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TO: POLICY ADVISORY COUNCIL

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**SUBJECT: METRO'S STATUTORY AND REGULATORY
COMPENDIUM RELATED TO LONG RANGE PLANNING**

ISSUE

The attached Statutory and Regulatory Compendium provides a framework for the federal, state, regional and Metro legislative and policy mandates for consideration and inclusion where appropriate, when developing and updating the Long Range Transportation Plan (LRTP). This compendium is presented to the Policy Advisory Council (PAC) for information, as it is part of the orientation and context for the LRTP.

BACKGROUND

As Metro moves forward with updating the LRTP to a more encompassing and innovative process that is modular, dynamic, and comprehensive that addresses a continuum of periods, the importance of federal, state, regional and local mandates that will drive the LRTP for the next 40 years and beyond must be considered. With this in mind, Metro's Countywide Planning & Development Department has developed the Statutory and Regulatory Compendium (Attachment A).

The compendium is comprised of specific directives that must be complied with for LRTP's programs and projects funded with federal, state, regional, and local sources. Some of the directives include Federal Authorizations and Federal Register provisions, California Transportation Commission's requirements, Southern California Association of Governments (SCAG) and the Air Quality Management District's rules on air quality attainment, as well as Metro Board mandates on plans and programs for the agency.

In addition to adherence and compliance, and recognizing that the funding landscape is critical to the LRTP, the compendium is designed to be flexible to reflect new legislation and policies as they arise – such as the recently approved Senate Bill 1.

NEXT STEPS

Metro Staff

Staff will continue to monitor for any new mandates and amend the compendium accordingly. Staff will also continue to keep the PAC informed of potential impacts to the LRTP from new mandates.

Attachment A – Statutory and Regulatory Compendium

METRO STATUTORY AND REGULATORY COMPENDIUM

OUTCOMES & PLANS

Federal, State, Regional and Metro Planning Regulations

Public Law 114-94; §1201-1202; §1114	Fixing America's Surface Transportation (FAST) Act. Five-year federal transportation bill designed to improve the nation's surface transportation infrastructure.	23 USC §134	Establishes the requirements and process for metropolitan transportation planning, including the development of Regional Transportation Plans (RTP) and Regional Transportation Improvement Plans (RTIP). RTPs and RTIPs must be developed in conformance with the Clean Air Act (42 USC 7401 et seq.).
40 CFR part 93 §93.101 et. seq. (Federal Conformity Regulation)	Defines that MTA and other recipients of federal funds are subject to specific requirements within the federal conformity regulations: > Federal conformity determinations are to be done on a regular basis to coincide with adoption of RTP and RTIP. > MPOs and DOTs are to consult with local transportation agencies and other agencies prior to approving a conformity implementation plan revision.	23 CFR Ch. 1 §450.312 2012	Federal regulations delineate that the metropolitan transportation planning process must ensure the coordinated development of the RTP with the SIP air quality plan development process.
CA Public Utilities Code §130051 et. al 1993	Establishes the duties, responsibilities, and functions of the Los Angeles County Metropolitan Transportation Authority, including a statutory requirement for "a transportation planning and programming organizational unit" assuming all responsibilities of predecessor agencies.	23 USC 134 23 CFR 490	National Performance Management Measures for: > Performance of the National Highway System > Freight Movement on the Interstate System > Congestion Mitigation and Air Quality Improvement Program. Proposed rule (FHWA-2013-0054) was released for comment on April 22, 2016. The comment period closed on August 20, 2016.
CA PUC 12 Art. 5, §130501-130506 1976	Defines coordination responsibilities between SCAG and county transportation commissions including: > SCAG responsibility for long-range planning, including coordinating the plans and programs of commissions > SCAG role in coordinating, reviewing, and resolving intercounty conflicts, approving and developing plans in a cooperative effort with commissions	FHWA/FTA Joint Planning Regs. 23 CFR 450 49 CFR 613	Provides the administrative rule for implementing the metropolitan transportation planning requirements of 23 USC 134. (Final rule published May 26, 2016, in federal register). Key requirements include: > Requirements for the metropolitan planning process > Key planning factors to consider > Performance based approach and performance targets
PUC Section 130105	Metro and TAC – The Board adopts an administrative code by ordinance, which proscribes the powers and duties of its officers, appointment of employees, methods, systems, procedures, systems of operation and management of the LACMTA. It was adopted in August 2003.	FTA Guidance	Guidance for Transit Financial Plans, June 2000 (for New Starts funding requests).
CA Govt. Code §65080 et. al	Metro Long Range Transportation Plan (LRTP). LRTP updated periodically to reflect updated conditions (e.g., changing demographics), programs/projects, and funding. Current LRTP updated and adopted by Board in 2009. Update underway for Board adoption in 2017.	Circular – FTA C 50101.D	Final Interim Policy Guidance, Capital Investment Grant Program. Guidance for post-award grant administration and project management activities for all applicable FTA grant programs.
23 USC 134 23 CFR 450	Advanced Clean Transit (ACT) Initiative. A proposed measure that would employ a combination of incentives and/or other methods for fleets to purchase advanced technology buses with the goal of transforming the statewide transit fleet by 2040.	CA Govt. Code §65080 et. al	Establishes the state requirements and process for the development of Regional Transportation Plans (RTP).
		CA Govt. Code §14522	Regional Transportation Plan Guidelines. Adopted by the CTC and provides guidance on all aspects of developing an RTP, including: > Development of the RTP and required RTP components > Meeting new SB 375 requirements for a Sustainable Community Strategy, which meets GHG reduction targets
		CA Govt. Code §65080 et. al SB 375 23 USC 134 23 CFR 450	SCAG 2016 Regional Transportation Plan/Sustainable Community Strategy (RTP/SCS). Most recently adopted Regional Transportation Plan, which includes Metro programs and projects. RTP has been certified in conformance with Federal Clean Air Act.
		CA PUC 12 Art. 5, §130059	SCAG is responsible for convening at least two meetings per year of representatives of each commission and Caltrans to: > Review and discuss TIP prior to commission adoption > To review RTP prior to SCAG adoption > To consider progress in development of regionwide, unified transit system > Review other matters of mutual concern
		CA Govt. Code §65082	Establishes the state requirements and process for the development of Regional Transportation Improvement Plans (RTIP).
		CA PUC 12 Art. 5, §130304 (b)	SCAG may revise the TIP of a commission in order to resolve conflicts between the recommended commission programs or with the adopted regional transportation plan. In case of a disagreement as to the resolution of such a conflict between SCAG and a commission, the California Transportation Commission shall resolve the conflict.
		MAP-21 (PL-112-141) 23 CFR 450 SB 375	FTIP Guidelines. Guidelines prepared and adopted by SCAG to provide instructions to local agencies regarding project submittal for inclusion in SCAG's FTIP, consistent with CTC adopted 2016 STIP Guidelines.
		CA Govt. Code §65074	Caltrans, in cooperation with MPOs, shall prepare a federal statewide TIP in accordance with 23 USC 135 (g). To be submitted to US DOT no later than December 1 of even numbered years.
		CA Govt. Code §65082	SCAG Regional Transportation Improvement Program (RTIP). Includes projects recommended for near-term funding from Metro TIP.
		Various	Metro Funding Sources Guide – 2015. Describes funding sources available to Metro (federal, state, and local). Currently being updated.

Federal Clean Air Act

Clean Air Act of 1990	Application for rail transit extensions shall include a plan for integrating bus and rail service.	40 CFR Parts 50 and 51 2016	Establish new national ambient air quality standards and interim implementation policy. MTA to monitor potential impacts on transportation plans and programs.
40 CFR Part §93.101 et. seq. (Federal Conformity Regulation)	Defines that MTA and other recipients of federal funds are subject to specific requirements within the federal conformity regulations: > MPOs and DOTs are to consult with local transportation agencies and other agencies prior to approving a conformity implementation plan revision.	CA Health and Safety Code §40460 - 40471	Requires the South Coast Air Quality Management District to adopt an Air Quality Management Plan (AQMP) to achieve and maintain state and federal air quality requirements for the South Coast Air Basin.
CA Health and Safety Code §40458	Rescinds SCAQMD Rule 1501 and 1501.1. Amends Rule 2202 to raise the worksite employee threshold to 250, and permits the replacement of Rule 2202 with alternative direct light-duty mobile source emission reduction measures, other than new vehicle emission standards or reformulated fuel standards.	CA Health and Safety Code §40910 - 40930	Establishes requirements for air districts regarding state ambient air quality standards for ozone, carbon monoxide, sulfur dioxide and nitrogen dioxide.
Federal Clean Air Act	2016 California State Implementation Plan (SIP). California's state air quality plan which describes proposed measures to achieve the reductions needed from the mobile sector and consumer products to meet federal ozone and PM2.5 standards over the next 15 years.	Legislation	CARB 2016 Mobile Source Strategy (MSS). The Mobile Source Strategy is a comprehensive strategy to reduce emissions from mobile sources to meet critical air quality and climate goals over the next 15 years.
Legislation	Advanced Clean Transit (ACT) Initiative. A proposed measure that would employ a combination of incentives and/or other methods for fleets to purchase advanced technology buses with the goal of transforming the statewide transit fleet by 2040.	Federal Clean Air Act (CAA) National Ambient Air Quality Standards (NAAQS)	2016 South Coast Air Quality Management Plan. SCAG RTIP is portion of AQMD as Transportation Control Measures. TCMs that are not implemented on schedule must be substituted. Also includes requirements for zero emission bus fleet.
CA Health and Safety Code §40428	Calls for a SCAQMD Advisory Council. Membership and rules of the advisory council shall be as established by resolution of south coast district board. Function is met by creation of AQMP Advisory Group to provide direct input into the AQMP update process. MTA is designated one seat on the advisory group. (per Resolution 96-24).	SCAQMD Rule 1302	As required by federal regulations, this regional rule implements a federally-enforceable MOU that specifies interagency consultation process requirements in the transportation conformity process.
SCAQMD Rule 1302	As required by federal regulations, this regional rule implements a federally-enforceable MOU that specifies interagency consultation process requirements in the transportation conformity process.	SCAQMD Rule 2022	Regional regulation requiring that employers with 250 or more employees at a worksite implement mobile source emission reduction programs. Employers are provided with a menu of options to comply. The menu includes implementation of employee commute trip reduction programs that use TDM strategies to reduce vehicle trips and VMT.
42 USC 740 et. Seq., Title I, Part A §176©	Congressional mandate that federal funding or approval of transportation programs, plans, and projects must be consistent with air quality planning.		

State Plans and TIP

CA Govt. Code §65070 et. al 23 USC 135 CFR 450	California Transportation Plan. The California Transportation Plan provides a long-range policy framework to meet our future mobility needs and reduce greenhouse gas emissions.
SB 45 AB 32 SB 375 SB391	Interregional Transportation Strategic Plan. The Interregional Transportation Strategic Plan (ITSP) is a Caltrans document that provides guidance for the identification and prioritization of interregional transportation improvements to be funded in the Interregional Transportation Improvement Program (ITIP).
CA Govt. Code §14530.1	STIP Guidelines. Guidelines are to be prepared to guide the development of the STIP. These guidelines are to include objective criteria for measuring system performance and cost-effectiveness of candidate projects.
CA TDA Act	Transportation Development Act (TDA): Statutes and California Codes of Regulations. Periodically updated by Caltrans, Division of Mass Transit to document current TDA statutes and regulations.
CA Govt. Code §65070 et. al 23 USC 134 CFR 450	State Transportation Improvement Program (STIP). Includes regional projects requiring state funding approval.
Passenger Rail Investment and Improvement Act (PRIIA), 2008, 49 USC e §22102	California State Rail Plan (CSRP). Federal law (PRIIA) requires that states develop plans no less frequently than every five years to be eligible for federal funding for high-speed rail (HSR) and intercity passenger rail programs.

Federal, State and Local Environmental

Title 14, Chapter 3 of California Administrative Code §§15000-15387	Prescribes requirements for CEQA Guidelines Code, which include many requirements that MTA must meet as a responsible or interested public agency, including rules for preparation and review of a Negative Declaration and Environmental Impact Report.
CEQA Statutes; CA Public Resources Code §§21000-21178.1	Metro Planning reviews and comments on environmental documents prepared under state environmental law (CEQA). Transportation planning agencies which could be affected by the project are required to receive copies of environmental documents from lead agencies for review and comment.
NEPA, CEQA, Federal Transit Guidance	Metro Corridor Studies/EIS & EIRs. Conducted in accordance with Board direction to further develop projects included in the Board approved LRTP, and to comply with federal (EIS) and state (EIR) environmental impact analysis requirements.
NEPA	Federal Transit Administration – Standard Operating Procedures for Managing the Environmental Review Process. Metro Planning reviews and comments on environmental documents prepared under federal environmental law (NEPA) and prepare appropriate environmental documents to comply with NEPA requirements for its projects.

KEY

■	Federal
■	State
■	Regional - AQMD, SCAG
■	Metro

METRO STATUTORY AND REGULATORY COMPENDIUM

Sustainability and Health

STATE AND METRO LEGISLATION

AB 32	AB 32. Requires California to reduce its GHG emissions to 1990 levels by 2020 – a reduction of approximately 15 percent below emissions expected under a “business as usual” scenario.
SB 32 (2016)	SB 32. Requires CARB to ensure that GHGs are reduced to at least 40 percent below 1990 levels by 2030.
AB 32 (2006); Governor’s Executive Order B-30-15	Scoping Plan Update. CARB is in the process of updating the AB 32 Scoping Plan to reflect the 2030 target of reducing GHG emission levels 40 percent below 1990 levels.
AB 32 (2006)	Low Carbon Fuel Standard. The LCFS program is designed to reduce the carbon intensity of transportation fuels by at least 10 percent by 2020.
SB 375	The Sustainable Communities and Climate Protection Act of 2008 (Sustainable Communities Act, SB 375, Chapter 728, Statutes of 2008) supports the state’s climate action goals to reduce greenhouse gas (GHG) emissions through coordinated transportation and land use planning with the goal of more sustainable communities.
SB 743	SB 743. Created a process to change the way that transportation impacts are analyzed under CEQA. Specifically, SB 743 requires the Governor’s Office of Planning and Research (OPR) to amend the CEQA Guidelines to provide an alternative to LOS for evaluating transportation impacts.
SB 605 (2014)	Proposed Short-Lived Climate Pollutant Reduction Strategy. Provides a range of options to accelerate SLCP (methane, black carbon, and fluorinated gases) emission reductions in California, including regulations, incentives and other market-supporting activities.
	Metro Countywide Sustainability Planning Policy & Implementation Plan. The Metro Countywide Sustainability Planning Policy is a complement to Metro’s efforts to improve air quality and increase transportation choices that have been underway for more than two decades.
	Quality of Life Report provides a snapshot of key metrics of how the agency’s invests since Measure R have affected LA County residents.

Manage

MAP – 21 STATE OF GOOD REPAIR

CFR EIO-Q13 625 and 630	National Transit Database: Transit Asset Management; Final Rule; Notices; National Transit Database: Capital Asset Reporting; Transit Asset Management: Proposed Guidebooks.
U.S.C 5337/MAP-21	State of Good Repair program seeks to maintain, replace, and rehabilitate capital assets, along with the development and implementation of transit asset management plans.

Serve & Equity

FEDERAL AND STATE REGULATIONS

MAP-21 (P.L. – 112-141) FAST ACT (P.L. -114-94) 49 U.S.C. 5310	2016-2019 Coordinated Public Transit – Human Services Transportation Plan for Los Angeles County. Adopted July 2016; locally developed, four-year coordinated transportation plan identifying transportation needs of individuals with disabilities, seniors, and persons of low income.
SB 535 (2012)	SB 535. Directs at least 25% of CCI must go to projects that benefit disadvantaged communities, and a minimum of 10% of these funds must be used for projects located within disadvantaged communities.
SB 1550 (2016)	SB 1550. Directs at least 25% of the CCI (funded via the CGRF) must go to projects located within disadvantaged communities; an additional minimum of 5% must go to projects that benefit low-income households or to projects located within, and benefiting individuals living in low-income communities located anywhere within CA.
42 USC §2000d-1, 2000d-4	Title VI of the Civil Rights Act of 1964. All recipients of FTA funding must comply with Title VI “transit-service equity” requirements as a condition of federal funding. Title VI passenger data-collection activities are compiled by Operations Planning.
Executive Order 12898, 1994	Environmental Justice. This Executive Order directs federal agencies to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high adverse human health or environmental effects of its activities on minority and low-income populations.
42 U.S.C 12101	American with Disabilities Act of 1990 is a US labor law that prohibits unjustified discrimination based on disability. It affords similar protections against discrimination to Americans with disabilities as the Civil Rights Act of 1964, which made discrimination based on race, religion, sex, national origin, and other characteristics illegal.

Build & Fund

MULTI-MODAL STATE AND METRO REGULATIONS

	California Strategic Safety Highway Plan. This is a statewide data-driven traffic safety plan that coordinates the efforts of a wide range of organizations to reduce traffic accident fatalities and serious injuries on all public roads.
Ca. Veh. Code §21655.6	MTA must approve HOV lanes with LA County before they can be authorized or permitted by Caltrans.
Ca. PUC Code §99282	All operators shall be encouraged to establish maximum coordination of public transit services, fares, transfer privileges, and all other related matters for the overall improvement of public transportation service to the general public requiring such services within the affected areas.
Ca. PUC 12 Art. 4, §130256	The CTC shall require all planning for guideway and rapid transit systems are coordinated with the Department of Transportation and SCAG.
	California State Bicycle and Pedestrian Plan. The California State Bicycle and Pedestrian Plan (CSBPP) will be a visionary and comprehensive policy plan to promote a multi-modal transportation system that supports active modes of transportation and creates a framework to increase safe bicycling and walking.
Governor’s Executive Order B-32-15	California Sustainable Freight Action Plan – July 2016. This plan will be informed by existing state agency strategies, including the California Freight Mobility Plan (CFMP), Sustainable Freight Pathways to Zero and Near-Zero Emissions, and the Integrated Energy Policy Report.
Senate Bill 99 (Chapter 359, Statutes of 2013) and Assembly Bill 101 (Chapter 354, Statutes of 2013)	Active Transportation Program (ATP). The Active Transportation Program (ATP) was created to encourage increased use of active modes of transportation, such as biking and walking.
Multi-County Goods Movement Action Plan (May 2004)	Multi-County Goods Movement Action Plan. In May 2004, officials from the county transportation commissions and Southern California Association of Governments (SCAG) requested that Metro take the lead in developing a plan that would address the multi-county goods movement challenges and identify solutions.
	Metro First Last Mile Strategic Plan & Planning Guidelines. Provides a coordination tool and resource for Metro, LA County, municipal organizations, community groups, and private institutions.
Complete Streets Policy (October 2014)	Metro Complete Streets Policy. Established a standard of excellence for multimodal design. As transportation planner and coordinator, designer, funder, builder and transit operator, Metro has the opportunity to help advance state, regional and local efforts to create a more “complete” and integrated transportation network that serves all users and supports environmental sustainability.
Active Transportation Strategic Plan (ATSP) (May 2016)	Metro Active Transportation Strategic Plan. Countywide effort to identify strategies to increase walking, bicycling and transit use in LA County. The plan’s policy and infrastructure recommendations will require collaboration between Metro, local and regional agencies, and other stakeholders to ensure implementation.
Bicycle Transportation Strategic Plan (BTSP) (June 2006)	Metro Bicycle Transportation Strategic Plan. Established policies and priorities for bicycle transportation, such as providing funds for bicycle projects, prioritizing the need to fill gaps in the bicycle network, improving access to transit, which include bikes on transit and bicycle parking at stations, and encouraging and promoting bicycling-specific activities and events led by local and national efforts.
	Metro First Last Mile Strategic Plan & Planning Guidelines. Provides a coordination tool and resource for Metro, LA County, municipal organizations, community groups, and private institutions.
Climate Action and Adaptation Plan (June 2012)	This plan establishes a framework to identify the areas of greatest opportunity for Metro to reduce GHG emissions, and evaluates opportunities based on their costs and the volumes of emissions they reduce.
CA Govt. Code §13978.8, AB 14 (Lowenthal, 2013), Public Law 112-141 (MAP-21)	California Freight Mobility Plan (CFMP). The CFMP is a comprehensive plan that governs the immediate and long-range planning activities and capital investments of the state, with respect to the movement of freight.

FEDERAL, STATE, REGIONAL AND METRO REGULATION AUTHORITY

49 CFR Part 611	Major Capital Investment Projects; New Starts and Small Starts Policy Guidance, Final Rule.
FTA Major Capital Investment Policy (May 1994)	FTA has developed two indices to guide decisions on major transit investments proposed for federal funding assistance.
AB 8 (2013) & AB 118 (2007)	Alternative and Renewable Fuel and Vehicle Technology Program (ARFVTP). Administered by the CA Energy Commission, the ARFVTP provides up to \$100 million per year for projects that will transform the state’s fuel and vehicle types to help attain California’s climate change policies.
Cap & Trade Program	Cap-and-Trade. The cap-and-trade program sets a statewide cap on GHG emissions and allows trading of allowances by regulated sectors to help create incentives to reduce GHGs as the cap declines incrementally each year.
CA Govt. Code §14526.4 & 14526.5	State Highway Operation and Protection Program (SHOPP). The State Highway Operation and Protection Program (SHOPP) is the state’s “fix-it-first” program that funds the repair and preservation of the State Highway System (SHS), safety improvements, and some highway operational improvements.
California Health and Safety Code §44243 et. seq.	Requires that a portion of DMV registration fees be set aside to fund local programs in Southern California that reduce emissions from motor vehicles through creation of Mobile Source Air Quality Pollution Reduction Review Committee (known as MSRC).
SCAQMD Rule 1309	Provides opportunity for MTA and other transit operators of clean fuel fleets to generate Emission Reduction Credits that can be marketed and sold to stationary sources to comply with air quality regulations.
SCAQMD Rule 1612	Provides opportunity for MTA and other transit operators of clean fuel fleets to generate Emission Reduction Credits that can be marketed and sold to stationary sources to comply with air quality regulations.
	Metro Call for Projects. This program allocates funding to local transportation partners through a biennial, competitive funding process.
	Quality of Life Report provides a snapshot of key metrics of how the agency’s invests since Measure R have affected LA County residents.

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