the boundaries of an MPO that includes a priority-based listing of corridors for long-range strategies that lead to the development of an integrated intermodal transportation system;

(7) identify priority corridors, projects, or areas of the state that are of particular concern to the department in meeting the goals established under paragraph (3) of this subsection;

(8) contain, for each priority corridor or project listed, an estimate of project costs as approved by the district or districts in which the priority corridor or project is located; and

(9) contain a participation plan for obtaining input on the goals, measurable targets, projects, and priorities under this section from other state agencies, political subdivisions, metropolitan planning organizations, rural planning organizations, local transportation entities, other officials who have local responsibility for the various modes of transportation, and members of the general public.

Title 43 Texas Administrative Code, Rule 16.151, Long-Term Planning Assumptions, Subsection (a) Requirements:

(a) Development. The department, in collaboration with local transportation entities, will develop mutually acceptable assumptions for the purposes of long-range federal and state funding forecasts that are consistent with the project selection criteria prescribed under §16.105(d) of this chapter (relating to Unified Transportation Program (UTP)). The department and each planning organization will use those funding assumptions to coordinate and guide development of the metropolitan transportation plans, statewide long-range transportation plan, transportation improvement programs, rural transportation improvement programs, statewide transportation improvement program, and unified transportation program under §§16.53 - 16.54, 16.101 - 16.103, and 16.105 of this chapter (relating to Metropolitan Transportation Plan (MTP), Statewide Long-Range Transportation Plan (SLRTP), Transportation Improvement Program (TIP), Rural Transportation Improvement Program (RTIP), and Statewide Transportation Improvement Program (STIP), respectively).

Texas Administrative Code rules related to TIP/STIP development, including coordination requirements between TxDOT and the MPOs, are found in Title 43 Texas Administrative Code, Rule 16.101 through 16.106:

[https://texreg.sos.state.tx.us/public/readtac\\$ext.ViewTAC?tac_view=5&ti=43&pt=1&ch=16&sch=C&rl=Y](https://texreg.sos.state.tx.us/public/readtac$ext.ViewTAC?tac_view=5&ti=43&pt=1&ch=16&sch=C&rl=Y)

Texas Transportation Code, Chapter 201, Subchapter P, Unified Transportation Program:

Sec. 201.991. UNIFIED TRANSPORTATION PROGRAM. (a) The department shall develop a unified transportation program covering a period of 10 years to guide the development of and authorize construction of transportation projects. The program must:

- (1) annually identify target funding levels; and
 - (2) list all projects that the department intends to develop or begin construction of during the program period.
- (b) The commission shall adopt rules that:
- (1) specify the criteria for selecting projects to be included in the program;
 - (2) define program funding categories, including categories for safety, maintenance, and mobility; and
 - (3) define each phase of a major transportation project, including the planning, programming, implementation, and construction phases.
- (b-1) The commission by rule shall:
- (1) adopt a policy comprehensively explaining the department's approach to public involvement and transparency related to the unified transportation program; and
 - (2) require the department to, at a minimum, make a report on any change to the unified transportation program available on the department's Internet website and provide the report to the commission in a public meeting, regardless of any rules adopted for public hearings and approvals.
- (c) The department shall publish the entire unified transportation program and summary documents highlighting project benchmarks, priorities, and forecasts in appropriate media and on the department's Internet website in a format that is easily understandable by the public.
- (d) In developing the rules required by Subsection (b), the commission shall collaborate with local transportation entities.
- (e) In developing the policy required by Subsection (b-1)(1), the commission shall collaborate with stakeholders.

Sec. 201.9911. PLANNING ORGANIZATION 10-YEAR PLAN. (a) Each planning organization shall develop a 10-year transportation plan for the use of the funding allocated to the region. The department shall assist the planning organizations by providing in a timely manner such information as is reasonably requested by the planning organizations.

- (b) The first four years of the plan shall be developed to meet the transportation improvement plan requirements of 23 U.S.C. Section 134 or 135, as applicable.
- (c) For an area that is not within the boundaries of a metropolitan planning organization, the department district shall develop the 10-year transportation plan with input from municipal and county elected officials and transportation officials in the region.

Sec. 201.992. ANNUAL UPDATE TO UNIFIED TRANSPORTATION PROGRAM. (a) The department shall annually update the unified transportation program.

- (b) The annual update must include:
- (1) the annual funding forecast required by Section [201.993](#);
 - (2) the list of major transportation projects required by Section [201.994](#)(b);
 - (3) the category to which the project has been assigned and the priority of the project in the category under Section [201.995](#); and
 - (4) the analysis required by Section [201.808](#)(i).

(c) The department shall collaborate with local transportation entities to develop the annual update to the unified transportation program.

Sec. 201.993. ANNUAL FUNDING AND CASH FLOW FORECASTS. (a) The department annually shall:

(1) develop and publish on the department's Internet website a forecast of all funds the department expects to receive, including funds from this state and the federal government; and

(2) use that forecast to guide planning for the unified transportation program.

(b) The department shall collaborate with local transportation entities to develop scenarios for the forecast required by Subsection (a) based on mutually acceptable funding assumptions.

(c) Not later than September 1 of each year, the department shall prepare and publish on the department's Internet website a cash flow forecast for a period of 20 years.

Sec. 201.9932. PROJECT RECOMMENDATION CRITERIA. Each planning organization shall develop its own project recommendation criteria, which must include consideration of:

(1) projected improvements to congestion and safety;

(2) projected effects on economic development opportunities for residents of the region;

(3) available funding;

(4) effects on the environment, including air quality;

(5) socioeconomic effects, including disproportionately high and adverse health or environmental effects on minority or low-income neighborhoods; and

(6) any other factors deemed appropriate by the planning organization.

Sec. 201.994. MAJOR TRANSPORTATION PROJECTS. (a) The commission by rule shall:

(1) establish criteria for designating a project as a major transportation project;

(2) develop benchmarks for evaluating the progress of a major transportation project and timelines for implementation and construction of a major transportation project; and

(3) determine which critical benchmarks must be met before a major transportation project may enter the implementation phase of the unified transportation program.

(b) The department annually shall update the list of projects that are designated as major transportation projects.

(c) In adopting rules required by this section, the commission shall collaborate with local transportation entities.

Sec. 201.995. PRIORITY PROJECTS IN PROGRAM CATEGORIES. (a) The commission by rule shall:

(1) establish categories in the unified transportation program;

(2) assign each project identified in the program to a category; and

- (3) designate the priority ranking of each project within each category.
- (b) The department shall collaborate with local transportation entities when assigning each project included in the unified transportation program to a category established under Subsection (a).
- (c) The highest priority projects within an applicable category of the unified transportation program must be projects designated as major transportation projects.
- (d) In prioritizing and approving projects under Section [201.9991](#) that are included in the unified transportation program, the commission must first evaluate projects on strategic need and potential contribution toward meeting the transportation goals established under Section [201.601\(a-1\)\(1\)](#). After conducting that initial evaluation, the commission may conduct a secondary evaluation based on other factors such as funding availability and project readiness.

Sec. 201.996. FUNDING ALLOCATION. (a) For each funding category established under Section [201.991\(b\)\(2\)](#), the commission by rule shall specify the formulas for allocating funds to districts and metropolitan planning organizations for:

- (1) preventive maintenance and rehabilitation of the state highway system in all districts;
 - (2) mobility and added capacity projects in metropolitan and urban areas;
 - (3) mobility and added capacity projects on major state highways that provide statewide connectivity between urban areas and highway system corridors;
 - (4) congestion mitigation and air quality improvement projects in nonattainment areas;
 - (5) metropolitan mobility and added capacity projects within the boundaries of designated metropolitan planning areas of metropolitan planning organizations located in a transportation management area;
 - (6) transportation enhancements project funding; and
 - (7) projects eligible for federal or state funding, as determined by the applicable district engineer.
- (b) Subject to applicable state and federal law, the commission shall determine the allocation of funds in all of the other categories established under Section [201.991\(b\)\(2\)](#), including a category for projects of specific importance to the state, including projects that:
- (1) promote economic opportunity;
 - (2) increase efficiency on military deployment routes or that retain military assets; and
 - (3) maintain the ability of appropriate entities to respond to emergencies.
- (c) The commission shall update the formulas established under this section at least every four years.

Sec. 201.997. FUND DISTRIBUTION. (a) The department shall allocate funds to the department districts based on the formulas adopted under Section [201.996](#).

(b) In distributing funds to department districts, the department may not exceed the cash flow forecast prepared and published under Section [201.993\(c\)](#).

Sec. 201.998. DISTRICT PROJECT PORTFOLIOS. (a) Each department district shall develop a consistently formatted project portfolio based on the unified transportation program covering a period of at least four years that contains all projects that the district proposes to implement during that period.

- (b) The department shall develop comprehensive performance measures for key steps in the project development process for projects included in each district's project portfolio. The department shall use the performance measures developed under this subsection to track and report whether each district is:
- (1) developing an appropriate mix of projects; and
 - (2) on track to meet letting targets that are consistent with applicable department policy governing when a project should be bid on for a contract awarded by the department.
- (c) The department shall conduct a review of project development activities in each district's project portfolio on a regular basis and use the review to monitor and evaluate the performance of each district.
- (d) In conducting the review required by Subsection (c), the department shall, when appropriate, seek input from key stakeholders such as local government project sponsors or metropolitan planning organizations.
- (e) The commission shall adopt rules as necessary to administer this section.
- (f) The commission shall adopt and regularly update rules:
- (1) governing the overall planning, review, and monitoring process created by this section;
 - (2) specifying how planning and project stakeholders can become involved in the process described by Subdivision (1); and
 - (3) requiring the department to regularly report results under this section to the commission and the public and specifying the method for reporting those results.
- (g) The commission shall consult a stakeholder group before adopting or updating rules under Subsection (f).

Sec. 201.9991. **PRIORITIZATION AND APPROVAL OF PROJECTS BY COMMISSION.** (a) The commission by rule shall prioritize and approve projects included in the statewide transportation plan under Section [201.601](#) or in the unified transportation program under Section [201.991](#) in order to provide financial assistance under this chapter.

- (b) The commission by rule shall establish a performance-based process for setting funding levels for the categories of projects in the department's unified transportation program.
- (c) The commission by rule shall establish a scoring system for prioritizing projects for which financial assistance is sought from the commission by planning organizations. The criteria used to score projects must take into consideration the department's strategic goals as approved by the commission in accordance with the requirements of 23 U.S.C. Section 134 or 135, as applicable. The system must account for the diverse needs of the state so as to fairly allocate funding to all regions of the state.
- (d) The commission may make discretionary funding decisions for no more than 10 percent of the current biennial budget of the department.

Sec. 201.9992. ROLES AND RESPONSIBILITIES OF DEPARTMENT AND METROPOLITAN PLANNING ORGANIZATIONS. (a) The commission shall adopt rules governing:

(1) the alignment of the department's state and federal funding forecasts, including the annual funding forecast required by Section [201.993](#), with the funding forecasts of metropolitan planning organizations, including:

(A) the funding forecasts used for long-term planning as described in Sections [201.620](#) and [472.035](#); and

(B) the 10-year transportation plan required by Section [201.9911](#);

(2) the alignment of the statewide project recommendation criteria developed by the department with the project recommendation criteria developed by metropolitan planning organizations that relate to statewide transportation goals, particularly for major mobility projects using a mix of several funding sources and selected by different entities;

(3) the department's timelines and review process for the 10-year transportation plans required by Section [201.9911](#);

(4) the department's process for allowing metropolitan planning organizations direct access to the department's information systems, software, and technical assistance for the purpose of accomplishing statewide transportation goals; and

(5) the department's process for collaborating with metropolitan planning organizations to regularly evaluate the availability, consistency, and quality of data and other information needed to fully develop a more performance-based transportation planning and project selection system.

(b) A rule adopted under Subsection (a)(3) must take into consideration a metropolitan planning organization's other deadlines and requirements in federal law.

(c) The commission shall consult a stakeholder group before developing the rules required by Subsection (a).

Texas Transportation Code, Chapter 427, Subchapter D, Metropolitan Planning Organizations:

Sec. 472.032. VOTING PROXIES BY POLICY BOARD MEMBERS. (a) A policy board may provide in its bylaws for appointment of voting proxies by its members.

(b) A proxy appointed under Subsection (a):

(1) acts on behalf of and under the supervision of the policy board member who appointed the proxy;

(2) must be appointed in writing; and

(3) is authorized to vote for the policy board member who appointed the proxy to the extent the member has given the proxy the member's voting power.

(c) A legislative member of a policy board may not be counted as absent at a meeting of the policy board during a legislative session.

(d) A legislative member of a policy board may only appoint a proxy under Subsection (a) who is:

(1) the legislative member's employee or staff member;

(2) a person related to the member within the second degree by consanguinity, as determined under Subchapter B, Chapter [573](#), Government Code, who is not required to register as a lobbyist under Chapter [305](#), Government Code;

- (3) another legislative member of the policy board; or
- (4) a locally elected official.

Sec. 472.033. APPLICABILITY OF CONFLICTS OF INTEREST LAW TO POLICY BOARD MEMBERS. (a) A policy board member is considered to be a local public official for purposes of Chapter [171](#), Local Government Code.

(b) If a policy board member must abstain from participation in a vote or decision under Section [171.004](#), Local Government Code, the member's proxy appointed under Section [472.032](#) may not participate in the vote or decision.

(c) The appointment of a proxy by a policy board member does not excuse the member from filing an affidavit required under Section [171.004](#), Local Government Code.

Sec. 472.034. STANDARDS OF CONDUCT; ETHICS POLICY. (a) A policy board member or employee of a metropolitan planning organization may not:

(1) accept or solicit any gift, favor, or service that might reasonably tend to influence the member or employee in the discharge of official duties or that the member or employee knows or should know is being offered with the intent to influence the member's or employee's official conduct;

(2) accept other employment or engage in a business or professional activity that the member or employee might reasonably expect would require or induce the member or employee to disclose confidential information acquired by reason of the official position;

(3) accept other employment or compensation that could reasonably be expected to impair the member's or employee's independence of judgment in the performance of the member's or employee's official duties;

(4) make personal investments that could reasonably be expected to create a substantial conflict between the member's or employee's private interest and the public interest; or

(5) intentionally or knowingly solicit, accept, or agree to accept any benefit for having exercised the member's or employee's official powers or performed the member's or employee's official duties in favor of another.

(b) An employee of a metropolitan planning organization who violates Subsection (a) or an ethics policy adopted under Subsection (c) is subject to termination of the employee's employment or another employment-related sanction. Notwithstanding this subsection, a policy board member or employee of a metropolitan planning organization who violates Subsection (a) is subject to any applicable civil or criminal penalty if the violation also constitutes a violation of another statute or rule.

(c) Each policy board shall:

(1) adopt bylaws establishing an ethics policy for employees of a metropolitan planning organization and policy board members consistent with the standards prescribed by Subsection (a), including provisions to prevent a policy board member from having a conflict of interest in business before the metropolitan planning organization; and

(2) distribute a copy of the ethics policy to:

(A) each new employee not later than the third business day after the date the person begins employment with the agency; and

(B) each new policy board member not later than the third business day after the date the person qualifies for office.

(d) If a person with knowledge of a violation of an ethics policy established under Subsection (c) that also constitutes a criminal offense under another law of this state reports the violation to an appropriate prosecuting attorney who concludes that there is reasonable basis to initiate an investigation, then, not later than the 60th day after the date a person notifies the prosecuting attorney under this subsection, the prosecuting attorney shall notify the Texas Ethics Commission of the status of the prosecuting attorney's investigation of the alleged violation. The Texas Ethics Commission shall, on the request of the prosecuting attorney, assist the prosecuting attorney in investigating the alleged violation.

(e) To the extent an employee of a metropolitan planning organization is subject to the ethics policy of another governmental entity and to the extent that policy conflicts with this section, the ethics policy of the other governmental entity prevails.

Sec. 472.035. COORDINATION WITH DEPARTMENT TO DEVELOP LONG-TERM PLANNING ASSUMPTIONS. Each metropolitan planning organization shall work with the department to develop mutually acceptable assumptions for the purposes of long-range federal and state funding forecasts and use those assumptions to guide long-term planning in the organization's long-range transportation plan.

Sec. 472.036. INTERNET BROADCAST AND ARCHIVE OF OPEN MEETINGS. In a manner that complies with Section [551.128\(c\)](#), Government Code, a metropolitan planning organization that serves one or more counties with a population of 350,000 or more shall broadcast over the Internet live video and audio of each open meeting held by the policy board. Subsequently, the organization shall make available through the organization's Internet website archived video and audio for each meeting for which live video and audio was provided under this section.

Excerpts from the Ohio MPO Administration on Ohio DOT's Role

1.2: ODOT's Two-Fold Role

Fiduciary Responsibilities: Because federal funds for conducting the MPO urban planning process flow through ODOT, the Department has a responsibility to ensure that financial eligibility and reporting requirements associated with using federal funds are met. A key document assisting ODOT in performing these functions is the annual MPO Work Program, which documents the transportation planning activities the MPO staff will engage in during the upcoming fiscal year as well as the funding that will support those work efforts.

Planning Process Participant: Active participation in the MPO's regional transportation planning and decision-making process is encouraged to present the state's perspective in the consensus building process that leads toward identification of regional transportation needs, solutions, and priorities. District Office staff assumes the lead role in MPO planning program participation with the District Deputy Director being a voting member on MPO Policy Boards.

2.3: Interagency Agreements

State/MPO Handling Agency Agreement: Each MPO monetary handling agency and the State of Ohio biennially execute an agreement for urban transportation planning and transportation programs. This agreement specifies the cooperative efforts of the MPO and ODOT to conduct the 3-C planning process within the defined area.

The MPO/ODOT agreement is renewed every two years, consistent with Ohio's biennial budget cycle which begins July 1 of every odd-numbered year. ODOT's Office of Statewide Planning & Research initiates renewal of the agreement in January of the odd-numbered year for execution prior to the beginning of Ohio's state fiscal year on July 1st. Before renewal, ODOT reviews the existing base agreement and drafts changes according to federal and state requirements. Following a legal review of any changes, the final agreement is sent to each MPO by May 1st for execution.

Approval of the agreement should be included as an agenda item at the May/June meetings of the handling agency. The signed agreement must be returned to the ODOT Office of Statewide Planning & Research by June 15th.

2.10: District Responsibilities

- Actively participate on MPO board, TAC, and other committees
- Coordinate boundary changes with local governments, cities which are small urban areas, and MPOs
- Coordinate functional classification changes
- Assist ODOT Central Office with MPO study area boundary changes
- Participate in MPO membership discussion
- Ensure MPO executes biennial MPO/ODOT agreement
- Assist in modifying agreement if necessary
- Periodic review of prospectus
- Review and process MPO invoices
- Maintain MPO suballocated fund commitments in Ellis