

May 8, 2015
Via Electronic Docket

Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, D.C. 20590

RE: Request for Comments on Proposed Rulemaking – National Performance Measures; Assessing Pavement Condition for the National Highway Performance Program and Bridge Condition for the National Highway Performance Program
Docket No. FHWA-2013-0053 (FHWA RIN 2125-AF53)

The Atlanta Regional Commission (ARC) submits these comments in response to the U.S. Department of Transportation’s (Federal Highway Administration) Request for Comments on the Notice of Proposed Rulemaking related to identification of performance measures for pavement and bridge conditions on the National Highway Performance Program network. The NPRM was published in the January 5, 2015 Federal Register (Volume 80, Number 2). The deadline for comments was subsequently extended to May 8, 2015 in a notice in the February 17, 2015 Federal Register (Volume 80, Number 31).

1. ARC supports the comments made by the Georgia Department of Transportation (GDOT) which they have articulated in the response to the NPRM on March 30, 2015. In particular, ARC shares GDOT’s concern regarding the benefit/cost of collecting pavement condition data in both directions at 0.1 mile increments for the entire NHPP network. With financial resources stretched at every level of government, such a requirement is excessive and results in only marginally better insight into the system condition, but at a greatly increased cost. In urban environments on roadways with a median or other divider separating travel directions, the standard seems reasonable. However, on undivided facilities in exurban and rural areas, ARC does not think the extra cost can be justified.
2. ARC has some concern with GDOT’s comment regarding relaxing the threshold for what percentage of the network’s pavement condition should be allowed to be in poor condition. ARC is pursuing an aggressive “fix it first” policy and believes a strong federal position on this issue will help in setting funding priorities in collaboration with our local and state implementing agencies. We support an aggressive goal, yet one which is still feasible and realistic given the current transportation funding environment.
3. ARC has been actively involved in reviewing briefs and preliminary comments prepared by a wide variety of national level stakeholder organizations, including the Association of Metropolitan Planning Organizations (AMPO), the National Association of Regional Councils (NARC), Transportation for America (T4A) and the American Association of State Highway and Transportation Officials (AASHTO). We generally concur with and



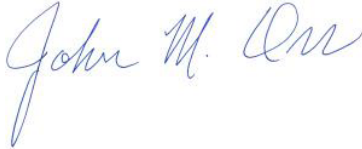
support the positions being taken by those entities. To avoid redundancy, ARC will not repeat in their entirety what those organizations' final comments will include but want to emphasize a several points:

- a. Missing data should not be coded by default as being in "poor" condition. This approach distorts the true condition of the network and will skew assessments of how the condition changes over time once the missing data is collected.
 - b. Not all NHS facilities are equally important to sustaining local, regional and state economies. Some flexibility should be permitted to consider other factors in the prioritization of resources, rather than requiring a simplistic a "worst first" approach in making improvements. Other entities have suggested a number of optional data points which could be considered, any of which ARC believes are reasonable for consideration.
 - c. The entity which owns and operates an NHS facility should ultimately be the one held accountable for reporting data and making progress for that roadway.
 - d. Requiring the documentation of targets within the Metropolitan Planning Agreements is unnecessarily prescriptive and sets a time consuming precedent for the possible inclusion of other technical procedures and analysis outcomes in the future.
4. ARC supports FHWA in establishing a performance reporting cycle that allows the adjustment of targets to reflect changes in underlying system conditions. Recognition that a baseline network must be identified and "frozen" for purposes of a reporting cycle is also noteworthy. The concept of repetitious two-year performance periods and four-year collection cycles, coupled with the requirement to produce baseline performance period reports, mid performance period reports and full performance period reports, is unnecessarily complicated and will create stakeholder confusion. All states should have the flexibility to produce a baseline conditions report as of a common date in the future. Short-term and long-term targets should be established as part of each state's report. At regular intervals (two years), each state would be required to provide progress reports. At this time, they could also be permitted to adjust their networks and targets as they feel appropriate in collaboration with FHWA. Any changes in networks and targets would need to be clearly documented in order to reset the baseline for the next progress report. FHWA could use this coordination to make a determination with regards to whether the state is making significant progress or not. ARC believes two-year reporting cycles would be reasonable. While permitting the network to change on a regular basis does create a slight "apples to oranges" problem with analyzing long-term progress, changes to the NHS network in reality are likely to be infrequent and minimal in impact when compared to the overall network extent. Any problems created by this would be greatly outweighed by the benefits of a standardized "rolling" reporting cycle.
5. ARC is not opposed to the concept of holding states accountable for achieving minimum standards and requiring that additional financial resources be redirected to meet those standards - if necessary. However, the logic of requiring that the incremental amounts be based on the FY 2009 apportionment levels for a formula program which no longer

exists is difficult to justify. Some allowance must be given if the time required to achieve the minimum standard extends beyond the date of the next progress report, provided a clear financial plan and work program is in place to correct the issue by a future date mutually agreed upon by the state DOT and FHWA.

Thank you for the opportunity to provide input and comments. We look forward to working with USDOT as it moves forward on finalizing the MAP-21 rulemaking for NHPP pavement and bridge performance measures. Should you have any questions or seek further input on the information provided, please contact me at (404) 463-3265.

Respectfully submitted,



John M. Orr, Manager
Transportation Access and Mobility Division

