



# Chapter 1:

Requirements  
and Policies





# REQUIREMENTS AND POLICIES

## Regional Long-Range Transportation Plan

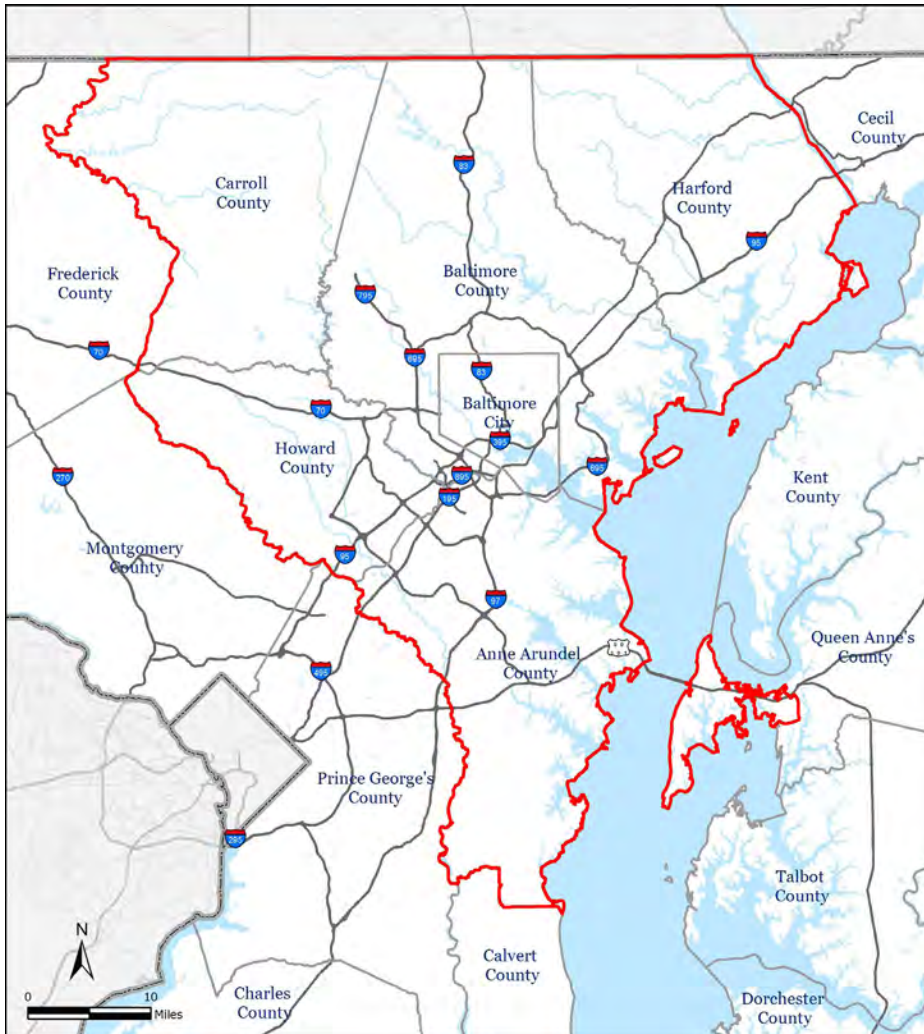
*Maximize2045: A Performance-Based Transportation Plan* is the regional long-range transportation plan for the Baltimore Metropolitan Planning Area (MPA).

This chapter focuses on the legal bases for development of the plan. This includes an overview of federal requirements for the planning process, fiscal requirements, and civil rights laws.



At a minimum, an MPA must cover the urbanized area and contiguous geographic areas likely to become urbanized within the next 20 years. The Baltimore MPA consists of Baltimore City; Anne Arundel, Baltimore, Carroll, Harford, and Howard counties; and a portion of Queen Anne's County (see map).

### Baltimore Metropolitan Planning Area



### Requirements under Federal Law

The most recent federal transportation legislative program, Fixing America's Surface Transportation (FAST) Act, was signed into law on December 4, 2015. The FAST Act preserves the commitment to the metropolitan transportation planning process established in previous federal initiatives.

On May 27, 2016, the U.S. Department of Transportation (U.S. DOT) issued the latest regulations regarding metropolitan transportation planning, specifically outlining the planning requirements associated with the metropolitan planning process, including the regional long-range transportation plan.

### Metropolitan Planning Organization (MPO)

Federal law requires every urbanized area in the U.S. with a population greater than 50,000 to have a metropolitan planning organization (MPO). An MPO is a regional policy making organization consisting of representatives of local governments and governmental transportation agencies. The purpose of an MPO is to ensure regional cooperation in transportation planning.

The functions of an MPO include:

- Coordinate federal funding for transportation.
- Conduct transportation planning in cooperation with federal agencies, state agencies, and the operators of publicly owned transit services.
- Ensure that transportation expenditures are based on a continuing, cooperative, and comprehensive (3-C) planning process.
- Provide reasonable opportunity for input from the public and interested parties.

## Baltimore Regional Transportation Board (BRTB)

The BRTB is the federally designated MPO acting as the regional transportation planning and policy making body for the Baltimore region. In this capacity, the BRTB is directly responsible for conducting the continuing, cooperative, and comprehensive (3-C) transportation planning process for the Baltimore metropolitan region in accordance with the metropolitan planning requirements.

The BRTB provides policy direction and oversight in the development of the federally mandated regional long-range transportation plan, the Transportation Improvement Program (TIP) and the transportation element of the State Air Quality Implementation Plan (SIP).

The BRTB is a 13-member policy board consisting of Annapolis and Baltimore cities; Anne Arundel, Baltimore, Carroll, Harford, Howard, and Queen Anne's counties; the Maryland Department of Transportation (MDOT); the Maryland Department of the Environment (MDE); the Maryland Department of Planning (MDP); the Maryland Transit Administration (MTA); and a representative of public transportation.

Voting rights are extended to all members with the exception of MDE, MDP, and MTA. These agencies serve the BRTB in an advisory capacity. Harford Transit currently serves the role of "representative of public transportation" on the BRTB, based on a vote of the public transit providers in the region.

Representatives from the local jurisdictions and agencies have been designated and empowered by their respective lead elected official or department secretary to integrate locally oriented policies and needs.

## Baltimore Metropolitan Council (BMC)

The Baltimore Metropolitan Council (BMC) provides technical staff to assist the BRTB and its advisory committees. BMC staff supports regional planning by providing:

- long- and short-range transportation planning
- demographic and economic analyses
- travel demand modeling
- air quality modeling
- environmental coordination
- GIS services
- development monitoring (database of building permits)

In addition, the BMC is the host agency for the Urban Area Work Group (responsible for coordinating regional emergency preparedness activities), Reservoir Watershed Protection Committee, and Regional Cooperative Purchasing Committee.



## Regional Plan / Regional Program

Federal law requires each MPO to develop a transportation plan and a Transportation Improvement Program (TIP) for its region. The BRTB evaluates and selects projects for plans and programs in accordance with regional goals and policies. This is done in consultation with state agencies, transit providers, and local jurisdictions.

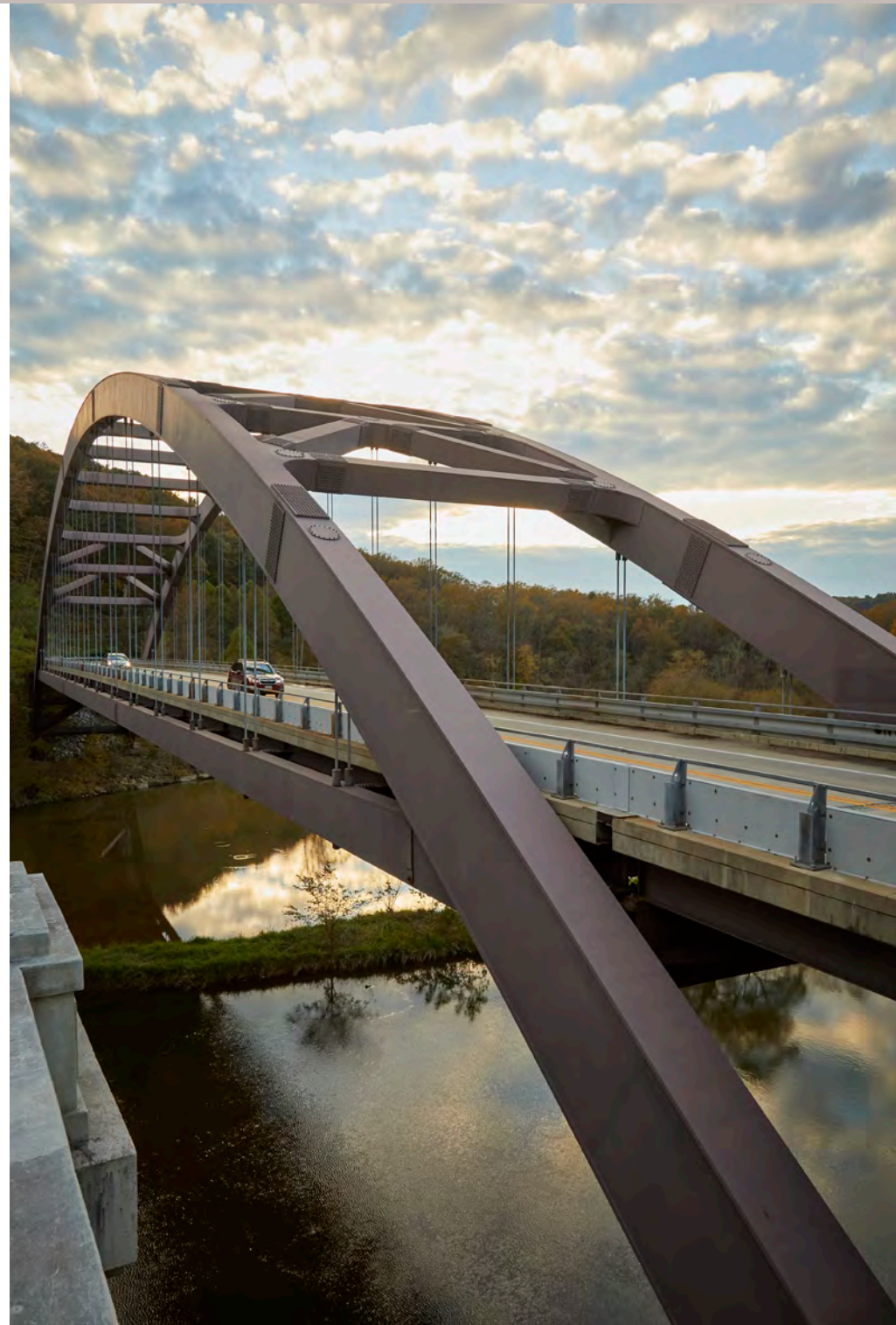
## Regional Long-Range Transportation Plan

*Maximize2045* is the long-range transportation plan for the Baltimore region. *Maximize2045* establishes the region's broad transportation goals and strategies. These goals and strategies will guide transportation investments over the life of the plan (2024-2045).

*Maximize2045* contains a list of the major surface transportation projects the region expects to implement in the period from 2024 to 2045. The plan also shows revenues the region expects to have available for these projects and estimated costs of these projects.

## Transportation Improvement Program

The Transportation Improvement Program (TIP) is the short-range programming element of the regional plan. The TIP shows all of the transportation projects with committed federal funding that the region expects to design and/or implement over the next four years. The TIP ensures consistency between plan recommendations and project implementation in the region.





*Maximize2045* establishes the region's broad transportation goals and strategies.

## Planning Factors

Federal law requires the metropolitan planning process to provide for consideration and implementation of projects, strategies, and services that will address these factors:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
- Increase the safety of the transportation system for motorized and non-motorized users.
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- Increase accessibility and mobility options of people and freight.
- Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and state and local planned growth and economic development patterns.
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight.
- Promote efficient system management and operation.
- Emphasize the preservation of the existing transportation system.
- Improve the resiliency and reliability of the transportation system and reduce or mitigate stormwater impacts of surface transportation.
- Enhance travel and tourism.

## Fiscal Constraint

Federal law requires regional transportation plans and programs to be fiscally constrained.

# costs ≤ revenues

The regional long-range transportation plan must include a financial plan that shows how the region expects to pay for each project and program. That is, *Maximize2045* is not a “wish list” of projects.

For *Maximize2045*, the BRTB, in consultation with the Maryland Department of Transportation, has forecasted the amount of funding from federal, state, and private sources the region reasonably anticipates will be available for the period from 2024-2045.

The total estimated costs of *Maximize2045* projects and programs cannot exceed the total anticipated revenues. Chapter 6 of this document provides details on the anticipated revenues for *Maximize2045*.

For the TIP, fiscal constraint means that each programmed project must include (1) a budget showing committed funding and funding sources and (2) a realistic implementation schedule based on when funds will be available.

## Performance-Based Approach

Under the FAST Act and its predecessor, the Moving Ahead for Progress in the 21st Century Act (Map-21), the metropolitan transportation planning process for both states and MPOs must “provide for the establishment and use of a performance-based approach to transportation decision making.”

### Performance Measures and Targets – Highways

Federal law requires the U.S. DOT to establish national standards for asset condition and system performance for facilities on the National Highway System (NHS). The FAST Act also continues the Highway Safety Improvement Program established under previous legislation. This program is intended to “achieve a significant reduction in traffic fatalities and serious injuries on all public roads.” The performance-based approach found in both the state and the metropolitan planning processes must support national goals (see box on the next page).

Each state is required to develop an asset management plan for its NHS facilities and a state highway safety improvement program. This includes a strategic highway safety plan that “identifies and analyzes highway safety problems and opportunities.”

The state plans must include strategies that will make progress toward achieving targets for asset condition, system performance, and safety. States establish state performance measures and targets based on the national standards.

MPOs set the regional performance measures and targets, in consultation with states, to use in tracking progress toward attaining critical outcomes for the region.

The metropolitan transportation planning process for both states and MPOs must “provide for the establishment and use of a performance-based approach to transportation decision making.”



## National Performance Goals - Highways

**Safety** – Achieve a significant reduction in traffic fatalities and serious injuries on all public roads.

**Infrastructure Condition** – Maintain the highway infrastructure asset system in a state of good repair.

**Congestion Reduction** – Achieve a significant reduction in congestion on the National Highway System.

**System Reliability** – Improve the efficiency of the surface transportation system.

**Freight Movement and Economic Vitality** – Improve the national freight network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development.

**Environmental Sustainability** – Enhance the performance of the transportation system while protecting/enhancing the natural environment.

**Reduced Project Delivery Delays** – Reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies' work practices.

## Performance Measures and Targets – Transit Systems

Federal law requires the U.S. DOT to implement a national transit asset management system and a national transit safety program.

The National Transit Asset Management System is a “strategic and systematic process of operating, maintaining, and improving public transportation capital assets effectively through the life cycle of such assets.” The foundation of this system is the concept of state of good repair.

The purpose of the National Public Transportation Safety Plan is to improve the safety of all public transportation systems. This plan includes:

- safety performance criteria for all modes of public transportation
- minimum safety performance standards for public transportation vehicles used in revenue operations
- a public transportation safety certification training program.

Each direct recipient of federal transit funds (in this region, this is the Maryland Transit Administration) develops its own asset management and safety plans, consistent with the national plans.

MPOs develop regional transit system performance targets for asset management and safety in coordination with transit providers.

## Performance Measures and Targets – More Information

Chapter 5 covers the specific regional performance measures and targets set by the BRTB, in consultation with MDOT and the federal agencies.

## Air Quality Conformity

“Conformity” means that the projects in *Maximize2045* will not cause or contribute to new air quality violations, worsen existing violations, or delay timely attainment of air quality standards.

## National Air Quality Standards

To protect public health, the U.S. Environmental Protection Agency (EPA) sets the national ambient air quality standards (NAAQS) for certain “criteria pollutants.” The EPA then determines the areas that do not meet these standards.

The Baltimore region is designated as a nonattainment area with regard to the 8-hour ozone National Ambient Air Quality Standard (NAAQS).

## State Implementation Plan

The State Implementation Plan (SIP) developed by the Maryland Department of the Environment establishes a plan for how the region will achieve the NAAQS by the required attainment date. The SIP addresses all sources of pollution in the region. For on-road mobile sources of pollution (e.g., cars, trucks, and buses), the SIP establishes motor vehicle emission budgets.

## Conformity Evaluation

The Clean Air Act Amendments require careful evaluation of the conformity between transportation plans and programs and the SIP for attaining air quality standards. The region must show that its transportation plans and programs conform to the air quality goals in the SIP and are within the motor vehicle emission budgets.

*Maximize2045* demonstrates conformity since the projected emissions levels from its proposed projects are less than the emissions “budgets” established in the State Implementation Plan.

See Appendix C for technical details of the air quality conformity analysis performed for *Maximize2045*.



## Congestion Management Process

Federal law requires all metropolitan areas with populations greater than 200,000 to have a Congestion Management Process (CMP).

The CMP identifies actions and strategies to reduce traffic congestion and increase mobility. These include:

- identifying congested locations
- determining the causes of congestion
- evaluating the congestion mitigation potential of different strategies
- evaluating the effects of previously implemented strategies.

Appendix D includes technical details on the region’s CMP and how the projects in this plan are consistent with this CMP.

## Consultation with Interested Parties and the Public

Federal law requires MPOs to consult with state and local officials, transit operators, and the public when conducting transportation planning.

MPOs are required to develop a public participation plan that defines a process for providing the public and interested parties with reasonable opportunities to be involved in the planning process. Appendix E includes details about the public engagement process during the development of *Maximize2045*.

MPOs are encouraged to consult or coordinate with planning officials responsible for other types of planning activities affected by transportation. These activities include planned growth, economic development, environmental protection, and freight movement.

Federal law also stipulates that the public participation plan consider the needs of people and groups traditionally underserved by transportation systems, including low-income and minority households.

Appendix E presents additional details on the BRTB's public participation process and its specific outreach efforts in developing *Maximize2045*.





## Title VI of the Civil Rights Act

Regional plans and programs must comply with Title VI. The intent of this law is to ensure that public funds are not spent in a manner that encourages, subsidizes, perpetuates, or results in discrimination.

Title VI of the Civil Rights Act of 1964 states that no person in the U.S. shall, on the basis of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Because the BRTB receives federal funding in carrying out the metropolitan planning process, its products (e.g., this regional transportation plan) and programs must comply with Title VI.

## Executive Order – Environmental Justice

Environmental Justice seeks to ensure that the benefits and burdens of transportation investments are shared as equitably as possible among all affected communities.

Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority and Low Income Populations,” addresses this issue. This Executive Order and its accompanying memorandum reinforce the requirements of Title VI that focus federal attention on environmental and human health conditions in minority and low-income communities.

Appendix C includes an analysis of the potential effects of this plan’s major projects on Environmental Justice populations.

