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SUBCHAPTER A. TRANSPORTATION PLANNING

§15.1. Purpose, Applicability, and Introduction.

(a) Purpose. It is in the interest of the state to encourage and promote the safe and efficient management, operation, and development of transportation systems that will serve the mobility needs of people and movement of freight, and foster economic growth and development in both rural and urbanized areas of the state, while minimizing transportation related air pollution. These goals can be advanced through a continuing, cooperative, and comprehensive transportation planning process that includes the state, metropolitan, rural, rail, and transit organizations, and promotes plans, programs, and policies which consider all transportation modes and support community development and social goals. Subchapters A, B, C, D, and E of this chapter prescribe minimum standards for metropolitan and rural transportation planning and program development, describe how the state and planning organizations will develop coordinated transportation planning processes, plans, and programs, and ensure the eligibility of the state to continue to receive federal transportation funds. The ultimate goal is to establish a transparent, well-defined, and understandable system of planning and programming that
integrates priorities, financial forecasts, and project
milestones.

(b) Applicability. The provisions of Subchapters A, B, C, D, and E of this chapter apply to the Texas Department of
Transportation, all metropolitan planning organizations serving urbanized areas as defined by the U.S. Bureau of the Census with
populations of at least 50,000, as well as rural planning organizations and appropriate federally-funded publicly operated
transit agencies.

(c) Relationship to federal law and regulations.
Subchapters A, B, C, D, and E of this chapter incorporate by reference federal transportation planning laws and regulations.
If there is a conflict between obligations imposed by federal law or regulation governing the transportation planning, project
development, and programming process for the Texas Department of Transportation and planning organizations, and those imposed by Subchapters A, B, C, D, and E of this chapter, federal requirements will control.

(d) Introduction.

(1) An effective transportation planning and programming process requires continuous cooperation among many state, local,
and federal transportation entities and the integration of numerous requirements imposed by state and federal law. It is a
multi-step process that is more dynamic than static and more
circular than linear in concept. The process includes
development by the Texas Department of Transportation
(department), metropolitan planning organizations (MPO), and
rural planning organizations (RPO) of separate but interrelated
long-range planning documents that identify projects,
strategies, and transportation needs, mid-range programming
documents that contain a listing of prioritized projects
anticipated to be ready for implementation in identified future
years, and short-range programming documents that contain a
listing of prioritized projects that are likely to be
implemented. Underlying the planning and programming process is
the need to develop reliable financial assumptions and forecasts
for common use by all participants at all levels of the process.
Finally, there is the allocation of available state and federal
resources by the department and MPOs to fund individual projects
that will address the long-range needs and goals. Strategic
performance measures are used to monitor and evaluate
effectiveness of the process and its participants and to
identify areas that need improvement.

(2) The planning and programming process involves a
number of documents that have similar names and overlapping
functions. Long-range planning documents include the statewide
long-range transportation plan (SLRTP) and metropolitan transportation plan (MTP). The short-range and mid-range programming documents merge the needs of project planning with financial forecasting. Programming documents include the four-year metropolitan transportation improvement program (TIP), four-year statewide transportation improvement program (STIP), metropolitan planning organization ten-year transportation program (MTYTP), and ten-year statewide unified transportation program (UTP). The planning and programming documents are more particularly described as follows:

(A) The statewide long-range transportation plan (SLRTP) is a comprehensive, statewide multimodal transportation plan that covers a period of at least 24 years and serves as the defining vision for the state's transportation system and services. It is comprised of two components: a priority based listing of projects that are expected to be developed within the financial constraint of forecasted state and federal funding levels, and a non-financially constrained component that identifies projects, strategies, and other needs that could be developed if additional funding resources become available. The SLRTP considers the long-range plans and strategies of the metropolitan and rural planning organizations and identifies the state's transportation goals, measurable targets, and priority
(B) A metropolitan transportation plan (MTP) is a long-range plan developed by each MPO for areas within its boundaries, that covers a period of at least 20 years and contains a priority-based listing of projects for both long and short-range strategies that are expected to be developed within the financial constraint of forecasted state, federal, and local funding levels. The funding levels are estimated in cooperation with the department. The first four years of the MTP will be developed to comply with federally mandated transportation improvement program (TIP) and statewide transportation improvement program (STIP) requirements and to identify those projects that have a high probability of implementation during the four-year period. The first ten years of the MTP will include the prioritized list of projects from the metropolitan planning organization ten-year transportation program (MTYTP) and the four-year TIP and be consistent with the department’s ten-year unified transportation program (UTP).

(C) A rural planning organization (RPO) may make recommendations to the department regarding projects and priorities for areas within its boundaries to accommodate preparation of the statewide long-range transportation plan (SLRTP), statewide transportation improvement program (STIP),
and unified transportation program (UTP). Department districts, with assistance of municipal and county officials, will prepare similar recommendations for projects which are located outside of the boundaries of both metropolitan and rural planning organizations.

(D) A transportation improvement program (TIP) is a short-range program developed by each MPO in cooperation with the department and with operators of publicly owned transit services that covers a four-year period and contains a prioritized listing of all projects proposed for federal funding and regionally significant projects proposed for state, federal, and local funding in a metropolitan area. Projects may include planning, engineering, design, right of way acquisition, and construction. The TIP also contains an estimate of available state, federal, and local finances and the estimated project expenditures. A project’s inclusion in the TIP and statewide transportation improvement program (STIP) generally represents a commitment that it is programmed for implementation.

(E) A statewide transportation improvement program (STIP) is a four-year short-range program developed by the department as a compilation of all metropolitan transportation improvement programs (TIPs), together with recommendations from RPOs and department districts for the non-metropolitan areas of
the state, including transportation between cities. The STIP identifies a list of projects to be implemented statewide with reasonably available funds over a multi-year period. The first year of the STIP contains projects that are scheduled for letting of construction contracts by the project sponsor. The remaining three years identify projects and funding sources that also have a high probability of implementation. In addition, in nonattainment and maintenance areas, funding for projects in the first and second years of the STIP must be available or committed.

(F) A metropolitan planning organization ten-year transportation program (MTYTP) is a program developed by each MPO that represents an intermediate timeframe in the project development process. It includes all of the projects, or phases of projects, covered in the MPO's four-year transportation improvement program (TIP) plus those projects, or phases of projects, that it anticipates can proceed to letting within the six years following the TIP. The metropolitan planning organization ten-year transportation program must be consistent with the criteria and funding levels described in the department's ten-year unified transportation program.

(G) The unified transportation program (UTP) is a ten-year financially constrained program developed by the department
that represents an intermediate timeframe in the statewide project development process. It includes all of the projects, or phases of projects, covered in the four-year statewide transportation improvement program (STIP) plus those projects, or phases of projects, within the state that it anticipates can proceed to letting within the next six years. A project’s inclusion in the UTP also represents a commitment to its continued development.

(3) A graphic flow chart and description of the documents, interactions, and time frames involved in the planning and programming process is shown in the following Figure 1.
Figure 1
This subsection and flow chart are for illustrative purposes only and shall not be construed or interpreted to abridge, enlarge, modify, or otherwise change the responsibilities, requirements, and procedures described in Subchapters A, B, C, D, and E of this chapter.

§15.2. Definitions. The following words and terms, when used in this chapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Clean Air Act (CAA)--The Clean Air Act of 1970 and Amendments of 1990 (42 U.S.C. §7401 et seq.), including procedures that apply to all transportation plans, programs, and projects as they relate to air quality.

(2) Commission--The Texas Transportation Commission.

(3) Conformity--Clean Air Act requirements that ensure that federal funding and approval are given to transportation plans, programs, and projects that are consistent with the air quality goals established by the Texas State Implementation Plan (SIP).

(4) Corridor--A broad geographical band with no predefined size or scale that follows a general directional flow, providing for the movement of people and freight and connecting major sources of trips. It involves a nominally
linear transportation service area that may contain a number of
streets, highways, rail, utility, and transit route alignments.

(5) Department--The Texas Department of Transportation.

(6) District--One of the geographical areas into which
the department is divided in order to conduct its primary work
activities.

(7) District engineer--The chief administrative officer
in charge of a district, or his or her designee.

(8) Environmental Protection Agency (EPA)--An agency of
the federal government with broad responsibilities for
environmental protection and enforcement, including air quality
as it relates to this chapter.

(9) Executive director--The executive director of the
Texas Department of Transportation or his or her designee.

(10) Federal discretionary programs--Programs that
provide the United States Department of Transportation with
discretion to award funds for specific projects outside of the
normal transportation fund formulas. The United States Congress
may designate the projects which are eligible for discretionary
program funds and the scope of discretion may vary depending on
the applicable statutory provisions.

(11) Federal Highway Administration (FHWA)--The federal
agency primarily responsible for highway transportation.
(12) Federal Transit Administration (FTA)--The federal agency primarily responsible for public transportation.

(13) Governor--The governor of the State of Texas or his or her designee.

(14) Letting--The official act of opening contractors' bids for a proposed highway improvement contract to construct, reconstruct, or maintain a segment of the state highway system, or to construct or maintain a building or other facility appurtenant to a building.

(15) Local transportation entity--An entity that participates in the transportation planning process. The term includes but is not limited to: a metropolitan planning organization; a rural planning organization; a regional tollway authority organized under Transportation Code, Chapter 366; a regional transportation authority operating under Transportation Code, Chapter 452; a metropolitan rapid transit authority operating under Transportation Code, Chapter 451; a rural transit district as defined by Transportation Code, §458.001; a coordinated county transportation authority operating under Transportation Code, Chapter 460; a rural rail transportation district operating under Transportation Code, Chapter 172; and a commuter rail district operating under Transportation Code, Chapter 174.
(16) Metropolitan planning organization (MPO)--The organization or policy board of an organization created and designated under 23 U.S.C. §134 and 49 U.S.C. §5303, as amended, to make decisions for the metropolitan planning area and carry out the metropolitan transportation planning process.

(17) Mobility projects--Transportation projects that add additional mainlanes to an existing facility or construct lanes on a new location and which have a length of at least one mile, or otherwise improve transportation facilities for highways, public transportation, or other modes of transportation in order to decrease travel time and the level or duration of traffic congestion, and to increase the safe and efficient movement of people and freight.

(18) Non-Metropolitan area--An area of the state not included within the boundaries of a metropolitan planning organization.

(19) Planning organization--A metropolitan planning organization, a rural planning organization, or, for an area that is not in the boundaries of a metropolitan planning organization or a rural planning organization, a district.

(20) Public transportation--Transportation of passengers and their hand carried packages or baggage on a regular or continuing basis by means of surface or water conveyance by a
governmental or private entity that receives financial assistance from Federal Highway Administration, Federal Transit Administration, the department, or a local political subdivision.

(21) Rural planning organization (RPO)--A voluntary organization created and governed by local elected officials with responsibility for transportation decisions at the local level, including an organization established by a council of governments or regional planning commission designated by the Governor pursuant to Local Government Code, Chapter 391, to address rural transportation priorities and planning and provide recommendations to the department for areas of the state not included in the boundaries of a metropolitan planning organization.

(22) Rural transportation improvement program (Rural TIP)--A staged, multiyear, intermodal program of transportation projects which is developed by the department, in consultation with local officials, for areas of the state outside of the metropolitan planning area boundaries. The rural TIP includes a financially constrained plan that demonstrates how the program can be implemented.

(23) State implementation plan (SIP)--The latest approved version of the state adopted plan promulgated for each
nonattainment or maintenance area to achieve or maintain
compliance with the national ambient air quality standards
required by the federal Clean Air Act.

(24) Subarea--An area with no predefined size or scale
that focuses on a non-linear part of a metropolitan area, such
as an activity center or other geographic portion of a region.

(25) Surface Transportation Program (STP)--The funding
program established by 23 U.S.C. §133.

(26) Texas Commission on Environmental Quality (TCEQ)--
The state agency responsible for coordination of natural
resources and air quality for the state, including development
of the State Implementation Plan.

(27) Transportation control measure (TCM)--Any measure
used for the purpose of reducing emissions or concentrations of
air pollutants from transportation sources by reducing vehicle
use or changing traffic flow or congestion conditions.

(28) Transportation management area (TMA)--An urbanized
area with a population over 200,000 as defined by the Bureau of
the Census and designated by the U.S. Secretary of
Transportation, or any additional area where transportation
management area designation is requested by the Governor and the
metropolitan planning organization and designated by the U.S.
Secretary of Transportation.
(29) Transportation project--the planning, engineering, right-of-way acquisition, expansion, improvement, addition, or contract maintenance, other than the routine or contracted routine maintenance, of a bridge, highway, toll road or toll road system, railroad, enhancement of a roadway that increases the safety of the traveling public, air quality improvement initiative or transportation enhancement activity under 23 U.S.C. §101.

(30) Unified Planning Work Program (UPWP)--The governing planning document, prepared by an MPO on an annual or bi-annual basis, which identifies the transportation planning work to be undertaken within the metropolitan planning area for the applicable period.

§15.3. Responsibilities of Metropolitan Planning Organizations (MPOs).

(a) General. Pursuant to 23 U.S.C. §134 and 49 U.S.C. §5303, as implemented by 23 C.F.R. Part 450, the metropolitan planning organization (MPO), in cooperation with the department and with operators of publicly owned transit services, shall be responsible for carrying out the metropolitan transportation planning process. The MPO, department, and transit operators shall cooperatively determine their mutual responsibilities in
the conduct of the planning process, including corridor refinement (e.g., feasibility and major investment studies). They shall cooperatively develop the unified planning work program (UPWP), metropolitan transportation plan (MTP) containing a long-range forecast of proposed projects, MPO ten-year transportation program (MTYTP), and transportation improvement program (TIP) containing a list of projects that have been approved for development in the near-term. The MPO, department, and transit operators shall coordinate the development of the MTP and TIP with other providers of transportation (e.g., 14 C.F.R. Part 139 airport sponsors, maritime port operators, and rail operators). All transportation plans and programs developed by the MPO as part of the planning process must comply with federal requirements and provide for public involvement.

(b) Membership of MPOs. According to 23 C.F.R. Part 450, each MPO that serves a transportation management area shall consist of local elected officials, officials of public agencies that administer or operate major modes of transportation in the metropolitan planning area, and appropriate state transportation officials.

(c) Approval of boundaries. Approval of metropolitan area boundaries by the Federal Highway Administration (FHWA) or the
Federal Transit Administration (FTA) is not required. However, metropolitan planning area boundary maps must be provided to the department for further handling with the FHWA, FTA, and other applicable federal agencies. The boundaries and revisions to approved boundaries must also be approved by the governor, unless the governor delegates that responsibility to the commission. The MPO must provide the governor and the department with appropriate documentation and the rationale supporting any recommended boundary change.

(d) Metropolitan planning area agreements.

(1) Planning contract. The responsibilities for cooperatively carrying out transportation planning (including corridor and subarea studies) and programming shall be clearly identified in the planning contract between the department and the MPO.

(2) MPO-transit operator planning agreement. There shall be a written agreement between the MPO, the department, and operators of publicly owned transit services that specifies cooperative procedures for carrying out transportation planning (including corridor and subarea studies) and programming as required by this subchapter.

(3) Agreements in nonattainment MPOs. If the metropolitan planning area does not include the entire
nonattainment or maintenance area, as defined by the federal
Clean Air Act (CAA), there shall be a written agreement among
the department, the Texas Commission on Environmental Quality
(TCEQ), affected local agencies, and the MPO describing the
process for cooperative planning and analysis of all projects
outside the metropolitan planning area, but within the
nonattainment or maintenance area. The agreement shall be in
accordance with federal requirements.

(4) Coordination of planning processes. If more than one
MPO has authority within an urbanized area or a nonattainment or
maintenance area, there shall be a written agreement between the
department and the MPOs describing how the processes will be
coordinated to assure the development of an overall
transportation plan for the metropolitan planning area. In
metropolitan planning areas that are nonattainment or
maintenance areas, parties to the agreement shall include the
TCEQ and any local air quality agencies.

(e) Coordination with State Implementation Plan (SIP)
development. In nonattainment or maintenance areas, the MPO
shall coordinate the development of the transportation plan with
the State Implementation Plan (SIP) development process,
including the development of any transportation control measures
(TCMs). The MPO shall develop or assist in developing the TCMs,
which may include any measure used for the purpose of reducing emissions or concentrations of air pollutants from transportation sources by reducing vehicle use or changing traffic flow or congestion conditions. The MPO shall not approve any metropolitan transportation plan or transportation improvement program which does not conform with the SIP, as determined in accordance with Environmental Protection Agency (EPA) conformity regulations.

(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.

§15.4. Unified Planning Work Program (UPWP).

(a) Planning activities. Under 23 C.F.R. Part 450, an MPO is required to document planning activities in a unified planning work program (UPWP) to indicate who will perform the work, the schedule for completing it, and all products that will be produced. The department is responsible for assisting in the development of the UPWP, approving the format of work programs submitted by metropolitan planning organizations (MPOs), and, where required by federal law or regulation, monitoring an MPO’s performance of activities and expenditure of funds under a UPWP.
Where monitoring is not required, the department is responsible for reviewing an MPO’s activities and expenditure of funds, and will comment on and make suggestions relating to those activities and expenditures.

1. Requirements. An MPO, in cooperation with the department and operators of publicly owned transit systems, must annually or bi-annually develop a UPWP that meets federal requirements.

2. Prospectus allowed. The metropolitan transportation planning process may include the development of a prospectus that establishes a multiyear framework within which the UPWP is accomplished.

3. UPWP development. The department will develop a time line for development of the UPWP by the MPOs. Failure to adhere to the time line may result in a delay in the authorization to the MPOs to proceed in incurring costs.

4. UPWP format. The department, in consultation with the MPOs, shall develop a standard UPWP format to be used by all MPOs. UPWPs submitted in a different format will not be approved.

5. UPWP approval and revisions. The MPO policy board must approve the UPWP and any subsequent revisions, and shall not delegate the approval authority.
(6) Annual performance and expenditure report. To allow the department to monitor work programs, the MPOs shall prepare and submit an annual performance and expenditure report of progress no later than December 31 of each year. A uniform format for the annual report will be established by the department, in consultation with the MPOs.

(b) Funding. Federal transportation planning funds are available to MPOs to develop the metropolitan transportation plans and transportation improvement programs required by this subchapter. Under 23 C.F.R. Part 420, the use of federal planning funds must be documented by the MPO in a work program acceptable to the FHWA setting out proposed work undertaken with federal planning funds and the estimated cost of this work. A work program acceptable to the FTA and other applicable federal agencies is required for planning activities involving public transportation plans and programs.

(1) Requirements. The UPWP shall reflect transportation planning work tasks to be funded by federal, state, or local transportation, or transportation related (e.g. air quality) planning funds.

(2) Planning work eligibility. The use of federal metropolitan transportation planning funds shall be limited to transportation planning activities affecting the transportation
system within the Metropolitan Area Boundary (MAB). If an MPO determines that data collection and analysis activities relating to land use, demographics, or traffic or travel information, conducted outside the MAB, affect the transportation system within the MAB, then those activities may be undertaken using federal planning funds, if the activities are specifically identified in an approved UPWP. Any other costs incurred for transportation planning activities outside the MAB will not be eligible for reimbursement.

(3) Authorization for travel outside the state. The department will approve travel outside the State of Texas by MPO staff and other agencies participating in the MPO planning process if the travel is funded with federal transportation planning funds. The MPO must receive approval prior to incurring any costs associated with the actual travel (e.g., registration fee). This provision will not apply if the travel is at the request of the department. Travel to the State of Arkansas by the Texarkana MPO staff and travel to the State of New Mexico by the El Paso MPO staff shall be considered in-state travel.

(4) Reimbursement of travel costs of elected officials. The cost of travel incurred by elected officials is eligible for reimbursement with federal transportation planning funds if the
costs are:

(A) specifically related to a grant, cost reimbursement contract, or other agreement between a state, local and Indian tribal government and the federal government (a federal award);

(B) necessary and reasonable for the proper and efficient performance and administration of the federal award;

(C) not prohibited under:

(i) federal lobbying restrictions; or

(ii) state or local laws or regulations; and

(D) approved by the awarding federal agency prior to incurring any costs associated with the actual travel.

(5) Funding limitations. The use of federal transportation planning funds is limited to corridor/subarea level planning or multimodal or systemwide transit planning studies. Major investment studies and environmental studies are considered corridor level planning. Unless otherwise authorized by federal law or regulation, the use of such funds beyond environmental document preparation or for specific project level planning and engineering (efforts directly related to a specific project instead of a corridor) is not allowed.

(6) Department approval of costs. The MPO shall not incur any costs for work outlined in the UPWP or any subsequent amendments (i.e., adding new work tasks or changing the scope of
existing work tasks) prior to receiving approval from the
department. Any costs incurred prior to receiving department
approval are not eligible for reimbursement from federal
transportation planning funds.

(7) Expenditure limitations. Costs incurred by the MPO
shall not exceed the total budgeted amount of the UPWP without
prior approval of the MPO policy board and the department.
Costs incurred on individual work tasks shall not exceed that
task budget by 25% without prior approval of the MPO policy
board and the department. If the costs exceed 25% of the task
budget, the UPWP shall be revised, approved by the MPO policy
board, and submitted to the department for approval.

(8) Distribution of funds. The department will make
available to MPOs all federal metropolitan planning funds and
provide the required non-federal match as authorized by the
commission. The department will distribute federal
transportation planning funds to the MPOs based on a formula
developed by the department, in consultation with the MPOs, and
approved by FHWA, FTA, and other applicable federal agencies.

§15.5. Metropolitan Transportation Plan (MTP).

(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. The projects listed in the first ten years of the MTP must be consistent with the ten-year transportation program developed under §15.12 of this chapter. The MTP is cooperatively developed by the MPO, the department, municipalities, counties, the public, local transportation entities, and operators of publicly owned transit services. The MTP must be based on the funding assumptions and forecasts set forth in §15.20 and §15.21 of this chapter.

(b) Development. Development of a metropolitan transportation plan (MTP) shall be conducted in accordance with federal regulations. Each project in the MTP shall be assigned a unique project number.

(c) Approval. Each metropolitan transportation plan must be approved by the applicable MPO. Prior to any approval, there must be adequate opportunity for public involvement in the development of the plan, in accordance with federal regulations.

(d) Submission of new and revised plans. Copies of any new or revised MTPs must be submitted to the governor, or to the department if the governor delegates this authority to the
§15.6. Statewide Long-Range Transportation Plan (SLRTP).

(a) General. The department will develop a statewide long-range transportation plan (SLRTP) covering a period of not less than 24 years that contains all modes of transportation, including:

(1) the systems and facilities for highways and turnpikes, aviation, public transportation, railroads and high-speed railroads, and waterways; and

(2) the transportation users of each type of transportation facility.

(b) Requirements. The plan must:

(1) contain specific, long-term transportation goals for the state, including maintenance of the existing transportation system, reduction of congestion throughout the state, enhancement of safety, and promotion of economic development;

(2) contain specific, measurable targets for each transportation goal;

(3) consider the projects and strategies proposed by commission, for information purposes. Copies must also be provided to the FHWA, FTA, and other applicable federal agencies.
each metropolitan planning organization and rural planning organization in the organization's long-range plans;

(4) identify priority corridors, projects, or areas of the state that are of particular concern to the department in meeting the goals established under paragraph (1); and

(5) 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.

(c) Financial considerations. The plan must include:

(1) a component that is financially constrained and identifies proposed projects and strategies; and

(2) a component that is not financially constrained and identifies corridors, projects, strategies, and other needs in various areas of the state including transportation improvements designed to relieve congestion.

(d) Updates. The department will update the plan every four years or more frequently as necessary.

(e) Public involvement during development of the SLRTP. There will be adequate opportunity for public involvement in
development of the SLRTP. The department will divide the state into regions and hold at least one public meeting in each region during development of the SLRTP and each update of the plan. The public meetings will occur at as early a stage as the department determines is feasible to assure public input into the planning process.

(1) The department will publish notice of each public meeting as appropriate to maximize attendance at the meeting.

(2) The department will report its progress on the plan and provide a free exchange of ideas, views, and concerns relating to proposed transportation goals, measurable targets, projects, and priorities.

(f) Public involvement prior to final adoption.

(1) The department will hold at least one statewide hearing prior to final adoption of the SLRTP and approval of any updates to the plan by the commission.

(A) The department will publish a notice of the applicable hearing in the Texas Register a minimum of 15 days prior to it being held and will inform the public where to send any written comments.

(B) The department will accept written public comments, including comments submitted in electronic format, for a period of at least 30 days after the date the notice appears
in the Texas Register.

(C) A copy of the SLRTP or any adjustments to the plan will be available for review at the time the notice of hearing is published, at each of the district offices and at the department's Transportation Planning and Programming Division offices in Austin. A copy will also be available on the department website.

(g) Publication. The department will publish the entire approved SLRTP, updates, and modifications on the department's website. The documents will also be available for review at each of the district offices and at the department's Transportation Planning and Programming Division offices in Austin.

§15.7. Long-Range Transportation Planning Recommendations for Non-Metropolitan Areas. A rural planning organization (RPO) shall make recommendations to the commission concerning transportation projects, systems, or programs that impact the area within the boundaries of the RPO over the 24-year statewide long-range transportation plan horizon provided in §15.6 of this subchapter, including strategies that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and freight. For a non-
metropolitan area outside the boundaries of an RPO, those long-
range planning recommendations will be made by the applicable
district engineer. All recommendations shall be delivered to
the department at the times and in the manner and format
established by the department and shall include:

(1) a prioritized list of mobility projects,
rehabilitation projects as described in §15.22(a)(1) of this
chapter, and safety projects as described in §15.22(a)(8) of
this chapter, for the area within its boundaries; and

(2) for each listed project, an estimate of project costs
as approved by the district(s) in which the project is located.
§15.10. Transportation Improvement Program (TIP).

(a) Requirements. Title 23 U.S.C. §134 and 23, C.F.R. Part 450, require the metropolitan transportation planning process to include the development of a transportation improvement program (TIP) for the metropolitan planning area, containing a list of projects which have been approved for development in the near term. The list must be prioritized by the category of funding described in §15.22 of this chapter and by project within each funding category. The TIP is required to be developed in cooperation with the department and public transit operators, and must be approved by the metropolitan planning organization (MPO) and the governor, unless that responsibility has been delegated to the commission in accordance with subsection (h). After approval and any needed conformity determinations, a TIP is included without modification in the statewide transportation improvement program (STIP). After inclusion, the MPO and the department will select projects for implementation in accordance with federal regulations and the requirements of this subchapter.

(b) Development.

(1) Metropolitan transportation improvement program
(TIP). The MPO designated for a metropolitan planning area, in cooperation with the department and publicly owned transit operators and with input from affected municipal and county officials and officials of local transportation entities, shall develop a transportation improvement program (TIP) and financial plan in accordance with federal requirements. The department will provide an MPO with estimates of available federal and state funds to be used in developing the financial plan in accordance with §15.21 of this chapter. The TIP shall cover the metropolitan planning area and shall be updated and approved at least every two years by the MPO and the governor, unless that responsibility has been delegated to the commission in accordance with subsection (h).

(2) Rural transportation improvement program (Rural TIP). The department will develop transportation improvement programs (TIP) for all areas of the state outside of metropolitan planning areas, containing a prioritized list of projects which have been approved for development in the near term. These rural TIPs will be developed in cooperation with rural planning organizations (RPO) and projects will be selected in accordance with federal regulations and the requirements of this subchapter.

(c) Grouping of projects. Projects that are not considered
by the department and the MPO to be of appropriate scale for
individual identification in a given program year may be grouped
by function, geographic area, or work type (e.g., minor
rehabilitation, preventive maintenance). In nonattainment and
maintenance areas, classification must be consistent with the
exempt project classifications contained in the EPA conformity
regulations.

(d) Projects excluded. The following projects may be
excluded from the metropolitan TIP by agreement between the
department and the MPO:

(1) safety projects funded under 23 U.S.C. §402 (highway
safety programs), and emergency relief projects, except those
involving substantial functional, location, and capacity
changes;

(2) planning and research activities, except those
activities funded with National Highway System or Surface
Transportation Program funds other than those used for major
investment studies; and

§104(b)(4), and 23 U.S.C. §144 that are for resurfacing,
restoration, rehabilitation, reconstruction, or highway safety
improvement, and which will not alter the functional traffic
capacity or capability of the facility being improved.
(e) Consistency and conformity.

(1) Relationship to the metropolitan transportation plan. A project in the metropolitan TIP must be consistent with the metropolitan transportation plan. The unique project identification number for each project that was included in the metropolitan transportation plan will be the same number and will be referenced for each project in the TIP.

(2) Relationship to the statewide long-range transportation plan. A project in the metropolitan and rural TIP must be consistent with the statewide long-range transportation plan (SLRTP) developed under federal law and §15.6 of this chapter.

(3) Relationship to the Clean Air Act and State Implementation Plan. In nonattainment and maintenance areas, a project selected for the TIP must conform with the Clean Air Act (CAA) and the state implementation plan (SIP).

(4) Conformity requirements. The MPO in each urbanized nonattainment and maintenance area will be responsible for preparation of the conformity determination requirements of the CAA and the Environmental Protection Agency (EPA) conformity regulations. The department will be responsible for preparation of the conformity determination requirements in nonattainment and maintenance areas outside of metropolitan planning areas.
(f) Format. The department, in cooperation with the MPOs, will develop a uniform TIP format to produce a uniform statewide transportation improvement program (STIP). The department in consultation with the MPOs may make modifications to the format. The MPOs shall submit electronic and printed copies of their TIPs to the department in this format.

(g) Financial plan. A financial plan that demonstrates consistency with funding reasonably expected to be available during the relevant period shall be developed for metropolitan TIPs by the MPO in cooperation with the department and transit operators. In nonattainment areas, the plan must demonstrate that funding is available or committed for the first two years of the TIP.

(h) Transportation improvement program (TIP) approval. The MPO and the governor shall approve the metropolitan TIP and any amendments. If the governor delegates this authority to the commission, the commission or if further delegated, the executive director will approve metropolitan and rural TIPs if he or she finds the TIP has met all federal requirements and the requirements of this subchapter.

(i) Management. As a management tool for monitoring progress in implementation of the metropolitan transportation plan, the metropolitan transportation improvement program (TIP)
shall identify the criteria and process for prioritizing
implementation of transportation plan elements for inclusion in
the TIP and any changes in priorities from previous TIPs in
accordance with the factors specified in federal regulations.

(j) Updating. The frequency and cycle for updating the
transportation improvement program (TIP) must be compatible with
the statewide transportation improvement program (STIP)
development process established by the department and described
in §15.11 of this subchapter.

(k) Modification.

(1) Amendments. The transportation improvement program
(TIP) may be amended consistent with the procedures established
in this section for its development and approval with the
following stipulations.

(A) An amendment to the TIP is required in attainment
areas if there is a change:

(i) adding or deleting a federally funded project in
the TIP;

(ii) in the scope of work of a federally funded
project;

(iii) in the phase of work (such as the addition of
preliminary engineering, construction, or right-of-way) of a
federally funded project;
(iv) in the TIP year if the MPO’s project selection procedure does not provide for selecting projects from the second, third, or fourth year; or

(v) in funding sources or funding availability that forces the addition or deletion of federally funded projects.

(B) An amendment to the TIP is required in nonattainment areas if there is a change:

(i) adding or deleting a project in the TIP;

(ii) in a project’s design concept or scope of work;

(iii) in the phase of work (such as the addition of preliminary engineering, construction, or right-of-way) of a project;

(iv) in the TIP year if the MPO’s project selection procedure does not provide for selecting projects from the second, third, or fourth year;

(v) adding Congestion Mitigation and Air Quality funding to a previously approved project; or

(vi) in funding from non-federal funding to any combination of federal funding or federal and state funding, or where the change in funding sources or funding availability forces the addition or deletion of federally funded projects or regionally significant state funded projects.

(C) An amendment to the transportation improvement
program (TIP) is not required if there is a change:

(i) in funding sources, except as provided in this subsection;

(ii) in the cost estimate which change is not greater than 50 percent of the approved cost estimate and the revised cost estimate is less than $1,500,000, and the change in the cost estimate is not caused by a change in the project work scope or limits;

(iii) in the letting date unless, in nonattainment areas, the change affects conformity; or

(iv) that is administrative and does not require public review and comment, redemonstration of fiscal constraint, or a conformity determination.

(2) Conformity requirements. In nonattainment and maintenance areas for transportation related pollutants, a conformity determination must be made on any new or amended TIPs (unless the amendment consists entirely of projects exempt under subsection (c) of this section) in accordance with CAA requirements and the EPA conformity regulations.

(1) Transportation improvement program (TIP) relationship to statewide transportation improvement program (STIP).

(1) Metropolitan TIP. After approval, the TIP will be included without modification in the statewide transportation
improvement program (STIP) except that in nonattainment and
maintenance areas, the FHWA and the FTA must make a conformity
determination before inclusion. The department will notify the
MPO and appropriate federal agencies when a TIP has been
included in the STIP.

(2) Rural TIP. After approval, rural TIPs will be
included in the statewide transportation improvement program
(STIP), except in nonattainment and maintenance areas outside
metropolitan planning areas, where federal determinations of
conformity must be made prior to placing projects in the STIP.

(m) TIP public involvement.

(1) Metropolitan public involvement process. Each MPO
will develop a public involvement process covering the
development of a metropolitan TIP in accordance with federal
regulations. The MPOs shall also use adopted public involvement
procedures in amending the TIP.

(2) Rural public involvement process.

(A) Initial adoption. Each district will coordinate
with the applicable rural planning organization (RPO), if any,
to develop and implement a public involvement process covering
the development of a rural TIP that, at a minimum, consists of
the following:

(i) publication, in a newspaper with general
circulation in each county within the district, of a notice
informing the public of the availability of the proposed rural
TIP and of a ten-day public comment period;

(ii) a request, in the published notice, for public
comments concerning the proposed rural TIP, to be submitted in
writing to the district; and

(iii) notification, in the published notice, that a
public hearing will be held in order to receive comments on the
initial adoption, along with a public comment period of at least
ten days subsequent to the hearing. The notice of public
hearing will be published a minimum of ten days prior to the
hearing.

(B) Revisions involving mobility projects. Each
district will, at a minimum, publish, in a local newspaper of
general circulation, a notice informing the public of the
availability of these revisions and of a ten-day public comment
period. The notice will also request public comments to be
submitted, in writing, to the district, and will also notify the
public that a public hearing will be conducted to receive
comments on the proposed revision.

(n) Project selection procedures. Under federal
regulations, project selection from an approved metropolitan TIP
varies depending on whether a project selected for
implementation is located in a transportation management area
and what type of federal funding is involved.

(1) General. Project selection procedures must be
developed for each metropolitan area and for state projects that
lie outside of metropolitan planning areas. The department will
develop and reevaluate annual project selection procedures for
state projects which lie outside of metropolitan planning areas
in accordance with §15.11(g) of this subchapter (relating to
Statewide Transportation Improvement Programs).

(A) Project agreement. The first year of both the TIP
and the STIP constitute an agreed to list of projects for
project selection purposes. Project selection may be revised if
the apportioned funds, including the highway obligation ceiling
and transit appropriations, are significantly more or less than
the authorized funds. In such cases, if requested by the MPO,
the department, or the transit operator, a revised agreed to
list of projects for project selection purposes may be
developed.

(B) Eligibility. Only projects included in the
federally approved statewide transportation improvement program
(STIP) will be eligible for funding with Title 23, U.S. Code, or

(2) Project selection in non-transportation management
areas. In an area not designated as a transportation management area (TMA), the commission or the transit operator, in cooperation with the MPO, will select projects to be implemented using federal funds from the approved metropolitan TIP. Federal lands highways program projects shall be selected in accordance with 23 U.S.C. §204.

(3) Project selection in transportation management areas (TMAs). In an area designated as a transportation management areas (TMA), an MPO, in consultation with the department and transit operators, shall select from the approved metropolitan TIP and in accordance with the priorities of the approved metropolitan TIP, all Title 23, U.S. Code and Federal Transit Act (49 U.S.C. §5307 et seq.) funded projects, except projects on the National Highway System and projects funded under the bridge, interstate maintenance, safety, and Federal lands highways programs. The commission, in cooperation with the MPO, will select projects on the National Highway System and projects funded under the bridge, interstate maintenance, and safety programs. Federal lands highways program projects shall be selected in accordance with 23 U.S.C. §204.

§15.11. Statewide Transportation Improvement Program (STIP).

(a) Purpose. Title 23, U.S.C. §135, as implemented by 23
C.F.R. Part 450, requires each state to carry out a continuing, comprehensive, and intermodal statewide transportation planning process that facilitates the efficient, economic movement of people and freight in all areas of the state, including those areas subject to federal metropolitan planning requirements.

(b) Statewide transportation improvement program (STIP) development. The department, in cooperation with the MPOs designated for metropolitan areas and RPOs designated for non-metropolitan areas, will develop a statewide transportation improvement program (STIP) covering a period of four years for all areas of the state in accordance with federal requirements.

(1) Projects included.

(A) A highway or transit project funded under Title 23, U.S. Code or the Federal Transit Act (49 U.S.C. §5307 et seq.) will be included in a federally approved STIP. A project in the STIP will be consistent with the statewide long-range transportation plan, metropolitan transportation plan, and metropolitan transportation improvement program (TIP), and the program will reflect expected funding and priorities for programming.

(B) Projects that are not considered by the department and MPO to be of appropriate scale for individual identification in a given program year (e.g., minor rehabilitation, preventive
maintenance, non-urbanized transit projects) may be grouped by function, geographic area, or work type.

(C) In a nonattainment area, only those projects which have been determined to conform with the requirements of the Clean Air Act CAA) and which comply with the state implementation plan (SIP) may be included in the STIP.

(D) Regionally significant projects to be funded with non-federal funds will be included in the STIP for planning, coordination, and public disclosure purposes.

(E) Projects may be excluded from the STIP by agreement between the department and the MPO in accordance with requirements established in §15.10(d) of this subchapter (relating to Transportation Improvement Programs).

(2) Statewide transportation improvement program (STIP) funding. The federal funding level for each year of the STIP is the annual authorization as outlined in 23 U.S.C. §101 et seq. and funds appropriated under 49 U.S.C. §5307 et seq., in addition to the appropriate state and local match.

(c) Statewide transportation improvement program (STIP) financial plan. The STIP will reflect the priorities for programming and expenditure of funds and will:

(1) include a financial plan that demonstrates how the transportation improvements can be funded and reasonably
implemented;

(2) be consistent with funding reasonably expected to be available during the relevant period as provided under the unified transportation program in §15.14 of this subchapter; and

(3) be financially constrained by year.

(d) Statewide transportation improvement program (STIP) public involvement process. The governor is responsible for providing for public involvement in the STIP development process. If the governor delegates this responsibility to the commission, the commission or if further delegated, the executive director will provide for public involvement in accordance with this subsection.

(1) Initial adoption of the STIP.

(A) There must be adequate opportunity for public involvement in development of the STIP. The department will divide the state into regions and hold at least one public meeting in each region during development of the STIP at as early a stage as the department determines is feasible to assure public input into the process.

(i) The department will publish notice of each public meeting as appropriate to maximize attendance at the meeting.

(ii) The department will report its progress on the program and provide a free exchange of ideas, views, and
concerns relating to proposed projects and priorities.

(B) In developing the STIP, the department will hold at least one statewide public hearing regarding the adoption of the proposed STIP.

(i) The department will publish a notice of the hearing in the Texas Register a minimum of 15 days prior to it being held and will inform the public where to send any written comments.

(ii) The department will accept written public comments, including comments submitted in electronic format, for a period of at least 30 days after the date the notice appears in the Texas Register.

(iii) A copy of the proposed STIP will be available for review, at the time the notice of hearing is published, at each of the department’s district offices, at the department’s Transportation Planning and Programming Division offices in Austin, and on the department website.

(iv) The approved STIP will also be made available at each of the district offices, at the department's Transportation Planning and Programming Division offices in Austin, and on the department website.

(2) STIP amendments.

(A) General. The governor will approve amendments to
the STIP. If the governor delegates this authority to the
commission, the commission or if further delegated, the
executive director will approve amendments according to a
published schedule developed in accordance with subsection (f)
of this section, which the department will make available at the
district offices, to the MPOs, and on the department website on
an annual basis.

(B) Amendments to the STIP. The STIP may be amended
consistent with the requirements established in §15.10(k) of
this subchapter (relating to Transportation Improvement
Programs). The public involvement process for amendments to the
STIP will be the same as for initial adoption of the STIP.

(e) Statewide transportation improvement program
(STIP) approval.

(1) The governor will approve the STIP. The governor, or
if the governor delegates this authority to the commission, the
commission or if further delegated, the executive director must
approve the STIP if it finds the STIP has met all the
requirements of this section.

(2) The governor, or if the governor delegates this
authority to the commission, the commission or if further
deligated, the executive director may approve a partial STIP if
difficulties are encountered in cooperatively developing the TIP
portion for a particular metropolitan or rural area.

(f) Statewide transportation improvement program (STIP) revisions.

(1) Schedule of revisions. The department and the MPOs will be required to adhere to a quarterly STIP revision cycle, except as provided in paragraph (2) of this subsection. Project information and MPO approval documentation for the quarterly revisions must be received by the department’s Transportation Planning and Programming Division by the close of business on the submittal date established by the department.

(2) Exceptions.

(A) Request. An MPO may submit a written request for an exception to the quarterly revision schedule. The request must include reasons justifying the need for the exception.

(B) Approval. The executive director may approve an exception to this requirement if:

(i) additional funding becomes available; or

(ii) the revision involves a project which is expected to have a significant effect on capacity, connectivity, or public safety and security on transportation systems.

(g) Project selection procedures. Under 23 C.F.R. §450.220, project selection from an approved STIP varies depending on whether a project selected for implementation is
located in a metropolitan planning area and on what type of federal funding is involved. The purpose of this subsection is to prescribe project selection procedures and specify which entity may select a project for implementation.

(1) General. Project selection procedures must be developed for each metropolitan area and for state projects that lie outside of metropolitan planning areas. The department will develop and reevaluate annual project selection procedures for state projects which lie outside of metropolitan planning areas.

(A) Project agreement. The first year of both the TIP and the STIP constitute an agreed to list of projects for project selection purposes. Project selection may be revised if the apportioned funds, including the highway obligation ceiling and transit appropriations, are significantly more or less than the authorized funds. In such cases, if requested by the MPO, the department or the transit operator, a revised agreed-to list of projects for project selection purposes may be developed.

(B) Eligibility. Except as provided in 23 C.F.R. §450.220, only those projects included in the federally approved STIP will be eligible for funding with Title 23, U.S.C., or Federal Transit Act (49 U.S.C. §5307 et seq.) funds.

(2) Project selection in metropolitan planning areas. In metropolitan planning areas, transportation projects shall be
selected in accordance with the project selection procedures established in §15.10(n) of this subchapter (relating to Transportation Improvement Programs).

(3) Project selection outside metropolitan planning areas. Outside metropolitan planning areas, transportation projects undertaken on the National Highway System with Title 23 funds and under the bridge and interstate maintenance programs shall be selected by the department in consultation with affected local officials. Federal lands highways projects shall be selected in accordance with 23 U.S.C. §204. Other transportation projects undertaken with funds administered by the FHWA shall be selected by the department in cooperation with the affected local officials, and projects undertaken with Federal Transit Act funds shall be selected by the department in cooperation with the affected local officials and transit operators.

§15.12. Metropolitan Planning Organization Ten-Year Transportation Program (MTYTP).

(a) Requirement. Each metropolitan planning organization (MPO) shall develop a ten-year transportation program that is consistent with the criteria developed for the department's unified transportation program, as set forth in §15.14 of this
subchapter. The program must include a prioritized list of
projects and programs for the area within the MPO's boundaries.
Projects that are not considered by the department and the MPO
to be of appropriate scale for individual identification in a
given program year may be grouped by function, geographic area,
or work type (e.g., minor rehabilitation, preventive
maintenance).

(b) Relationship to the transportation improvement
program. The first four years of the program shall be developed
so as to comply with the requirements of federal law and §15.10
of this subchapter for a metropolitan transportation improvement
program.

(c) Cost estimates. The department will provide estimates
to planning organizations for the project costs of all
transportation projects on the state highway system.

§15.13. Ten-Year Transportation Programming Recommendations for
Non-Metropolitan Areas. A rural planning organization (RPO)
shall make recommendations to the commission concerning the
prioritization of projects and programs in the department's
unified transportation program to be developed within the
boundaries of the RPO. For a non-metropolitan area outside the
boundaries of an RPO, those programming recommendations will be
made by the applicable district engineer. All recommendations
shall be delivered to the department at the times and in the
manner and format established by the department and shall
include a prioritized list of projects with input from officials
of affected municipalities, counties, and local transportation
entities.


(a) General. The department will develop a unified
transportation program (UTP) that covers a period of ten years
to guide the development and authorize construction of
transportation projects and projects involving aviation, public
transportation, rail, and the state's waterways and coastal
waters. During this process, the department will cooperate with
officials who have local responsibility for the various modes of
transportation and transportation infrastructure including
officials of municipalities, counties, and local transportation
entities.

(b) Requirements. The program will:

(1) be financially constrained and estimate funding
levels and the allocation of funds to each district and
metropolitan planning organization (MPO) for each year in the
program in accordance with Subchapter C of this chapter;
(2) list all projects and programs that the department intends to develop or initiate construction during the program period, after consideration of the:

(A) statewide long-range transportation plan (SLRTP),
(B) MPO ten-year transportation programs (MTYTP),
(C) MPO four-year transportation improvement programs (TIP),
(D) statewide transportation improvement programs (STIP), and
(E) recommendations of rural planning organizations (RPO) as provided in this subchapter; and

(3) be organized by funding category, district, mode of transportation, and the year of the project.

(c) Project selection.

(1) The commission will consider the following criteria for project selection in the UTP as applicable to the program funding categories described in §15.22 of this chapter:

(A) the potential of the project to:

(i) increase the safety of the transportation system for all transportation users;

(ii) maintain and preserve the existing transportation system;

(iii) provide congestion relief;
(iv) increase the accessibility and mobility of the transportation system for all transportation users;

(v) support the economic vitality of the area, especially by enabling global competitiveness, productivity, and efficiency; and

(vi) promote efficient system management and operation; and

(B) adherence to all accepted department design standards as well as applicable state and federal law and regulations.

(2) The commission will determine and approve the final selection of projects and programs to be included in the UTP, except for the selection of federally funded projects by an MPO serving in an area designated as a transportation management area (TMA) as provided in §15.10(n) of this subchapter. A federally funded project selected by an MPO designated as a TMA will be approved by the commission, subject to:

(A) satisfaction of the project selection criteria in paragraph (1) of this subsection;

(B) compliance with federal law; and

(C) the district's and MPO's allocation of funds for the applicable years.

(d) Approval of unified transportation program (UTP). The
commission will, no later than March 31 of each even-numbered year, adopt the unified transportation program. The UTP may be updated more frequently if necessary. The commission will hold a hearing prior to:

(1) final adoption of the UTP and any updates; and

(2) approval of any adjustments to the program resulting from changes to the allocation of funds under §15.28 of this chapter.

(e) Program revisions.

(1) Projects within the UTP may be moved forward or delayed if there is a change in the status of a listed project or projects, and projects may be added to the UTP, if the moved or added project(s) can be developed and constructed within the district's or MPO's allocated funds for the applicable year.

(2) The department, an MPO, RPO, or transit operator may request a revision of the UTP. If a revision is requested, the department will, in coordination with the other affected parties, determine whether a revision is appropriate and may, consistent with the authority to select projects under subsection (c), develop a revised list of projects for the applicable period. A revision under this subsection shall not be deemed an update or adjustment to the program under subsection (d).
(f) Public involvement during development of the unified transportation program. There will be adequate opportunity for public involvement in development of the UTP. The department will divide the state into regions and hold at least one public meeting in each region during development of the UTP and each update of the program at as early a stage as the department determines is feasible to assure public input into the process.

(1) The department will publish notice of each public meeting as appropriate to maximize attendance at the meeting.

(2) The department will report its progress on the program and provide a free exchange of ideas, views, and concerns relating to project selection, funding categories, level of funding in each category, each region's allocation of funds for each year of the program, and the relative importance of the various selection criteria.

(g) Public involvement prior to final adoption. The department, prior to adoption of the unified transportation program and approval of any updates to the program, will hold at least one statewide hearing on its project selection process including the UTP's funding categories, the level of funding in each category, each region's allocation of funds for each year of the program, and the relative importance of the various selection criteria.
(1) The department will publish a notice of the applicable hearing in the Texas Register a minimum of 15 days prior to it being held and will inform the public where to send any written comments.

(2) The department will accept written public comments for a period of at least 30 days after the date the notice appears in the Texas Register.

(3) A copy of the proposed project selection process, the UTP, and any adjustments to the plan, as applicable, will be available for review at the time the notice of hearing is published at each of the district offices and at the department's Finance Division offices in Austin. A copy will also be available on the department website.

(h) Publication. The department will publish the entire approved unified transportation program, updates, and adjustments together with any summary documents highlighting project benchmarks, priorities, and forecasts on the department's website. The documents will also be available for review at each of the district offices and at the department's Finance Division offices in Austin.
§15.20. Long-Term Planning Assumptions. The department, in cooperation with metropolitan planning organizations (MPO) 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 §15.14 of this chapter. The department and each planning organization will use those funding assumptions to guide development of the statewide long-range transportation plan and metropolitan transportation plans under §15.6 and §15.5 of this chapter.

(a) Factors. The assumptions will include the following factors:

(1) anticipated level of available state gas tax revenues to be deposited to the state highway fund;

(2) anticipated level of registration fees and other state non-gas tax revenues to be deposited to the state highway fund and Texas Mobility Fund;

(3) anticipated level of federal transportation funding;

and

(4) other factors deemed appropriate by the commission for projection of available revenue.
(b) Optional factors. An MPO may also include reasonable funding assumptions based on one or both of the following factors to guide development of a separate supplement to the MPO's metropolitan transportation plan and its portion of the statewide long-range transportation plan that is in addition to the funding forecasts developed under section (a). The factors are:

1. local funding options; and
2. a contingency factor not to exceed 10% for potential increases in state and federal funding.


(a) Forecast. On or before September 1 of each year, the department's chief financial officer will issue a cash flow forecast for each source of funding that covers a period of not less than the 20 years following the date the forecast is issued and is based on the funding assumptions developed under §15.20 of this subchapter.

(b) Requirements. The forecast must identify:

1. all sources of funding available for transportation projects and projects involving aviation, public transportation, rail, and the state's waterways and coastal waters, including bond proceeds; and
(2) any limitations imposed by state or federal law on the use of a funding source.

(c) First two years. The first two years of the forecast in even-numbered years must be based on the appropriation of funds in the General Appropriations Act for the department for that biennium. The first year of the forecast in odd-numbered years must be based on the appropriation of funds in the General Appropriations Act for the department for the second year in that biennium.

(d) Updates. The department's chief financial officer will update the forecast more frequently as needed if significant changes in the department's funding occur.

(e) Publication. Each cash flow forecast and update will be available on the department's website for viewing by the public and the documents will also be available for review at each of the district offices and at the department's Finance Division offices in Austin.

(f) Uses of forecast. The commission will use the cash flow forecast to estimate funding levels for each year, determine the annual amount of funding in each of the program funding categories described in §15.22 of this subchapter, and allocate funding to the districts, metropolitan planning organizations, and other authorized entities in accordance with §15.23 of this
subchapter.

(g) Funding definition. In this subchapter, unless the context clearly indicates otherwise, "funds" or "funding" means the estimates of federal, state, and local money reasonably expected to be available for expenditure on transportation projects and projects involving aviation, public transportation, rail, and the state's waterways and coastal waters during the relevant period.

§15.22. Funding Categories.

(a) Highway program funding categories. The ten-year unified transportation program (UTP) described in §15.14 of this chapter will contain the following 12 program funding categories for highway related projects:

(1) Category 1 Preventive Maintenance and Rehabilitation - preventive maintenance and rehabilitation on the existing state highway system, including:

(A) Rehabilitation - installation, rehabilitation, replacement, and maintenance of pavement, bridges, traffic control devices, traffic management systems, and ancillary traffic devices; and

(B) Preventive maintenance - minor roadway modifications to improve operations and safety;
(2) Category 2 Metropolitan and Urban Corridor Projects - mobility and added capacity projects along a corridor that improve transportation facilities in order to decrease travel time and the level or duration of traffic congestion, and to increase the safe and efficient movement of people and freight in metropolitan and urbanized areas;

(3) Category 3 Non-Traditionally Funded Transportation Projects - transportation related projects that qualify for funding from sources not traditionally part of the state highway fund including state bond financing under programs such as Proposition 12 (General Obligation Bonds), pass-through toll financing, unique federal funding, regional toll revenue, and local participation funding;

(4) Category 4 Statewide Connectivity Corridor Projects - mobility and added capacity projects on major state highway system corridors which provide statewide connectivity between urban areas and corridors, to create a highway connectivity network composed of the Texas Trunk System, National Highway System, and connections from those two systems to major ports of entry on international borders and Texas water ports;

(5) Category 5 Congestion Mitigation and Air Quality Improvement - congestion mitigation and air quality improvement area projects to address attainment of a national ambient air
quality standard in the nonattainment areas of the state;

(6) Category 6 Structures Replacement and Rehabilitation - replacement and rehabilitation of deficient existing bridges located on the public highways, roads, and streets in the state, construction of grade separations at existing highway-railroad grade crossings, and rehabilitation of deficient railroad underpasses on the state highway system;

(7) Category 7 Metropolitan Mobility and Rehabilitation (TMA) - transportation needs within the metropolitan area boundaries of metropolitan planning organizations located in a transportation management area;

(8) Category 8 Safety - safety related projects both on and off the state highway system including the federal Highway Safety Improvement Program, Railway-Highway Crossing Program, Safety Bond Program, Safe Routes To School Program, and High Risk Rural Roads Program;

(9) Category 9 Transportation Enhancement - transportation related projects, including:

(A) categories outlined in federal law; and

(B) building new safety rest areas and visitor centers along the state highway system;

(10) Category 10 Supplemental Transportation Projects - transportation related projects that do not qualify for funding
in other categories, including landscape and aesthetic improvement, erosion control and environmental mitigation, construction and rehabilitation of roadways within or adjacent to state parks, fish hatcheries and similar facilities, replacement of railroad crossing surfaces, maintenance of railroad signals, construction or replacement of curb ramps for accessibility to pedestrians with disabilities, and miscellaneous federal programs;

(11) Category 11 District Discretionary - projects eligible for federal or state funding selected at the district engineer's discretion; and

(12) Category 12 Strategic Priority - projects with specific importance to the state including those that generally promote economic opportunity, increase efficiency on military deployment routes or to retain military assets in response to the federal military base realignment and closure reports, maintain the ability to respond to both man-made and natural emergencies, and provide pass-through toll financing for local communities.

(b) Program funding categories for other modes of transportation and transportation infrastructure. The ten-year unified transportation program described in §15.14 of this chapter will contain the following program funding categories
for aviation, public transportation, rail, and state's waterways and coastal waters projects:

(1) Aviation Capital Improvement Program - projects based on the anticipated funding levels of the Federal Aviation Administration Airport Improvement Program and the Texas Aviation Facilities Development Program for general aviation airport development in Texas;

(2) Public Transportation - multimodal related projects based on the anticipated federal funding levels for transit including fixed route city bus service, rural demand response service, special transit service for elderly and persons with disabilities, and intercity bus service from city to city;

(3) Rail - rail related projects including light rail, freight rail, passenger rail, and high-speed rail; and

(4) State's waterways and coastal waters - lands, easements, and rights of way for the widening, deepening and expansion of the main channel of the Gulf Intracoastal Waterway (GIWW), including beneficial use projects of dredged material, and other maritime related projects.

(c) Determination of funding allocations. The commission will determine, subject to the mandates of state and federal law and specific requirements contained in other chapters under this title for programs and projects described in subsection (b), the
amount of funds to be allocated to each program funding category for the appropriate period of time.

§15.23. Transportation Allocation Funding Formulas.

(a) Formula allocations. The commission will, subject to the mandates of state and federal law, allocate funds from program funding Categories 1, 2, 4, 5, 7, 9, and 11 described in §15.22 of this subchapter to the districts and metropolitan planning organizations (MPO) in the following manner:

(1) Category 1 Preventive Maintenance and Rehabilitation - will be allocated to all districts according to the following formulas:

(A) preventive maintenance:

   (i) 98% for roadway maintenance with 65% based on on-system lane miles, and 33% based on the pavement distress score Pace factor; and

   (ii) 2% for bridge maintenance based on square footage of on-system span bridge deck area;

(B) rehabilitation: 32.5% based on three-year average lane miles of pavement distress scores less than 70, 20% based on on-system vehicle miles traveled per lane mile, 32.5% based on equivalent single axle load miles for on-system, off-system, and interstate, and 15% based on the pavement distress score
Pace factor;

(2) Category 2 Metropolitan and Urban Corridor Projects — will be allocated to MPOs in the following manner:

(A) 90% to MPOs operating in areas that are transportation management areas, according to the following formula: 30% based on total vehicle miles traveled on and off the state highway system, 17% based on census population, 10% based on lane miles on-system, 14% based on truck vehicle miles traveled on-system, 7% based on percentage of census population below the federal poverty level, 15% based on congestion, and 7% based on fatal and incapacitating vehicle crashes;

(B) 10% to MPOs operating in areas that are not transportation management areas, according to the following formula: 20% based on total vehicle miles traveled on and off the state highway system, 25% based on census population, 8% based on lane miles on-system, 15% based on truck vehicle miles traveled on-system, 4% based on percentage of census population below the federal poverty level, 8% based on centerline miles on-system, 10% based on congestion, and 10% based on fatal and incapacitating vehicle crashes;

(3) Category 4 Statewide Connectivity Corridor Projects — will be allocated to districts for specific projects selected by the commission based on engineering analysis of projects on
three corridor types:

(A) Mobility corridors - congestion considerations in areas that are not in the boundaries of an MPO;

(B) Connectivity corridors - two-lane roadways requiring upgrade to four-lane divided to connect the urban areas of the state;

(C) Strategic corridors - strategic corridor additions to the state highway network;

(4) Category 5 Congestion Mitigation and Air Quality Improvement - will be allocated to districts and MPOs for projects in a nonattainment area population weighted by ozone and carbon monoxide pollutant severity;

(5) Category 7 Metropolitan Mobility and Rehabilitation (TMA) - will be allocated to MPOs operating in areas that are transportation management areas based on the applicable federal formula;

(6) Category 9 Transportation Enhancement - Fifty percent of all funds in this program funding category will be allocated to MPOs operating in areas that are transportation management areas based on the following formula: census population; and

(7) Category 11 District Discretionary - will be allocated to all districts based on state legislative mandates, but if there is no mandate or the amount of available funding in
this category exceeds the minimum required by a mandate, the
funding allocation for this category or the excess funding, as
applicable, will be according to the following formula: 70%
based on annual on-system vehicle miles traveled, 20% based on
annual on-system lane miles, and 10% based on annual truck
vehicle miles traveled.

(b) Pace factor definition. In this section, Pace factor
shall mean a calculation used to adjust funding among districts
in order to react to increases and decreases in a district's
need to improve its pavement distress scores. It will slow the
rate of improvement for districts with the highest condition
scores and accelerate the rate of improvement for districts with
the lowest condition scores. The factor is calculated as
follows:

(1) determine the district with the highest distress
score;

(2) determine the deviation of a district's distress
score from the highest score;

(3) total all deviations for all districts from the
maximum score; and

(4) allocate either a 33% factor under subsection
(a)(1)(A), or a 15% factor under subsection (a)(1)(B), as
applicable, based on a district's percentage of total
deviations.

c) Non-formula allocations. The commission will determine, subject to the mandates of state and federal law and specific requirements contained in other chapters under this title for programs and projects described in subsection (b), the amount of funding to be allocated to a district, metropolitan planning organization, political subdivision, governmental agency, local governmental body, or recipient of a governmental transportation grant, from each of the following program funding categories described in §15.22 of this subchapter:

1. Category 3 Non-Traditionally Funded Transportation Projects;
2. Category 6 Structures Replacement and Rehabilitation;
3. Category 8 Safety;
4. Fifty percent of all funds in Category 9 Transportation Enhancement;
5. Category 10 Supplemental Transportation Projects;
6. Category 12 Strategic Priority;
7. Aviation Capital Improvement Program;
8. Public Transportation;
9. Rail; and
10. State's waterways and coastal waters.

d) Formula revisions. The commission will review and, if
determined appropriate, revise both the formulas and criteria for allocation of funds under subsections (a) - (c) every four years or more frequently as necessary.


(a) Chapter 228 revenue. Revenue from Transportation Code, §228.005, §228.0055, and §228.006 will be allocated in accordance with Subchapter A, Chapter 228.

(b) Toll project funds. Funds associated with toll projects under Chapter 228 are not considered revenue allocated by a formula under §15.23 of this subchapter.

§15.25. Limitation on Allocation of Funds.

(a) Toll project conditions. Neither the commission or the department may require that a toll project be included in a region's transportation plan or program as a condition for the allocation of funds for the construction of projects in the region.

(b) Limitations on allocation decrease. Neither the commission or the department may:

(1) revise a formula as provided in the unified transportation program under §15.14 of this chapter, or its
successor document, in a manner that results in a decrease of an allocation to a district or metropolitan planning organization (MPO) because of:

(A) the failure of a region to include toll projects in a region's transportation plan or program;

(B) participation by a political subdivision in the funding of a transportation project in the region, including the use of money collected in a transportation reinvestment zone under Transportation Code, §222.106 or §222.107; or

(C) payments, project savings, refinancing dividends, and any other revenue received by the commission or the department under a comprehensive development agreement and used to finance the construction, maintenance, or operation of transportation projects or air quality projects in the region; or

(2) take any other action that would reduce funding allocated to a district or MPO without the prior consent of the MPO because of:

(A) the failure of a region to include toll projects in a region's transportation plan or program; or

(B) receipt by a region of payments, project savings, refinancing dividends, and any other revenue received by the commission or the department under a comprehensive development agreement and used to finance the construction, maintenance, or operation of transportation projects or air quality projects in the region; or

(C) payments, project savings, refinancing dividends, and any other revenue received by the commission or the department under a comprehensive development agreement and used to finance the construction, maintenance, or operation of transportation projects or air quality projects in the region; or
agreement; or

(C) the need of another district or MPO for increased funding to complete a pending project.

(c) Financial assistance for toll projects. Nothing contained in this section shall preclude the commission or the department from using funds to design, develop, finance, construct, maintain, repair, or operate or assist in the design, development, financing, construction, maintenance, repair, or operation of toll projects in a region.

§15.26. Use of Allocated Funds. The funds allocated to a district or metropolitan planning organization (MPO) under §15.23 of this subchapter may be used to:

(1) pay project costs, provide toll equity, or make payments under a pass-through toll agreement, for selected transportation projects; or

(2) fund operations costs of an MPO in accordance with §15.4 of this chapter.

§15.27. Encumbrance of Allocated Funds. The allocation of funds to a district or metropolitan planning organization (MPO) will be encumbered in an amount equal to the engineer's estimate of the project cost and periodically adjusted to reflect:
(1) the bid award;

(2) any change orders issued during construction that modify the bid award; and

(3) the total amount paid for a project as of the time it is completed and closed out.

§15.28. Voluntary Transfer of Allocated Funds.

(a) Transfer of allocated funds. The allocation of funds to a metropolitan planning organization (MPO) under §15.23 of this subchapter is subject to a voluntary agreement for the transfer of a portion of one MPO's allocated funds to another MPO.

(b) Agreement. An agreement for the transfer of allocated funds shall be in written form, executed by both MPOs, and approved by the department's executive director. The agreement must include:

(1) the amount of funding to be transferred and the program funding category described in §15.22 of this subchapter from which it will be re-allocated;

(2) the total amount of funds to be reimbursed from allocations to the recipient MPO in future years, the applicable program funding category, the reimbursement period, and the payment schedule; and
(3) a description of the project or projects to be
developed with the transferred funds, including the project
limits, connections with other transportation facilities, and
the geographic area affected.

(c) Commission approval. In determining whether to approve
the transfer, the commission will consider the:

(1) transportation need for and anticipated public
benefit of the transfer, including:

(A) possible loss of federal obligation authority or
apportionment in one or more fiscal years; and

(B) need of an MPO for increased funding in order to
complete a pending project;

(2) reasonableness of the financial terms submitted in
the agreement; and

(3) relationship of the transfer to furthering the
purposes of this chapter.

(d) Reimbursement priority. The obligation of a recipient
MPO to reimburse the lending MPO in accordance with the terms of
the agreement described in subsection (b) of this section shall
have priority over all other considerations relating to the
allocation of future funding in the applicable program funding
category to each of the participating MPOs. If, in any fiscal
year, there are not funds in the applicable program funding
category available to the recipient MPO sufficient to reimburse
the scheduled payment or payments, all of the recipient MPO's
available funds in that category for that fiscal year will be
re-allocated to the lending MPO. Any remaining unpaid balance
of the scheduled reimbursement shall in the next fiscal year
have priority over all other considerations relating to the
recipient MPO's allocation of funding from the applicable
program funding category. The priorities described in this
subsection are subject to an amendment of the agreement as
authorized by all parties to the agreement.

(e) Federal requirements. The transfer and reimbursement
of funds under this section shall be subject to and accomplished
in compliance with all applicable federal requirements.

§15.29. Funding Allocation Adjustments.

(a) Changes in funding. The allocation of funds to each
program funding category under §15.22 of this subchapter and
from the program funding categories to the districts and
metropolitan planning organizations (MPO) under §15.23 of this
subchapter are subject to the occurrence of significant changes
in the department's funding.

(b) Allocation revisions. If a significant change in
funding is identified by the department's chief financial
officer in an updated cash flow forecast, the commission may revise the allocation of funds to each program funding category and from the program funding categories to the districts and MPOs and approve:

1. a specific percentage increase or decrease in the allocation of funds and, subject to the mandates of state and federal law, apply the percentage change equally to each program funding category; or

2. an increase or decrease in the allocation of funds to one or more program funding categories, after considering the:
   (A) total amount of the change;
   (B) priority of the funding category based on the category's relationship to the stated commission goals as provided in the statewide long-range transportation plan under §15.6 of this chapter;
   (C) mandates of state and federal law; and
   (D) best interests of the state.

(c) Adjustment of programs. After the commission approves a change in the allocation of funds to a program funding category under subsection (b), the funds allocated to individual districts and MPOs will be proportionally adjusted and the unified transportation program, metropolitan planning organization ten-year transportation programs, statewide
transportation improvement programs, and metropolitan transportation improvement programs will be revised in accordance with the applicable change in funding. Specific projects will be advanced or delayed in the order of the planning organization's and department's listed priorities.

(d) Preference for allocation of funding increases. If the allocation of funds to a district or MPO is reduced under subsection (c), any subsequent increase in the allocation of funds to the applicable program funding category will be allocated first to the accounts of the districts and MPOs that were previously reduced.

(e) Public involvement. The department will hold at least one statewide public hearing regarding a proposed change in the allocation of funds to a program funding category under this section with an available comment period of at least 30 days after the date the hearing notice appears in the Texas Register in accordance with the procedures set forth in §15.14(g) of this chapter.

(f) Publication. Documents describing each change in the allocation of funds to a program funding category will be available for viewing by the public on the department's website and at each of the district offices and at the department's Finance Division offices in Austin.
§15.30. Project and Performance Reporting System.

(a) General. The department will establish a project and performance reporting system that makes available in a central location on the department's website information regarding the:

(1) delivery of individual transportation projects as provided in §15.31 of this subchapter;

(2) operation and condition of the department's statewide transportation system as provided in §15.32 of this subchapter; and

(3) funding available for the department's statewide transportation system and actual expenditures related to the system as provided in §15.33 of this subchapter.

(b) Entry of information. Each district will enter information about each of its transportation projects into the project and performance reporting system.

(c) Department website. The department will make the statistical information provided under this subchapter available on the department's website in more than one downloadable electronic format. The information will be easily accessible, understandable, and in a format that allows a person to conduct electronic searches for information about a specific district.
county, a highway under the jurisdiction of the department, or a type of road.


(a) Work plan. The department will develop a business work plan for tracking the delivery of individual transportation projects, including grouped rehabilitation and preventive maintenance projects, that are being developed or under construction and identified in the unified transportation program (UTP) described in §15.14 of this chapter.

(1) Each district will develop a consistently formatted work plan based on the UTP that contains all projects the district intends to implement during the next fiscal year and the following three consecutive fiscal years.

(2) The work plan must contain the following information for each project:

   (A) an identification of each phase of project development, including planning, route and environmental impact studies, design, right-of-way acquisition, utility adjustment, and construction;

   (B) the estimated cost of each phase of project development;

   (C) a project schedule with timelines for completing
each phase of the project;

    (D) a summary of progress on the project that
identifies whether the project is being completed on-time and
on-budget; and

    (E) a list of department employees responsible for the
project, including information as to how each person on that
list may be contacted.

(3) The department will use the work plan to:

    (A) assist in preparation of a budget for the district
and the department;

    (B) monitor the performance of the district; and

    (C) evaluate the performance of district employees.

(4) The department will consolidate the districts' work
plans into a statewide work plan and publish it on the
department's website.

(5) The department will update the information contained
in the project and performance reporting system for delivery of
individual transportation projects under this section at least
monthly.

(b) Annual Report. As a component of the project and
performance reporting system required by this section, the
department will conduct an annual review of the benchmarks and
timelines of all transportation projects funded under program
funding Categories 2, 3, 4, 5, 6, 7, and 12 described in §15.22 of this chapter to determine the completion rates of the projects and whether the projects were completed on-time and on-budget. The review will include a report on the level of achievement statewide and by district, and a status report on each transportation project listed in the work plan and included in the program funding categories described in this subsection.

(c) Legislative districts. The department will make available to each member of the legislature a copy of the annual reports required by this section for each department district located within the boundaries of a legislative district, and at the request of a member of the legislature, a senior management employee of the department will meet with the member to explain the report.

(d) Legislature. The department will provide a copy of the complete annual report required by this section to the lieutenant governor, the speaker of the house of representatives, and the chair of the standing committee of each house of the legislature with primary jurisdiction over transportation issues.

§15.32. Performance Reporting on the Operation and Condition of the Statewide Transportation System.
(a) System performance. The department will develop a set of performance measures for evaluating the effectiveness of its expenditures on the statewide transportation system in achieving the transportation goals identified by the statewide long-range transportation plan under §15.6 of this chapter. The transportation goals include:

1. reduce congestion;
2. enhance safety;
3. expand economic opportunity;
4. preserve transportation assets; and
5. improve air quality.

(b) Performance measures. At a minimum, the performance measures adopted under subsection (a) will include the:

1. percentage of transportation construction projects for which the planning, design, and project development phases, including environmental clearance, right-of-way acquisition, and utility coordination, are completed on or before the planned implementation timelines and on-budget;
2. percentage of transportation construction projects for which construction is completed on or before the planned implementation timelines and on-budget;
3. total amount spent for right-of-way as a percentage of the original estimated amount;
(4) number of vehicle miles traveled;

(5) peak hour travel congestion in the eight largest metropolitan areas;

(6) number of fatalities per 100 million vehicle miles traveled;

(7) percentage of bridges that have a condition rating of good or better;

(8) amounts of money deposited in the state highway fund and disbursements compared to forecasted amounts;

(9) amounts obligated to be spent in connection with contracts or participation in contracts with historically underutilized businesses, disadvantaged business enterprises, and small business enterprises as a percentage of the amounts spent on all contracts; and

(10) percentage of lane miles on the state highway system that have a pavement condition rating of good or better.

(c) Additional performance measures. The commission, as it deems appropriate, may adopt performance measures in addition to those listed in subsection (b).

(d) Updates. The department will update the information contained in the project and performance reporting system for performance measures under this section at least annually.

(e) Annual Report. As a component of the project and
performance reporting system required by this section, the
department will evaluate and publish a report about the status
of each transportation goal that is identified by the statewide
long-range transportation plan under §15.6 of this chapter. The
department will report on the level of achievement statewide and
by district.

(f) Legislative districts. The department will make
available to each member of the legislature a copy of the status
reports for each department district located within the
boundaries of a legislative district, and at the request of a
member of the legislature, a senior management employee of the
department will meet with the member to explain the report.

(g) Legislature. The department will provide a copy of the
complete status report to the lieutenant governor, the speaker
of the house of representatives, and the chair of the standing
committee of each house of the legislature with primary
jurisdiction over transportation issues.

§15.33. Reporting System for Funding and Expenditures.

(a) Account information system. The department will
develop an account information reporting system for tracking
money deposited in each separate account and subaccount of the
state highway fund, including subaccounts for toll projects
under Chapter 228. The account information will include:

(1) the source and amount of the deposited funds;

(2) the amount and general type or purpose of expenditure as described in the comptroller's statewide accounting system;

and

(3) the balance in each account and subaccount.

(b) Updates. The department will update the account information reporting system at least quarterly.

§15.34. Department Information Consolidation. To the extent practicable and to avoid duplication of reporting requirements, the department may combine the reports required under this subchapter.