

Appendix 6 Transportation Safety  
Regulatory Memorandum

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**BEND MPO**  
Metropolitan Planning Organization

## Transportation Safety Regulatory Memorandum

Date: February 27, 2019  
To: Transportation Safety Action Plan, Project Management Team  
From: Andrea Napoli, AICP, BMPO  
Subject: Transportation Safety Action Plan, Task 2

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### Purpose

To provide a review of federal and state requirements for safety planning for MPOs, as well as available safety planning guidance.

### Summary of Federal Requirements

Federal transportation safety MPO-specific regulation is as follows:

- 23 CFR 490.209(c). The Metropolitan Planning Organizations (MPO) shall establish performance targets for each of the measures identified in § 490.207(a) (see Performance Measures, below).
- 23 CFR 490.209(d)(1). The State DOT and relevant MPOs shall coordinate on the establishment of targets in accordance with 23 CFR Part 450 to ensure consistency, to the maximum extent practicable.

### Performance Measures

To be reported on annually as required for DOTs/MPOs:

1. Fatalities
2. Fatality Rate (Fatalities/100M Vehicle Miles Traveled)
3. Serious Injuries
4. Serious Injury Rate (Serious Injuries/100M Vehicle Miles Traveled)
5. Nonmotorized Fatalities and Serious Injuries
6. Rural Road Safety (DOT only)
7. Older Driver and Pedestrian Safety (DOT only)

Note that more detailed information on ODOT's performance measures and targets is provided in their [2016 Transportation Safety Action Plan](#) (TSAP).<sup>1</sup>

### Performance Targets

MPOs can choose to adopt the state established targets or establish targets specifically for the planning area for performance measures 1-5 listed above. The BMPO is currently using ODOT's established targets, which are based on an S-curve forecast trend using five-year averages to achieve the vision of zero fatalities and life-changing injuries by 2035. The

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<sup>1</sup> 2016 Oregon TSAP available at [https://www.oregon.gov/ODOT/Safety/Documents/TSAP\\_2016.pdf](https://www.oregon.gov/ODOT/Safety/Documents/TSAP_2016.pdf)

targets are applicable to all public roads in the MPO and must be reported annually. For reference, Table 1 below identifies each target baseline and five-year average target for the five performance measures from the baseline five-year average (either 2010-2014 or 2011-2015, depending on the data set) to 2017-2021 for the entire state of Oregon.

*Table 1: ODOT Performance Targets (Five-Year Average)*

Period	Fatalities (People) (2011-2015)	Fatality Rate (People per 100 Million VMT) (2011-2015)	Serious Injury (People) (2010-2014)	Serious Injury Rate (People per 100 Million VMT) (2010-2014)	Nonmotorized Fatalities and Serious Injuries (People) (2010-2014)
Baseline	357	1.04	1,491	4.42	234
2013-2017	357	0.94	1,491	4.42	234
2014-2018 <sup>a</sup>	350	0.89	1,461	4.33	229
2015-2019	343	0.83	1,432	4.24	225
2016-2020	328	0.78	1,368	4.06	215
2017-2021	306	0.73	1,274	3.78	200

<sup>a</sup> 2014-2018 is the first period that targets must be established for the HSIP Program.

## Summary of State Requirements

Although the state does not have regulations specific to MPO safety planning, there are requirements related to plan consistency. For example, the Oregon Transportation Plan and its mode, topic, and facility plans, comprise the adopted state transportation systems plan, whereby regional and local TSPs must be consistent with the OTP, including ODOT's 2016 Transportation Safety Action Plan (TSAP).

The state has recently updated the [Transportation System Plan \(TSP\) Guidelines](#)<sup>2</sup> where safety is noted as a recommended topic area and goal statement, as well as noting that the road plan element of a TSP *should* include a safety analysis. These guidelines apply to the BMPO's federally required Regional Transportation Plan, as it serves as the state required Regional TSP.

## Additional Information

### Background on Federal Transportation Safety Requirements

In 1998, the Federal Government passed the Transportation Equity Act for the 21st Century (TEA-21) which focused on programs for highway safety in planning efforts throughout major metropolitan areas. This transportation bill was followed by the Safe, Accountable, Flexible, and Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) in 2005, which identified the need for each state to develop a Strategic Highway Safety Plan (SHSP) to address fatalities and serious injury crashes on *all* public

<sup>2</sup> TSP Guidelines available at <https://www.oregon.gov/ODOT/Planning/TSP-Guidelines/Documents/TSP-Guidelines.pdf>

roads. The SHSP is a major component and requirement of the Highway Safety Improvement Program (HSIP), which is a federal-aid program originally deemed a core program under SAFETEA-LU and continued in the 2012 Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) Act and the 2015 Fixing America's Surface Transportation (FAST) Act. The HSIP requires all states and metropolitan planning organizations (MPOs) to develop, implement, evaluate and update an SHSP that identifies and analyzes highway safety problems to guide investment decisions toward strategies and countermeasures with the most potential to save lives and prevent injuries.

Additionally, the 2015 FAST Act slightly increased HSIP funding to be administered by state DOTs. Oregon has developed and refined a process called the All Roads Transportation Safety (ARTS) program to make HSIP funding available for *all* public roads, regardless of jurisdiction, using a data-driven, jurisdictionally-blind approach.

#### Background on Oregon Transportation Safety Requirements

Oregon's statewide planning goals established state policies in 19 different areas. The Transportation Planning Rule (TPR) implements the Land Conservation and Development Commission's Planning Goal 12 (Transportation) which requires ODOT to prepare a Transportation System Plan (TSP) to identify transportation facilities and services to meet state needs. The Oregon Transportation Plan and adopted multimodal, mode, topic, and facility plans serve as the state TSP. The TPR requires metropolitan planning organizations and certain counties to prepare regional TSPs consistent with the adopted state TSP. Cities and counties must prepare local TSPs that are consistent with the state TSP and applicable regional TSPs. The Oregon Transportation Plan and its mode, topic, and facility plans, comprise the adopted state transportation systems plan, so regional and local TSPs must be consistent with the OTP, including ODOT's 2016 Transportation Safety Action Plan (TSAP). The TSAP serves as ODOT's federally required Strategic Highway Safety Plan (SHSP) and provides long-term goals, policies, strategies, and actions to achieve the vision of no deaths or life changing injuries on Oregon's transportation system by 2035.