

DENVER REGIONAL COUNCIL OF GOVERNMENTS
NEW BILLS--2018 SESSION
As of 2-14-18

Bill No.	Short Title/Bill Summary	Sponsors	Status	Recomm. Position	*FN	Staff Comments	Legislative Policy
FEDERAL TRANSPORTATION BILL							
HR 5198	Official Summary Not Printed Yet - Title: Restoring Local Control Act (please see attached redline for proposed changes to federal law as a result of the bill)	Rep. Buck (CO-04)	House Transportation & Infrastructure Committee	At the Board's Direction	NA	The bill as introduced would allow for MPO boundary adjustments by a simple majority vote of the membership (current law requires a 75% threshold) and concurrence of the Governor. If smaller MPOs are created (from the original large MPO boundary), the State would be required to coordinate the TIP investments among the various sub-MPO entities.	

* FN = Fiscal Note

(d) DESIGNATION OF METROPOLITAN PLANNING ORGANIZATIONS.—

(1) IN GENERAL.—To carry out the transportation planning process required by this section, a **metropolitan planning organization** shall be designated for each urbanized area with a population of more than 50,000 individuals—

(A)

by agreement between the Governor and units of general purpose local government that together represent at least ~~75 percent~~ **50 percent** of the affected population (including the largest incorporated city ~~(based on population)~~ as determined by the Bureau of the Census); or

(B)

in accordance with procedures established by applicable **State** or local law.

~~**(2) STRUCTURE.—**Not later than 2 years after the date of enactment of MAP-21, each metropolitan planning organization that serves an area designated as a transportation management area shall consist of—~~

~~**(A)**~~

~~local elected officials;~~

~~**(B)**~~

~~officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation; and~~

~~**(C)**~~

~~appropriate State officials.~~

~~“(2) STRUCTURE.—Notwithstanding paragraphs (3) and (4) and not later than 180 days after enactment of the Restoring Local Control Act, membership of each metropolitan planning organization that serves an area designated as a transportation management area shall consist of only the following:~~

~~**(A)** local elected officials;~~

~~**(B)** officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation; and~~

~~**(C)** appropriate State officials.”.~~

~~(3) by striking paragraph (4) and redesignating paragraphs (5), (6), and (7) as paragraphs (4), (5), 22 and (6), respectively.~~

~~(b) AUTONOMY.—Section 134(g)(1) of such title is amended by striking “and the State” and all that follows through the period at the end and inserting the following: “to ensure that the plans and programs of the metropolitan~~

planning organization comply with the requirements of this section. The State shall provide oversight in an area with multiple metropolitan planning organizations". (see below in blue)

(3) REPRESENTATION.—

(A) In general.—

Designation or selection of officials or representatives under paragraph (2) shall be determined by the metropolitan planning organization according to the bylaws or enabling statute of the organization.

(B) Public transportation representative.—

Subject to the bylaws or enabling statute of the metropolitan planning organization, a representative of a provider of public transportation may also serve as a representative of a local municipality.

(C) Powers of certain officials.—

An official described in paragraph (2)(B) shall have responsibilities, actions, duties, voting rights, and any other authority commensurate with other officials described in paragraph (2).

(4) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this subsection shall be construed to interfere with the authority, under any State law in effect on December 18, 1991, of a public agency with multimodal transportation responsibilities—

(A)

to develop the plans and TIPs for adoption by a metropolitan planning organization; and

(B)

to develop long-range capital plans, coordinate transit services and projects, and carry out other activities pursuant to State law.

(5) CONTINUING DESIGNATION.—

A designation of a metropolitan planning organization under this subsection or any other provision of law shall remain in effect until the metropolitan planning organization is redesignated under paragraph (6).

(6) REDESIGNATION PROCEDURES.—

(A) In general.—

A metropolitan planning organization may be redesignated by agreement between the Governor and units of general purpose local government that together represent at least ~~75 percent~~ **50 percent** of the existing planning area population (including the largest incorporated city ~~(based on population)~~ as determined by the Bureau of the Census) as appropriate to carry out this section.

(B) Restructuring.—

A metropolitan planning organization may be restructured to meet the requirements of paragraph (2) without undertaking a redesignation.

(7) DESIGNATION OF MORE THAN 1 METROPOLITAN PLANNING ORGANIZATION.—

More than 1 metropolitan planning organization may be designated within an existing metropolitan planning area only if the Governor and the existing metropolitan planning organization determine that the size and complexity of the existing metropolitan planning area make designation of more than 1 metropolitan planning organization for the area appropriate.

(g) MPO CONSULTATION IN PLAN AND TIP COORDINATION.—

(1) NONATTAINMENT AREAS.—

If more than 1 metropolitan planning organization has authority within a metropolitan area or an area which is designated as a nonattainment area for ozone or carbon monoxide under the Clean Air Act (42 U.S.C. 7401 et seq.), each metropolitan planning organization shall consult with the other metropolitan planning organizations designated for such area and ~~the State in the coordination of plans and TIPs required by this section.~~ to ensure that the plans and programs of the metropolitan planning organization comply with the requirements of this section. The State shall provide oversight in an area with multiple metropolitan planning organizations

(2) TRANSPORTATION IMPROVEMENTS LOCATED IN MULTIPLE MPOS.—

If a transportation improvement, funded from the Highway Trust Fund or authorized under chapter 53 of title 49, is located within the boundaries of more than 1 metropolitan planning area, the metropolitan planning organizations shall coordinate plans and TIPs regarding the transportation improvement.

(3) RELATIONSHIP WITH OTHER PLANNING OFFICIALS.—

(A) In general.—

The Secretary shall encourage each metropolitan planning organization to consult with officials responsible for other types of planning activities that are affected by transportation in the area (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, and freight movements) or to coordinate its planning process, to the maximum extent practicable, with such planning activities.

(B) Requirements.—Under the metropolitan planning process, transportation plans and TIPs shall be developed with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the metropolitan area that are provided by—

(i)
recipients of assistance under chapter 53 of title 49;

(ii)
governmental agencies and nonprofit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the Department of Transportation to provide nonemergency transportation services; and

(iii)
recipients of assistance under section 204.

(h) SCOPE OF PLANNING PROCESS.—

(1) IN GENERAL.—The metropolitan planning process for a metropolitan planning area under this section shall provide for consideration of projects and strategies that will—