

113TH CONGRESS  
2D SESSION

# H. R. 5467

To enhance the capabilities of metropolitan planning organizations, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2014

Ms. FRANKEL of Florida (for herself, Mr. CLEAVER, and Mr. CICILLINE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To enhance the capabilities of metropolitan planning organizations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Metropolitan Planning  
5 Enhancement Act”.

6 **SEC. 2. CONSOLIDATED AND HIGH PERFORMING METRO-**  
7 **POLITAN PLANNING ORGANIZATIONS.**

8 (a) CONSOLIDATION OF METROPOLITAN PLANNING  
9 ORGANIZATIONS.—

1           (1) SECTION 134 AMENDMENT.—Section  
2 134(d)(6) of title 23, United States Code, is amend-  
3 ed to read as follows:

4           “(6) CONSOLIDATION OF METROPOLITAN PLAN-  
5 NING ORGANIZATIONS WITHIN URBANIZED AREAS.—

6           “(A) LIMITATION ON NEW METROPOLITAN  
7 PLANNING ORGANIZATION DESIGNATIONS.—A  
8 metropolitan planning organization shall not be  
9 newly designated—

10           “(i) within a metropolitan statistical  
11 area if another metropolitan planning or-  
12 ganization already exists within the bound-  
13 aries of the metropolitan statistical area;  
14 or

15           “(ii) outside of a metropolitan statis-  
16 tical area.

17           “(B) MULTIPLE EXISTING METROPOLITAN  
18 PLANNING ORGANIZATIONS.—If multiple exist-  
19 ing metropolitan planning organizations are  
20 designated within a metropolitan statistical  
21 area—

22           “(i) the metropolitan planning organi-  
23 zations may—

1           “(I) retain their designation as  
2           distinct metropolitan planning organi-  
3           zations; or

4           “(II) be consolidated by agree-  
5           ment between the metropolitan plan-  
6           ning organizations;

7           “(ii) the Governor (or Governors) and  
8           the existing metropolitan planning organi-  
9           zations shall—

10           “(I) revisit a determination to re-  
11           main unconsolidated every 10 years,  
12           beginning two years after the next de-  
13           cennial census; and

14           “(II) provide justification to the  
15           Secretary of the continued necessity of  
16           the designation of multiple metropoli-  
17           tan planning organizations in the  
18           area; and

19           “(iii) where multiple metropolitan  
20           planning organizations exist within a single  
21           metropolitan statistical area, they shall co-  
22           operate with one another to—

23           “(I) develop a single transpor-  
24           tation improvement plan and a single  
25           long-range plan for use by all metro-

1           politan planning organizations within  
2           the metropolitan statistical area when  
3           developing their individual plans; and

4                   “(II) establish a single set of per-  
5           formance targets that address the per-  
6           formance measures described in sec-  
7           tion 150(c) for use in developing indi-  
8           vidual performance targets in accord-  
9           ance with section 134(h)(2).”.

10           (2) SECTION 5303 AMENDMENT.—Section  
11           5303(d)(6) of title 49, United States Code, is  
12           amended to read as follows:

13                   “(6) CONSOLIDATION OF METROPOLITAN PLAN-  
14           NING ORGANIZATIONS WITHIN URBANIZED AREAS.—

15                           “(A) LIMITATION ON NEW METROPOLITAN  
16           PLANNING ORGANIZATION DESIGNATIONS.—A  
17           metropolitan planning organization shall not be  
18           newly designated—

19                                   “(i) within a metropolitan statistical  
20           area if another metropolitan planning or-  
21           ganization already exists within the bound-  
22           aries of the metropolitan statistical area;  
23           or

24                                   “(ii) outside of a metropolitan statis-  
25           tical area.

1           “(B) MULTIPLE EXISTING METROPOLITAN  
2           PLANNING ORGANIZATIONS.—If multiple exist-  
3           ing metropolitan planning organizations are  
4           designated within a metropolitan statistical  
5           area—

6                   “(i) the metropolitan planning organi-  
7                   zations may—

8                           “(I) retain their designation as  
9                           distinct metropolitan planning organi-  
10                          zations; or

11                           “(II) be consolidated by agree-  
12                           ment between the metropolitan plan-  
13                           ning organizations;

14                          “(ii) the Governor (or Governors) and  
15                          the existing metropolitan planning organi-  
16                          zations shall—

17                           “(I) revisit a determination to re-  
18                           main unconsolidated every 10 years,  
19                           beginning two years after the next de-  
20                           cennial census; and

21                           “(II) provide justification to the  
22                           Secretary of the continued necessity of  
23                           the designation of multiple metropoli-  
24                           tan planning organizations in the  
25                           area; and

1           “(iii) where multiple metropolitan  
 2           planning organizations exist within a single  
 3           metropolitan statistical area, they shall co-  
 4           operate with one another to—

5                   “(I) develop a single transpor-  
 6                   tation improvement plan and a single  
 7                   long-range plan for use by all metro-  
 8                   politan planning organizations within  
 9                   the metropolitan statistical area when  
 10                  developing their individual plans; and

11                   “(II) establish a single set of per-  
 12                   formance targets that address the per-  
 13                   formance measures described in sec-  
 14                   tion 150(c) of title 23, United States  
 15                   Code, for use in developing individual  
 16                   performance targets in accordance  
 17                   with subsection (h)(2) and sections  
 18                   5326(c) and 5329(d) of this title.”.

19           (3) DEFINITIONS.—

20                   (A) HIGHWAY DEFINITION.—Section  
 21                   134(b) of title 23, United States Code, is  
 22                   amended by—

23                           (i) redesignating paragraphs (1)  
 24                           through (7) as paragraphs (2) through (8);  
 25                           and

1 (ii) inserting before paragraph (2), as  
2 redesignated, the following:

3 “(1) CONSOLIDATED METROPOLITAN PLANNING  
4 ORGANIZATION.—The term ‘consolidated metropoli-  
5 tan planning organization’ means a sole metropoli-  
6 tan planning organization that serves a metropolitan  
7 statistical area.”.

8 (B) TRANSIT DEFINITION.—Section  
9 5303(b) of title 49, United States Code, is  
10 amended by—

11 (i) redesignating paragraphs (1)  
12 through (7) as paragraphs (2) through (8);  
13 and

14 (ii) inserting before paragraph (2), as  
15 redesignated, the following:

16 “(1) CONSOLIDATED METROPOLITAN PLANNING  
17 ORGANIZATION.—The term ‘consolidated metropoli-  
18 tan planning organization’ means a sole metropoli-  
19 tan planning organization that serves a metropolitan  
20 statistical area.”.

21 (b) DESIGNATION OF HIGH-PERFORMING METRO-  
22 POLITAN PLANNING ORGANIZATIONS.—

23 (1) SECTION 134 AMENDMENT.—Section 134 of  
24 title 23, United States Code, as amended by this

1 Act, is further amended by adding at the end the  
2 following:

3 “(r) HIGH-PERFORMING METROPOLITAN PLANNING  
4 ORGANIZATIONS.—

5 “(1) IN GENERAL.—A metropolitan planning  
6 organization that represents an urbanized area with  
7 a population of over 200,000 individuals may re-  
8 quest a high-performing metropolitan planning orga-  
9 nization designation from the Secretary.

10 “(2) CRITERIA.—In making a high-performing  
11 metropolitan planning organization designation, the  
12 Secretary shall consider—

13 “(A) the extent to which the metropolitan  
14 planning organization has an equitable and re-  
15 gional approach to decisionmaking;

16 “(B) the extent to which the metropolitan  
17 planning organization has incorporated its per-  
18 formance targets established pursuant to sec-  
19 tion 150 of this title and sections 5303(h)(2),  
20 5326(c), and 5329(d) of title 49 into its plan-  
21 ning process;

22 “(C) whether the metropolitan planning or-  
23 ganization is a consolidated metropolitan plan-  
24 ning organization;



1           “(D) if the metropolitan planning organi-  
2           zation is not a consolidated metropolitan plan-  
3           ning organization, the extent to which the met-  
4           ropolitan planning organization is coordinating  
5           with all other metropolitan planning organiza-  
6           tions designated for the same metropolitan sta-  
7           tistical area;

8           “(E) the technical capacity of the metro-  
9           politan planning organization; and

10           “(F) other criteria established by the Sec-  
11           retary in guidance.

12           “(3) REVIEW.—A designation under paragraph  
13           (1) shall stay in effect for 10 years from the date  
14           of designation.”.

15           (2) SECTION 5303 AMENDMENT.—Section 5303  
16           of title 49, United States Code, as amended by this  
17           Act, is further amended by adding at the end the  
18           following:

19           “(r) HIGH-PERFORMING METROPOLITAN PLANNING  
20           ORGANIZATIONS.—

21           “(1) IN GENERAL.—A metropolitan planning  
22           organization that represents an urbanized area with  
23           a population of over 200,000 individuals may re-  
24           quest a high-performing metropolitan planning orga-  
25           nization designation from the Secretary.

1           “(2) CRITERIA.—In making a high-performing  
2 metropolitan planning organization designation, the  
3 Secretary shall consider—

4           “(A) the extent to which the metropolitan  
5 planning organization has an equitable and re-  
6 gional approach to decisionmaking;

7           “(B) the extent to which the metropolitan  
8 planning organization has incorporated its per-  
9 formance targets established pursuant to sec-  
10 tion 150 of title 23, United States Code, sub-  
11 section (h)(2), and sections 5326(e) and  
12 5329(d) of this title into its planning process;

13           “(C) whether the metropolitan planning or-  
14 ganization is a consolidated metropolitan plan-  
15 ning organization;

16           “(D) if the metropolitan planning organi-  
17 zation is not a consolidated metropolitan plan-  
18 ning organization, the extent to which the met-  
19 ropolitan planning organization is coordinating  
20 with all other metropolitan planning organiza-  
21 tions designated for the same metropolitan sta-  
22 tistical area;

23           “(E) the technical capacity of the metro-  
24 politan planning organization; and

1           “(F) other criteria established by the Sec-  
2           retary in guidance.

3           “(3) REVIEW.—A designation under paragraph  
4           (1) shall stay in effect for 10 years from the date  
5           of designation.”.

6           (c)    SURFACE    TRANSPORTATION    INCENTIVE  
7   FUNDS.—Section 133(d)(1) of title 23, United States  
8   Code is amended to read as follows:

9           “(1) CALCULATION.—The funds apportioned to  
10          a State under section 104(b)(2) shall be obligated as  
11          follows:

12               “(A) SUBALLOCATED FUNDS.—50 percent  
13               of the funds for a fiscal year shall be obligated  
14               under this section, in proportion to their rel-  
15               ative shares of the population of the State—

16                       “(i) in urbanized areas of the State  
17                       with an urbanized area population over  
18                       200,000;

19                       “(ii) in urban areas of the State with  
20                       a population of 5,000 to 200,000; and

21                       “(iii) in areas of the State with a pop-  
22                       ulation of fewer than 5,000.

23               “(B) STATEWIDE FUNDS.—25 percent of  
24               the funds for a fiscal year may be obligated in  
25               any area of the State.

1                   “(C) HIGH-PERFORMING METROPOLITAN  
2                   PLANNING ORGANIZATIONS.—

3                   “(i) IN GENERAL.—25 percent of the  
4                   funds for a fiscal year shall be obligated  
5                   under this section in urbanized areas  
6                   under subparagraph (A)(i) that are served  
7                   by high-performing metropolitan planning  
8                   organizations (as designated by the Sec-  
9                   retary under section 134(r) or section  
10                  5303(r) of title 49, United States Code).  
11                  Any funds remaining under this clause  
12                  shall be obligated in any area of the State  
13                  under subparagraph (B).

14                  “(ii) AMOUNT.—The amount to be ob-  
15                  ligated under clause (i) in an urbanized  
16                  area served by a high-performing metro-  
17                  politan planning organization shall equal  
18                  50 percent of the amount to be obligated  
19                  in that urbanized area under paragraph  
20                  (4) and is in addition to the amount under  
21                  such paragraph.”.

22                  (d) TRANSPORTATION ALTERNATIVES INCENTIVE  
23                  FUNDS.—Section 213(c)(1) of such title is amended to  
24                  read as follows:

1           “(1) CALCULATION.—The funds reserved to a  
2 State shall be obligated as follows:

3           “(A) SUBALLOCATED FUNDS.—50 percent  
4 of the funds for a fiscal year shall be obligated  
5 under this section to any eligible entity in pro-  
6 portion to its relative share of the population of  
7 the State—

8           “(i) in urbanized areas of the State  
9 with an urbanized area population over  
10 200,000;

11           “(ii) in urban areas of the State with  
12 a population of 5,000 to 200,000; and

13           “(iii) in areas of the State with a pop-  
14 ulation of fewer than 5,000.

15           “(B) STATEWIDE FUNDS.—25 percent of  
16 the funds for a fiscal year may be obligated in  
17 any area of the State.

18           “(C) HIGH-PERFORMING METROPOLITAN  
19 PLANNING ORGANIZATIONS.—

20           “(i) IN GENERAL.—25 percent of the  
21 funds for a fiscal year shall be obligated  
22 under this section in urbanized areas  
23 under subparagraph (A)(i) that are served  
24 by high-performing metropolitan planning  
25 organizations (as designated by the Sec-

1           retary under section 134(r) or section  
2           5303(r) of title 49, United States Code).  
3           Any funds remaining under this clause  
4           shall be obligated in any area of the State  
5           under subparagraph (B).

6                   “(ii) AMOUNT.—The amount to be ob-  
7                   ligated under clause (i) in an urbanized  
8                   area served by a high-performing metro-  
9                   politan planning organization shall equal  
10                  50 percent of the amount to obligated in  
11                  that urbanized area under paragraph (3)  
12                  and is in addition to the amount under  
13                  such paragraph.”.

14           (e) OBLIGATION AUTHORITY.—Section 133(f) of  
15 such title is amended—

16                   (1) in paragraph (1), by—

17                           (A) striking “A State” and inserting “Ex-  
18                           cept as provided in paragraph (2), a State”;  
19                           and

20                           (B) striking “fiscal years 2011 through  
21                           2014” and inserting “fiscal years after fiscal  
22                           year 2014”;

23                   (2) by redesignating paragraph (2) as para-  
24                  graph (3) and inserting after paragraph (1) the fol-  
25                  lowing:

1           “(2) HIGH-PERFORMING METROPOLITAN PLAN-  
2           NING ORGANIZATIONS.—

3           “(A) IN GENERAL.—A State that is re-  
4           quired to obligate in an urbanized area under  
5           subsections (d)(1)(A)(i) and (d)(1)(C)(i) shall  
6           make available to such urbanized area on an  
7           annual basis an amount of obligation authority  
8           distributed to the State for Federal-aid high-  
9           ways and highway safety construction programs  
10          for use in the area that is equal to the amount  
11          obtained by multiplying—

12           “(i) the amount of funds that the  
13          State is required to obligate in the area  
14          under such subsections; and

15           “(ii) the ratio specified in paragraph  
16          (1)(B).

17          “(B) AVAILABILITY.—The obligation au-  
18          thority that a State makes available to an ur-  
19          banized area under subparagraph (A) shall re-  
20          main available for a period of four fiscal  
21          years.”; and

22          (3) in paragraph (3), as redesignated, by strik-  
23          ing “paragraph (1)” and inserting “paragraphs (1)  
24          and (2)”.

1 (f) DISTRIBUTION OF METROPOLITAN PLANNING  
2 FUNDS.—Section 104(d)(2)(A) of such title is amended—

3 (1) in clause (i), by striking “; and” and insert-  
4 ing “;”;

5 (2) by redesignating clause (ii) as clause (iii);  
6 and

7 (3) by inserting after clause (i) the following:

8 “(ii) prioritizes the needs of high-per-  
9 forming metropolitan planning organiza-  
10 tions (as designated by the Secretary  
11 under section 134(r) or section 5303(r) of  
12 title 49, United States Code); and”.

13 (g) TECHNICAL CORRECTION.—Subsection 133(h)(1)  
14 of such title is amended by striking “for each of fiscal  
15 years 2013 through 2014” and inserting “each fiscal  
16 year”.

17 **SEC. 3. PARTICIPATION OF PUBLIC PORT AUTHORITIES.**

18 (a) SECTION 134 AMENDMENT.—Section  
19 134(i)(6)(A) of title 23, United States Code, is amended  
20 by inserting “public ports,” before “freight shippers”.

21 (b) SECTION 135 AMENDMENT.—Section 135(g)(3)  
22 of title 23, United States Code, is amended by inserting  
23 “public ports,” before “freight shippers”.



1 (c) SECTION 5303 AMENDMENT.—Section  
2 5303(i)(6)(A) of title 49, United States Code, is amended  
3 by inserting “public ports,” before “freight shippers”.

4 (d) SECTION 5304 AMENDMENT.—Section  
5 5304(g)(3) of title 49, United States Code, is amended  
6 by inserting “public ports,” before “freight shippers”.

7 **SEC. 4. STRENGTHENING THE STATEWIDE AND NONMETRO-**  
8 **POLITAN PLANNING PROCESS.**

9 (a) SECTION 135 AMENDMENT.—Section 135 of title  
10 23, United States Code, is amended—

11 (1) in subsection (f)(5) by striking “may” and  
12 inserting “shall”;

13 (2) in subsection (f)(7)—

14 (A) by striking “should” and inserting  
15 “shall”; and

16 (B) by striking the final “;” and inserting  
17 “.”;

18 (3) in subsection (g)(5)(F)(i) by striking “may”  
19 and inserting “shall”; and

20 (4) by striking subsection (g)(8) and inserting  
21 the following:

22 “(8) CERTIFICATION PROCESS.—

23 “(A) IN GENERAL.—At least once every 4  
24 years the Secretary shall certify that each State  
25 has met the requirements of—

1 “(i) this section; and

2 “(ii) other Federal laws, regulations,  
3 and orders applicable to the statewide and  
4 nonmetropolitan and the metropolitan  
5 planning processes.

6 “(B) FAILURE TO MEET CERTIFICATION.—  
7 If a State does not meet such certification, the  
8 Secretary may withhold up to 20 percent of the  
9 funds attributable to such State for projects  
10 funded under this title and chapter 53 of title  
11 49.

12 “(C) RESTORATION OF FUNDS.—The with-  
13 held funds shall be restored to the State at such  
14 time as the State process is certified by the  
15 Secretary.

16 “(D) PUBLIC INVOLVEMENT.—In making  
17 the certification determinations under this para-  
18 graph, the Secretary shall provide for public in-  
19 volvement appropriate to the State under re-  
20 view.”.

21 (b) SECTION 5304 AMENDMENT.—Section 5304 of  
22 title 49, United States Code, is amended—

23 (1) in subsection (f)(5) by striking “may” and  
24 inserting “shall”;

1           (2) in subsection (f)(7) by striking “should”  
2           and inserting “shall”;

3           (3) in subsection (g)(5)(F)(i) by striking “may”  
4           and inserting “shall”; and

5           (4) by striking subsection (g)(8) and inserting  
6           the following:

7           “(8) CERTIFICATION PROCESS.—

8                   “(A) IN GENERAL.—At least once every 4  
9                   years the Secretary shall certify that each State  
10                   has met the requirements of—

11                           “(i) this section; and

12                           “(ii) other Federal laws, regulations,  
13                           and orders applicable to the statewide and  
14                           nonmetropolitan and the metropolitan  
15                           planning processes.

16                   “(B) FAILURE TO MEET CERTIFICATION.—

17                   If a State does not meet such certification, the  
18                   Secretary may withhold up to 20 percent of the  
19                   funds attributable to such State for projects  
20                   funded under this title and chapter 53 of title  
21                   49.

22                   “(C) RESTORATION OF FUNDS.—The with-  
23                   held funds shall be restored to the State at such  
24                   time as the State process is certified by the  
25                   Secretary.

1           “(D) PUBLIC INVOLVEMENT.—In making  
2           the certification determinations under this para-  
3           graph, the Secretary shall provide for public in-  
4           volvement appropriate to the State under re-  
5           view.”.

6 **SEC. 5. REMOVAL OF THE CONGESTION MANAGEMENT**  
7           **PROCESS.**

8           (a) SECTION 134 AMENDMENT.—Section 134 of title  
9 23, United States Code, as amended by this Act, is further  
10 amended—

11           (1) by striking subsection (k)(3) and redesignig-  
12           nating subsections (k)(4) and (k)(5) as subsections  
13           (k)(3) and (k)(4), respectively; and

14           (2) by striking subsection (n) and redesignating  
15           subsections (o) through (r) as subsections (n)  
16           through (q), respectively.

17           (b) SECTION 135 AMENDMENT.—Section 135 of title  
18 23, United States Code, is amended by striking subsection  
19 (j) and redesignating subsections (k) through (m) as sub-  
20 sections (j) through (l), respectively.

21           (c) SECTION 5303 AMENDMENT.—Section 5303 of  
22 title 49, United States Code, as amended by this Act, is  
23 further amended—

1           (1) by striking subsection (k)(3) and redesignig-  
2           nating subsections (k)(4) and (k)(5) as subsections  
3           (k)(3) and (k)(4), respectively; and

4           (2) by striking subsection (n) and redesignating  
5           subsections (o) through (r) as subsections (n)  
6           through (q), respectively.

7           (d) SECTION 5304 AMENDMENT.—Section 5304 of  
8           title 49, United States Code, is amended by striking sub-  
9           section (i) and redesignating subsections (j) through (l)  
10          as subsections (i) through (k), respectively.

11 **SEC. 6. PUBLIC INVOLVEMENT IN PLAN DEVELOPMENT.**

12          (a) SECTION 134 AMENDMENT.—Section 134(i) of  
13          title 23, United States Code, is amended—

14               (1) in paragraph (4), by inserting after sub-  
15               paragraph (C) the following:

16                       “(D) PUBLIC INVOLVEMENT.—Metropoli-  
17                       tan planning organizations shall offer interested  
18                       parties, such as those described in paragraph  
19                       (6), a reasonable opportunity to participate in  
20                       the development and consideration of sce-  
21                       narios.”; and

22               (2) in paragraph (6), by striking “comment on  
23               the transportation plan” and inserting “provide  
24               input during the development and implementation of  
25               the transportation plan”.

1           (b)       SECTION     135       AMENDMENT.—Section  
2 135(f)(3)(A)(ii) of title 23, United States Code, is amend-  
3 ed by striking “comment on the transportation plan”; and  
4 inserting “provide input during the development of the  
5 transportation plan”.

6           (c) SECTION 5303 AMENDMENT.—Section 5303(i) of  
7 title 49, United States Code, is amended—

8                   (1) in paragraph (4), by inserting after sub-  
9 paragraph (C) the following:

10                           “(D) PUBLIC INVOLVEMENT.—Metropoli-  
11 tan planning organizations shall offer interested  
12 parties, such as those described in paragraph  
13 (6), a reasonable opportunity to participate in  
14 the development and consideration of sce-  
15 narios.”; and

16                   (2) in paragraph (6), by striking “comment on  
17 the transportation plan” and inserting “provide  
18 input during the development and implementation of  
19 the transportation plan”.

20           (d)       SECTION     5304       AMENDMENT.—Section  
21 5304(f)(3)(A)(ii) of title 49, United States Code, is  
22 amended by striking “comment on the proposed plan”;  
23 and inserting “provide input during the development of  
24 the transportation plan”.

1 **SEC. 7. PERFORMANCE-BASED PROJECT SELECTION.**

2 (a) SECTION 134 AMENDMENT.—Section  
3 134(j)(2)(D) of title 23, United States Code, is amended  
4 to read as follows:

5 “(D) PERFORMANCE TARGET ACHIEVE-  
6 MENT.—In adding projects to a transportation  
7 improvement program, a metropolitan planning  
8 organization shall create a process to evaluate  
9 and select each project or collection of projects  
10 based on the project’s (or collection of projects’)  
11 inclusion of elements that are known to sup-  
12 port, or will foreseeably support outcomes that  
13 will achieve the performance targets established  
14 in the metropolitan transportation plan by the  
15 metropolitan planning organization in accord-  
16 ance with subsection (h)(2)(B).”.

17 (b) SECTION 135 AMENDMENT.—Section 135(g)(4)  
18 of title 23, United States Code, is amended to read as  
19 follows:

20 “(4) PERFORMANCE TARGET ACHIEVEMENT.—  
21 In adding projects to a State transportation im-  
22 provement program, a State shall create a process to  
23 evaluate and select each project or collection of  
24 projects based on the project’s (or collection of  
25 projects’) inclusion of elements that are known to  
26 support, or will foreseeably support, outcomes that

1 will achieve the performance targets established in  
2 the long-range statewide transportation plan in ac-  
3 cordance with subsection (f)(7)(A).”.

4 (c) SECTION 5303 AMENDMENT.—Section  
5 5303(j)(2)(D) of title 49, United States Code, is amended  
6 to read as follows:

7 “(D) PERFORMANCE TARGET ACHIEVE-  
8 MENT.—In adding projects to a transportation  
9 improvement program, a metropolitan planning  
10 organization shall create a process to evaluate  
11 and select each project or collection of projects  
12 based on the project’s (or collection of projects’)  
13 inclusion of elements that are known to sup-  
14 port, or will foreseeably support outcomes that  
15 will achieve the performance targets established  
16 in the metropolitan transportation plan by the  
17 metropolitan planning organization in accord-  
18 ance with section 134(h)(2)(B) of title 23.”.

19 (d) SECTION 5304 AMENDMENT.—Section  
20 5304(g)(4) of title 49, United States Code, is amended  
21 to read as follows:

22 “(4) PERFORMANCE TARGET ACHIEVEMENT.—  
23 In adding projects to a State transportation im-  
24 provement program, a State shall create a process to  
25 evaluate and select each project or collection of



1 projects based on the project's (or collection of  
2 projects') inclusion of elements that are known to  
3 support, or will foreseeably support, outcomes that  
4 will achieve the performance targets established in  
5 the long-range statewide transportation plan in ac-  
6 cordance with section 135(f)(7)(A) of title 23.".

7 **SEC. 8. EFFECTIVE DATE.**

8 This Act and the amendments made by this Act are  
9 effective October 1, 2014, and apply only to projects and  
10 other activities for which obligations or expenditures are  
11 first approved on or after that date.

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