

May 6, 2015

Anthony Foxx, Secretary of Transportation
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

Re: Docket # FHWA-2013-0053 Submittal

Dear Secretary Foxx:

Thank you for your continuing commitment to improve our nation's transportation system and for this opportunity to provide comments on the Notice of Proposed Rule Making (NPRM) for Assessing Pavement and Bridge Conditions for the National Highway Performance Program. Since the draft rule was released in January, our staff has been working with local and state partners to review the draft provisions and approaches contained in the rule. As the Metropolitan Planning Organization (MPO) for the central Puget Sound region, the Puget Sound Regional Council (PSRC) offers the following comments for your consideration.

Overall, our staff review found that USDOT did a good job in translating the language contained in MAP-21 with regard to establishing pavement and bridge condition performance targets and measuring progress. The following comments are offered primarily to strengthen and streamline the proposed rule as well as request clarification on key elements included in the draft regulations.

General Comments

- A number of deadlines appear in the NPRM. PSRC supports an implementation process that provides the full allotment of time outlined in MAP-21 for states and MPOs to establish performance targets and transition data collection approaches. PSRC suggests changing the deadlines currently represented as a date or year, to a length of time relative to the effective date of the final rule to address concerns that states will not have sufficient time to comply if the effective date slips beyond the estimated October 2015 timeframe.
- PSRC and its partner agencies support a common effective date for all MAP-21 rules for planning and performance management to avoid piecemeal implementation and public confusion.
- PSRC suggests that final rules for safety, planning, infrastructure condition, and the state asset management plan be distributed when they are ready for public consumption, provided that the coordinated effective date of all FHWA rules is after the final rule for the system performance measures has been promulgated. This would allow states and MPOs additional time to comply with earlier rules prior to their effective date.
- In order to streamline state reporting requirements outlined in MAP-21, PSRC suggests that FHWA develop a consistent reporting framework across all performance management categories. The framework should include logical and coordinated reporting deadlines for all performance targets

required under MAP-21 and a consistent approach to report the data to FHWA, such as the pavement and bridge condition reporting template discussed in the NPRM.

Data Collection Approach & Requirements

- The Highway Performance Monitoring System (HPMS) Field Manual (which has been incorporated with this NPRM by reference) acknowledges that it may be challenging or impossible to obtain meaningful measurements for roughness on certain segments of road or in certain situations. The suggestion to collect data during non-peak hours and/or at night will add substantial cost to the data collection effort while still yielding questionable results.
- By imposing AASHTO standards for the collection of rutting and cracking data, it may become necessary for some states and MPOs to report pavement conditions in multiple formats to satisfy existing reporting requirements that require the use of non-AASHTO methodologies and report formats. To the greatest extent practicable, please consider existing state reporting requirements to ensure that duplicative data collection and reporting efforts are not created in the final rule.
- Section 490.111 lists AASHTO Standard Specifications that states must follow when collecting and calculating pavement distresses; however, these specifications are not freely available. Please consider providing access to the AASHTO standards for pavement data collection as a component of MAP-21 implementation.
- On behalf of our partner agencies, please consider the following technical question and clarifications:
 - Which standards should be used to collect International Roughness Index (IRI) data?
 - Please clarify that a bituminous road would include a road with a chip seal wearing surface.
 - Please clarify if the AASHTO method required for distress evaluation is also appropriate for chip sealed surfaces.
 - Please clarify that the percent cracking distress only refers to fatigue and/or alligator cracking and that no other cracking distress is reported.

Target Setting & Minimum Conditions

- Please consider allowing MPOs to establish performance targets that encompass all areas within their planning boundary rather than only the federally designated metropolitan planning area. This would allow for consistent infrastructure condition targets for the full region in the event the MPO target differs from the state target.
- The draft rule proposes that states can set additional statewide performance targets for urbanized and non-urbanized areas. The PSRC planning area encompasses both the federally defined metropolitan planning area as well as the surrounding non-urbanized and rural areas of the four-county region. PSRC suggests that FHWA provide additional flexibility that would allow states to establish performance targets for an MPO or Regional Transportation Planning Organization's entire planning area. This would allow the state to better understand each region's contribution to statewide pavement and bridge conditions as well as urban vs. rural geographies.
- PSRC does not agree that the minimum pavement and bridge condition standards should be made more stringent over time. Enacting this requirement could lead to a "worst first" pavement management approach to stay ahead of the minimum condition standard, an approach that has been shown to be counterproductive to effective cost-management. The focus of the Federal program should be to

maintain pavements in good condition with a portion of the resources being dedicated to address pavements in poor condition. Using this lowest lifecycle cost approach, the percent of pavements rated as poor may be stagnant for several years or, at a minimum, be slow to improve due to the substantially greater cost to rehabilitate a poor pavement than a fair or good condition pavement.

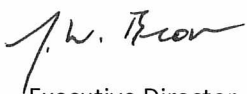
Performance Reporting & Evaluation

- Please clarify how states and MPOs will be expected to show that a program of projects supports regional and state targets. Does this requirement apply to the entire program of projects or are states and MPOs expected to identify how each project within the program makes progress towards the targets?
- 490.109(e) – “FHWA will biennially assess whether the state DOT has achieved or made significant progress towards each target established by the State DOT for the NHPP measures described in 490.105(c)(1) and (3).” Please clarify if the NPRM intends to say that only interstate and bridge performance will be evaluated on a biennial basis. Other information in the NPRM indicates that all three performance metrics will be evaluated.
- Interstate Roughness Index (IRI) good/fair/poor thresholds should reflect the difference in perceptions of a ride quality relative to speed. Vehicles traveling on local routes at lower speeds are less sensitive to the distresses that IRI measures. PSRC suggests that the difference in thresholds between good/fair/poor with regard to IRI should be based on speed rather than population.
- PSRC disagrees with the proposed definition of “significant progress” towards meeting pavement and bridge condition targets. This determination should be based on a statistical evaluation of the data using the standard deviation to determine the level of significance.
- It is in the best interest of FHWA, states, and MPOs to coordinate approaches for categorizing bridge conditions to the greatest practical extent. The FHWA-proposed approach for defining a “poor” bridge is closely aligned with the methods for determining a “structurally deficient” facility; however, the proposed approach does not capture two additional metrics (structural and waterway adequacy). Excluding these two dimensions from the MAP-21 evaluation framework presents a possibility that a bridge could be classified as “good” or “fair” in the MAP-21 evaluation, yet still be designated as “structurally deficient,” possibly causing public confusion and inconsistencies between reporting efforts. Please consider adopting all metrics used to classify a “structurally deficient” facility in the determination of a “poor” facility in the MAP-21 evaluation.

Thank you for considering our suggestions as you finalize the rules to implement MAP-21.

Sincerely,

Josh Brown



Executive Director

Puget Sound Regional Council