Chapter 1: Introduction and Transportation Planning Process

1.1 History

U.S Census population counts identified the City of McAllen as the first city in Hidalgo County to reach an urbanized population of 50,000 in 1980. Once meeting this population threshold, the Hidalgo County Transportation Policy Committee (TPC) and the State of Texas Office of Budget and Planning entered into a transportation planning agreement, which began on June 12, 1981. The Hidalgo County TPC consisted of one elected and/or appointed official from each city. The active members at that time included: Alamo, Edinburg, Hidalgo, McAllen, Mission, Palmhurst, Pharr, and San Juan, as well as a representative from Hidalgo County. Each city was given two votes, one for the elected official and one for the appointed official.

On October 28, 1983, an agreement between the Texas State Department of Highways and Public Transportation and Hidalgo County created the Metropolitan Planning Organization (MPO) for the metropolitan area of Hidalgo County. The City of Palmhurst withdrew from the committee but the remaining seven original TPC member cities and Hidalgo County continued as part of the agreement. This agreement formed a Technical Advisory Committee (TAC), which provides routine guidance to the planning process and makes appropriate recommendations to the TPC. Both committees continue to meet once a month, unless a special meeting is called and/or scheduled.

The 1983 agreement required a Unified Planning Work Program (UPWP) to be completed every year and modified as needed. The UPWP serves as a guide for transportation planning activities to be conducted over the course of the specified fiscal years. Included in the UPWP are detailed descriptions of the transportation planning tasks to be completed during the specified fiscal years. The Hidalgo County MPO (HCMPO) began completing a two-year UPWP in 2008 and continues to produce this document on a bi-annual basis.

By the 1990 U.S. Census population counts, the urbanized population of the McAllen-Pharr-Edinburg area had exceeded 200,000. Upon meeting this population threshold, the title Transportation Management Area (TMA) was

A Metropolitan Planning Organization (MPO) is a federally funded program that addresses the mobility goals and needs of the communities within the urbanized areas.

The Transportation Policy Committee (TPC) was created for the purpose of serving as spokespersons for the citizens of the metropolitan area.

TMA - Transportation Management Area - Urbanized areas with a population over 200,000
subsequently given to the region, allocating more resources to the HCMPO. This designation allowed for the provision of staff and subsequently the establishment of formal procedures and a set of bylaws. These regulations were first adopted on December 7, 1992 and have been kept up to date since that time. On February 23, 1993 the TPC of the HCMPO was designated for the provision of guidance and direction for transportation planning in the McAllen-Pharr-Edinburg urbanized area.

The HCMPO currently operates under its most current planning contract, which was executed on October 29, 2012 and is currently under revision. This current contract is the second in which all three entities, the Lower Rio Grande Valley Development Council (LRGVDC), the State of Texas as the Texas Department of Transportation (TxDOT)-Transportation Planning and Programming Division (TPP) and the HCMPO TPC are each signatories. The first contract in which all three entities were signatories was signed on July 11, 2006. A copy of the current, 2012 planning contract is in Appendix B.

As of March 1, 1993, the HCMPO had no fiscal agent or staff; however the TPC was committed to meeting the December 18, 1994 deadline for organizing the HCMPO as required by the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991. The MPO TPC hired its first MPO Director in November of 1993. The director was able to allocate help from many resources, including the TPC for the delivery of a Metropolitan Transportation Plan (MTP) by its deadline. In 1996, the HCMPO planning process was certified with only one corrective action required by the next certification. In August 1998, October 2001, February 2005, February 2009, and August 2013 the HCMPO was recertified with no findings or corrective actions required. A copy of the 2013 final review report is included in Appendix B.

On August 1, 2000, the Governor of Texas approved a new expanded Study Boundary, which consequently required redefining the bylaws for quorum and voting structure since additional areas required representation for transportation improvement. New members were considered ex-officio members of the TPC, as set forth in the current bylaws. The TPC gave itself one year to amend the bylaws to accommodate the new members into the voting structure. This time also allowed the newest elected officials to engage in active observation for one year before voting.

At the June 2001 TPC Meeting, the by-laws were amended to include additional members. The by-laws were amended again in March 2008 to assure that a vote could be taken at that TPC Meeting to implement the LRGVDC transit system, Valley Metro and appoint the Chairman of the Hidalgo County Regional Mobility Authority (HCRMA). This amendment further clarified the definition of “quorum” and provided language clarifying House Bill (HB) 1883, Section 1, Chapter 472, Section 472.031 of the Transportation Code, which reads; (a) A policy board of a metropolitan planning organization designated or re-
designated under 23 U.S.C. Section 134 may provide in its bylaw for appointment of voting proxies by its members.

At the July 2011 regularly scheduled TPC meeting, an administrative change to the voting structure was discussed in order to reflect the 2010 Census population counts per entity. Between 2000 and 2010, the region experienced tremendous growth with the urbanized area (at this time known as the McAllen-Edinburg-Mission urbanized area) increasing in population by 39.32% and in area by 14.07%. As a result of this growth, the urban areas needed to be updated. The urban areas for the 2010 Census were created from scratch using 2010 Census tabulation blocks, which were not based on the 2000 urban areas nor were the boundaries of the 2000 urban areas considered in the delineation process. As a result, the 2010 urban areas look very different when compared to the 2000 urban areas.

1.2  Metropolitan Transportation Plan Purpose, Goals, and Objectives

The purpose of the Metropolitan Transportation Plan (MTP) is to identify the transportation needs of the community over a 25 year timeframe, to establish priorities for funding those needs, and to establish a course for meeting the community’s identified transportation needs. The document identifies existing and future land use trends and transportation needs and develops coordinated strategies to deliver transportation projects essential for the continued mobility and economic vitality of the Hidalgo County Urbanized Planning Area. The MTP is a long range transportation planning document, which serves as a blueprint to guide the establishment of priorities for development programs and transportation projects within the Hidalgo County Urbanized Planning Area. The MTP seeks to balance investments in various transportation modes against anticipated funding from federal, state, and local sources, while maintaining flexibility to address the dynamic changes in both the needs and the resources of the community.

Access to transportation shapes the lives of the residents of the community. The transportation system provides access to jobs, shopping, recreation, health care, emergency services, evacuation, travel routes, and people and places both near and far. The transportation system also supports the movement of goods and services to, from, and through the community.

As the transportation system grows, so grows the community. The transportation system affects both the physical and social environment of the community. It affects the physical health of the residents and the economic health of businesses. Transportation systems cost millions of dollars to build and maintain and changes can take many years to implement. It is essential that the community be involved in decisions made during the planning process because of the many impacts the transportation system has on the community, the large
The purpose of establishing goals and objectives for transportation system development is to provide a rational and coherent basis for evaluating proposed capital and operating improvements related to the movement of people and goods in the Hidalgo County area. A balanced approach is desired which maximizes the utility of the system without unfairly burdening any particular group, otherwise known as Environmental Justice. Also, the transportation system must be safe, secure, efficient, economically viable, and coordinated with the needs of the area. The Hidalgo County Metropolitan Planning Organization (HCMPO) has developed the following goals and objectives:

**GOAL 1. ENHANCE TRANSPORTATION SYSTEM MOBILITY AND ACCESSIBILITY FOR ALL ROADWAY USERS AND MODES**

- Relieve traffic congestion and decrease travel time
- Facilitate the design of roadways to accommodate multiple users
- Enhance the availability and efficiency of public transportation
- Enhance the mobility of the elderly, physically or mentally impaired, and the economically disadvantaged who can’t afford public transportation
- Increase connectivity between the roadway and transit systems
- Promote viable alternative modes of travel for commuters
- Enhance bicycle and pedestrian mobility and accessibility

**GOAL 2. ENHANCE REGIONAL CONNECTIVITY AND ECONOMIC VIABILITY**

- Improve regional connectivity by enhancing mobility between different areas of the metropolitan area
- Maximize the economic development potential of the transportation system
- Provide for the development of a balanced transportation system compatible with future plans that serve the specific needs of the citizens in support of the region’s economic vitality
- Adopt a regional freight plan for more efficient transport of freight in the area

**GOAL 3. ENHANCE ENVIRONMENTAL QUALITY AND PUBLIC SAFETY**

- Support hurricane and other emergency evacuation planning efforts by giving priority consideration to proposed transportation system improvements that would facilitate the safe and expeditious removal of people from the area in the event of an impending natural disaster
- Promote the safety of motorists and users of non-motorized modes
• Promote divided roadway and other roadway design measures intended to maximize safety for all roadway users
• Promote the design of safe intersections for all roadway users
• Promote traffic calming strategies where possible
• Consider the environmental impacts of transportation project alternatives

GOAL 4. SUPPORT LOCAL VALUES AND PRESERVE EXISTING COMMUNITY RESOURCES

• Ensure that proposed improvements are consistent with local plans, goals, and objectives
• Support local standards by giving priority consideration to projects that meet community expectations regarding walkability, aesthetic appeal and other quality-of-life issues
• Support local land use and community planning activities by developing projects that are consistent with access management and traffic-calming strategies for transportation system development
• Identify and protect transportation corridors and the necessary rights-of-way in advance of immediate need to permit future safe and efficient transportation improvements at a minimal cost

GOAL 5. PROVIDE A METROPOLITAN TRANSPORTATION PLANNING PROCESS THAT INFORMS AND INVOLVES THE PUBLIC AS WELL AS ELECTED OFFICIALS

• Increase public understanding of and involvement in the regional transportation planning process
• Identify stakeholders and encourage their participation in development of the long range transportation plan
• Provide adequate public input in decision making by utilizing a robust Public Participation Plan
• Increase the use of social media venues to communicate with the public
• Seek public input from the non-English speaking population through Spanish literature
• Address concerns of the public in an expedited manner
GOAL 6. DEVELOP A LONG-RANGE METROPOLITAN TRANSPORTATION PLAN THAT IS FINANCIALLY FEASIBLE

- Develop a plan that meets the requirements of the U.S. Department of Transportation
- Develop a financially constraint plan in coordination with the Texas Department of Transportation
- Utilization of the latest financial forecasting tools provided through the Texas Unified Transportation Program

1.3 Texas Department of Transportation Purpose, Goals, and Objectives

The mission of the Texas State Government prescribes that the, “Texas State Government must be limited, efficient, and completely accountable. It should foster opportunity and economic prosperity, focus on critical priorities, and support the creation of strong family environments for our children. The stewards of the public trust must be men and women who administer state government in a fair, just, and responsible manner. To honor the public trust, state officials must seek new and innovative ways to meet state government priorities in a fiscally responsible manner.”

The Texas Department of Transportation's (TxDOT) agency mission is to, “Work with others to provide safe and reliable transportation solutions for Texas.” TxDOT's values include: trust, integrity, responsibility, excellence, and service. TxDOT pursues the following goals and objectives to meet the agency mission:

GOAL 1. MAINTAIN A SAFE SYSTEM

Objective - Reduce crashes and fatalities on the system through innovations, technology, and public awareness

Objective - Maintain and preserve the transportation assets of the State of Texas

GOAL 2. ADDRESS CONGESTION

Objective - Partner with local officials to develop and implement congestion mitigation plans in Texas

GOAL 3. CONNECT TEXAS COMMUNITIES

Objective - Prioritize new projects that will increase the state GDP and enhance access to goods and services throughout the state
GOAL 4. BECOME A BEST IN CLASS STATE AGENCY

Objective - Ensure the agency deploys its resources responsibly and has a customer service mindset

Objective - Focus on work environment, safety, succession planning, and training to develop a great workforce

1.4 Metropolitan Transportation Plan Federal Requirements

The MTP is a comprehensive, multimodal blueprint for transportation systems and services aimed at meeting the mobility needs of the Hidalgo County Metropolitan Area. The MTP serves as a statement of how the region plans to invest in the transportation system over the next 25 years. The MTP, identified as the Hidalgo County Metropolitan Transportation Plan: 2015-2040 update, includes both long and short range policies, strategies, and projects that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods. The MTP is required to be financially constrained, balanced to anticipate revenue streams over time, and able to identify and analyze the financial resources available to implement its recommendations. The MTP guides the expenditure of more than $1 billion of federal, state and local funds expected to be available for transportation improvements in Hidalgo County through the year 2040.

The Code of Federal Regulations (CFR) Title 23, article 322 dictates that each region must develop a MTP under the following guidelines:

- The metropolitan transportation planning process shall include the development of a transportation plan addressing no less than a 20 year horizon as of the effective date.
- The transportation plan shall include long-range and short-range strategies and actions that lead to the development of an integrated multimodal transportation system to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand.
- The MPO shall review and update the transportation plan every 5 years to confirm the transportation plan’s validity and consistency with current and forecasted transportation and land use conditions and trends and to extend the forecast period to at least a 20 year planning horizon. In addition, the MPO may revise the transportation plan at any time using the procedures in this section without a requirement to extend the horizon year. The transportation plan shall be approved by the MPO and submitted for information purposes to the Governor. Copies of any
updated or revised transportation plans must be provided to the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA).

- The MPO, the state, and the public transportation operators shall validate data utilized in preparing other existing modal plans for providing input to the transportation plan. In updating the transportation plan, the MPO shall base the update on the latest available estimates and assumptions for population, land use, travel, employment, congestion, and economic activity. The MPO shall approve transportation plan contents and supporting analyses produced by a transportation plan update.

- The MPO shall consult, as appropriate, with state and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of the transportation plan. The consultation shall involve comparison of transportation plans with state conversation plans or maps, or comparison of transportation plans to inventories of natural or historic resources.

- The MTP should include a safety element that incorporates the priorities, goals, or projects for the Metropolitan Planning Area (MPA) contained in the Strategic Highway Safety Plan (SHSP) as well as emergency relief and disaster preparedness plans, strategies, and policies to support homeland security and safeguard the personal security of all motorized and non-motorized users.

- The MPO shall provide citizens, affected public agencies, representatives of public transportation, representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation plan using the participation plan developed under 450.316(a).

- The MTP shall be published and otherwise made readily available by the MPO for public review, including in electronically accessible formats and means, such as the internet.

- The MTP shall at a minimum include:
  - The projected transportation demand of persons and goods in the metropolitan planning area over the period of the transportation plan.
  - Existing and proposed transportation facilities including major roadways, transit, multimodal and intermodal facilities, pedestrian walkways and bicycle facilities, and intermodal connectors that should function as an integrated metropolitan transportation system, giving emphasis to those facilities that serve important national and regional transportation functions over the period of the transportation plan. In addition, the locally preferred alternative selected from an Alternatives Analysis under the FTA's Capital
Investment Grant program needs to be adopted as part of the metropolitan transportation plan as a condition for funding under 49 U.S.C. 5309.

- Operational and management strategies to improve the performance of existing transportation facilities to relieve vehicular congestion and maximize the safety and mobility of people and goods.
- Consideration of the results of the congestion management process in TMAs that meet the requirements of this subpart.
- Assessment of capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure and provide for multimodal capacity increases based on regional priorities and needs. The MTP may consider projects and strategies that address areas or corridors where current or projected congestion threatens the efficient functioning of key elements of the metropolitan area’s transportation system.
- Design concept and design scope descriptions of all existing and proposed transportation facilities in sufficient detail regardless of funding source. All proposed improvements shall be described in sufficient detail to develop cost estimates.
- A discussion of types of potential environmental mitigation activities and potential areas to carry out these activities, including activities that may have the greatest potential to restore and maintain the environmental functions affected by the MTP. The discussion may focus on policies, programs or strategies, rather than at the project level. The discussion shall be developed in consultation with federal, state, and tribal land management, wildlife and regulatory agencies. The MPO may establish reasonable timeframes for performing this consultation.
- Pedestrian walkway and bicycle transportation facilities.
- Transportation and transit enhancement activities.
- A financial plan that demonstrates how the adopted transportation plan can be implemented
  i. The financial plan shall contain system-level estimates of costs and revenue sources that are reasonably expected to be available to adequately operate and maintain federal-aid highways and public transportation.
  ii. The MPO, public transportation operators, and state shall cooperatively develop estimates of funds that will be available to support the metropolitan transportation plan implementation. All necessary financial resources from public and private sources that are reasonably expected to be made available to carry out the transportation plan shall be identified.
iii. The financial plan shall include recommendations on any additional financing strategies to fund projects and programs included in the metropolitan transportation plan. In the case of new funding sources, strategies for ensuring their availability shall be identified.

iv. In developing the financial plan, the MPO shall take into account all projects and strategies proposed for funding under Title 23 U.S.C. and Title 49 U.S.C. Chapter 53 or with other federal funds, state’s assistance, local sources, and private participation. Starting December 11, 2007, revenue and cost estimates that support the MTP must use an inflation rate to reflect year of expenditure dollars based on reasonable financial principals and information, developed cooperatively by the MPO, state, and public transportation operators.

v. For the outer years of the metropolitan transportation plan, the financial plan may reflect aggregate cost ranges/cost bands, as long as the future funding sources are reasonably expected to be available to support the projected cost ranges/cost bands.

vi. For illustrative purposes, the financial plan may include additional projects that would be included in the transportation plan if additional financial resources were to become available.

vii. In cases that the FHWA and the FTA find a metropolitan transportation plan to be fiscally constrained and a revenue source is subsequently removed or substantially reduced, the FHWA and the FTA will not withdraw the original determination of fiscal constraint; however, in such cases, the FHWA and the FTA will not act on an updated or amended metropolitan transportation plan that does not reflect the changed revenue situation.

1.5 Moving Ahead for Progress in the 21st Century Requirements

On July 6, 2012, the President signed into law the Moving Ahead for Progress in the 21st Century Act (MAP-21). Funding surface transportation programs at over $105 billion for fiscal years 2013 and 2014, MAP-21 is the first long-term highway authorization enacted since 2005. MAP-21 represents a milestone for the U.S. economy since it provides needed funds and transforms the policy and programmatic framework for investments to guide the growth and development of the country’s vital transportation infrastructure.

MAP-21 creates a streamlined, performance based, and multimodal program to address the many challenges facing the U.S. transportation system. These challenges include improving safety, maintaining infrastructure condition, reducing traffic congestion, improving efficiency of the system and freight movement, protecting the environment, and reducing
delays in project delivery. MAP-21 builds on and refines many of the highway, transit, bike, and pedestrian programs and policies established in 1991.

MAP-21:

- Strengthens America’s highways by expanding the National Highway System (NHS) to incorporate principal arterials not included in previous legislation. The investment targets enhance the NHS with more than half of highway funding going to a new program, the National Highway Performance Program, which is devoted to preserving and improving the most important highways in the nation.
- Establishes a performance based program. Under MAP-21, performance management will transform federal highway programs and provide a means to more efficient investment of federal transportation funds by focusing on national transportation goals, increasing the accountability and transparency of the federal highway programs, and improving transportation investment decision making through performance based planning and programming.
- Creates jobs and supports economic growth. MAP-21 authorizes $82 billion in federal funding for 2013 and 2014 for road, bridge, bicycling, and walking improvements. In addition, MAP-21 enhances innovative financing and encourages private sector investment through a substantial increase in funding for the Transportation Infrastructure Finance and Innovation Act (TIFIA) program. It also includes a number of provisions designed to improve freight movement in support of national goals.
- Supports the U.S. Department of Transportation’s (USDOT) aggressive safety agenda as it continues the successful Highway Safety Improvement Program (HSIP) by doubling funding for infrastructure safety, strengthening links among modal safety programs, and creating a positive agenda to make significant progress in reducing highway fatalities. It also continues to build on other aggressive safety efforts, including the USDOT's fight against distracted driving and its push to improve transit and motor carrier safety.
- Streamlines federal highway transportation programs. The complex array of existing programs is simplified, substantially consolidating the program structure into smaller numbers of broader core programs. Many smaller programs are eliminated, including most discretionary programs, with eligibility generally continued under core programs.
- Accelerates project delivery and promotes innovation. MAP-21 incorporates a host of changes aimed at ensuring the timely delivery of transportation projects. Changes will improve innovation and efficiency throughout the development of projects from the planning and environmental review process to project delivery.
In MAP-21, the metropolitan and statewide transportation planning processes are continued and enhanced to incorporate performance goals, measures, and targets into the process of identifying needed transportation improvements and project selection. Public involvement remains a hallmark of the planning process. The Secretary of the U.S. Department of Transportation is required to establish criteria for the evaluation of the new performance based planning processes. The process will consider whether states developed appropriate performance targets and have made progress toward achieving those targets. Five years after enactment of MAP-21 in 2017, the Secretary is to provide to the Congress reports evaluating the overall effectiveness of performance based planning and the effectiveness of the process in each state and for each MPO.

Requirements for a long range plan and a short term transportation improvement program (TIP) continue, with the long range plan to incorporate performance plans required by MAP-21 for specific programs. The long range plan must describe the performance measures and targets used in assessing system performance and progress in achieving the performance targets. The TIP must be developed to make progress toward established performance targets and include a description of the anticipated achievements. In the statewide and nonmetropolitan planning process, selection of projects in nonmetropolitan areas, except projects on the NHS or funded with funds remaining from the discontinued Highway Bridge Program, must be made in cooperation with affected nonmetropolitan officials or any regional transportation planning organization. MAP-21 implements the following ten articles as requirements for the metropolitan transportation planning process.

**Article 306** - The scope of the metropolitan transportation planning process shall be continuous, cooperative, and comprehensive, and provide for consideration and implementation of projects, strategies, and services that will address the following factors:

- Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency.
- Increase the safety of the transportation system for motorized and non-motorized users.
- Increase the security of the transportation system for motorized and non-motorized users.
- Increase accessibility and mobility of people and freight.
- Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvements and state and local planned growth and economic development patterns.
- Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight.
• Promote efficient system management and operation.
• Emphasize the preservation of the existing transportation system.

The metropolitan transportation planning process shall be carried out in coordination with the statewide transportation planning process. In carrying out the metropolitan transportation planning process, MPOs, states, and public transportation operators may apply asset management principles and techniques in establishing planning goals, defining TIP priorities, and assessing transportation investment decisions, including transportation system safety, operations, preservation, and maintenance, as well as strategies and policies to support homeland security and to safeguard the personal security of all motorized and non-motorized users. Preparation of the coordinated public transit human services transportation plan should be coordinated and consistent with the metropolitan transportation planning process. The metropolitan transportation planning process should be consistent with the Strategic Highway Safety Plan and other transit safety and security planning and review processes, plans, and programs as appropriate.

**Article 308** - The metropolitan transportation planning activities performed with funds provided under Title 23 U.S.C. and Title 49 U.S.C. shall be documented in a unified planning work program (UPWP) that includes a discussion of the planning priorities facing the Metropolitan Planning Area (MPA). The UPWP shall identify work proposed for the next one or two-year period by major activity and task in sufficient detail to indicate who will perform the work, the schedule for completing the work, the resulting products, the proposed funding by activity/task, and a summary of the total amounts and sources of federal and matching funds.

**Article 314** - The MPO, the state, and the public transportation operators shall cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process. These responsibilities shall be clearly identified in written agreements among the MPO, the state, and the public transportation operators serving the MPA. To the extent possible, a single agreement between all responsible parties should be developed. The written agreement shall include specific provisions for cooperatively developing and sharing information related to the development of financial plans that support the MTP and the metropolitan TIP and development of the annual listing of obligated projects. **If part of an urbanized area that has been designated as a TMA overlaps into an adjacent MPA serving an urbanized area that is not designated as a TMA, the adjacent urbanized area shall not be treated as a TMA. However, a written agreement shall be established between the MPOs with MPA boundaries including a portion of the TMA, which clearly identifies the roles and responsibilities of each MPO in meeting specific TMA requirements.**
Article 316 - The MPO shall develop and use a documented participation plan that defines a process for providing citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, users of public transportation, users of pedestrian walkways and bicycle transportation facilities, disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process. The participation plan shall be developed by the MPO in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for a) providing adequate public notice of public participation activities and time for public review and comment at key decision points, including but not limited to a reasonable opportunity to comment on the proposed MTP and the TIP; b) providing timely notice and reasonable access to information about transportation issues and processes; c) employing visualization techniques to describe MTPs and TIPs; d) making public information available in electronically accessible formats and means such as the internet; e) holding public meetings at convenient and accessible locations and times; f) demonstrating explicit consideration and response to public input received during the development of the MTP and the TIP; g) seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services; h) providing an additional opportunity for public comment if the final MTP or TIP differs significantly from the version that was made available for public comment by the MPO; i) coordinating with the statewide transportation planning public involvement and consultation processes; j) periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process. A minimum public involvement period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO. Copies of the approved participation plan shall be provided to the FHWA and the FTA for information purposes and shall be posted on the internet to the maximum extent practicable.

In developing MTPs and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation. Affected activities may include state and local planned growth, economic development, environmental protection, and airport operations. These shall also be developed with 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 area.

Article 318 - Pursuant to section 1308 of the Transportation Equity Act of the 21st Century (TEA-21) an MPO may undertake a multimodal, system-level corridor or subarea planning study as part of the metropolitan transportation planning process. The results of decisions
of these transportation planning studies may be used as part of the overall project development process consistent with the National Environmental Policy Act (NEPA) of 1969. These corridor or subarea studies may result in producing 1) purpose and need or goals and objective statements; 2) general travel corridor or general mode definition; 3) preliminary screening of alternatives and elimination of unreasonable alternatives; 4) basic description of the environmental setting; 5) preliminary identification of environmental impacts and environmental mitigation of the proposed transportation project.

Article 320 - The transportation planning process in a TMA shall address congestion management through a process that provides for safe and effective integrated management and operation of the multimodal transportation system based on a cooperatively developed and implemented metropolitan wide strategy through the use of travel demand reduction and operational management strategies. The development of a Congestion Management Process (CMP) should result in multimodal system performance measures and strategies that can be reflected in the MTP and the TIP. Consideration should be given to strategies that manage demand, reduce single occupant vehicle (SOV) travel, and improve transportation system management and operations. The CMP shall be developed, established, and implemented as part of the metropolitan transportation planning process that includes coordination with transportation system management and operations activities.

The CMP shall include:

- Methods to monitor and evaluate the performance of the multimodal transportation system, identify the causes of recurring and non-recurring congestion, identify and evaluate strategies, provide information supporting the implementation of actions, and evaluate the effectiveness of the implemented actions.
- Definitions of congestion management objectives and performance measures to assess the extent of congestion and support the evaluation of the effectiveness of congestion reduction and mobility enhancement strategies for the movement of people and goods.
- Establishment of a coordinated program for data collection and system performance monitoring to define the extent and duration of congestion, to contribute in determining the causes of congestion, and evaluate the efficiency and effectiveness of the implemented actions. To the extent possible, this data collection program should be coordinated with existing data sources (including archived operational/Intelligent Transportation System (ITS) data).
- Identification and evaluation of the anticipated performance and expected benefits of appropriate congestion management strategies that will contribute to the
effective use and improved safety of existing and future transportation systems based on established performance measures such as demand management measures including growth management and congestion pricing, traffic operational improvements, public transportation improvements, ITS technologies, and additional system capacity.

- Identification of an implementation schedule, implementation responsibilities, and possible funding sources for each strategy proposed for implementation.
- Implementation of a process for periodic assessment of the effectiveness of implemented strategies. The results of this evaluation shall be provided to decision makers and the public to provide guidance on selection of effective strategies for future implementation.

**Article 322** - The MTP should be developed using the following guidelines:

- The MTP should address no less than 20 years.
- The transportation plan shall include both long range and short range strategies/actions that lead to the development of an integrated multimodal transportation system to facilitate the safe and efficient movement of people and goods.
- The MPO shall review and update the transportation plan at least every five years.
- In updating the transportation plan, the MPO shall base the update on the latest available estimates and assumptions for population, land use, travel, employment, congestion, and economic activity.
- The MPO shall consult with state and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of the transportation plan.
- The MTP should include a safety element that incorporates or summarizes the priorities, goals, countermeasures, or projects for the MPA contained in the Strategic Highway Safety Plan (SHSP) required in accordance with 23 U.S.C. 148 as well as emergency relief and disaster preparedness plans, strategies, and policies.
- The MPO shall provide citizens and stakeholders with a reasonable opportunity to comment on the transportation plan using the existing participation plan.
- The MTP shall be published or made available by the MPO for public review including on the internet.
- The MTP shall at a minimum include:
  - The projected transportation demand of persons and goods in the metropolitan planning area over the period of the transportation plan.
  - Existing and proposed transportation facilities including major roadways, transit, multimodal and intermodal facilities, pedestrian walkways and bicycle facilities, and intermodal connectors.
Operational and management strategies to improve the performance of existing transportation facilities to relieve congestion and maximize the safety and mobility of people and goods.

- Consideration of the results of the congestion management process.
- Assessment of capital investment and other strategies to preserve the existing and projected future metropolitan transportation infrastructure and provide for multimodal capacity increases based on regional priorities and needs. The MTP may consider projects and strategies that address areas or corridors where current or projected congestion threatens the efficient functioning of key elements of the metropolitan area’s transportation system.

- Design concept and design scope descriptions of all existing and proposed transportation facilities in sufficient detail to develop cost estimates.
- A discussion of types of potential environmental mitigation activities and potential areas to carry out these activities. The discussion may focus on policies, programs, or strategies rather than at the project level.

- Pedestrian walkway and bicycle transportation facilities.
- Transportation and transit enhancement activities.

- A financial plan that demonstrates how the adopted transportation plan can be implemented. The financial plan shall contain system level estimates of costs and revenue sources that are reasonably expected to be available. The MPO and state shall cooperatively develop estimates of funds that will be available to support MTP implementation. The financial plan shall include any additional financing strategies to fund projects and programs included in the MTP. Starting December 11, 2007, revenue and cost estimates in the MTP must reflect “year of expenditure dollars” based on reasonable financial principles and information. For the outer years, the financial plan may aggregate cost bands as long as the future funding source is reasonably expected to be available to support the cost bands. For illustrative purposes, the financial plan may include additional projects that would be included in the transportation plan if additional financial resources were to become available.

**Article 324** - The MPO, in cooperation with the state and any affected public transportation operators, shall develop a TIP for the MPA. The TIP has to be developed by the following guidelines:

- The TIP shall cover a period of no less than four years, and be updated at least every two years.
- The MPO shall provide all interested parties with reasonable opportunity to comment on the proposed TIP.
• The TIP shall be published or otherwise made readily available by the MPO for public review, including on the internet.
• The TIP shall include capital and non-capital surface transportation projects within the boundaries of the metropolitan planning area proposed for funding under 23 U.S.C. and 49 U.S.C. Chapter 53 including transportation enhancements, federal lands highway program projects, safety projects included in the state’s strategic Highway Safety Plan, trail projects, pedestrian walkways, and bicycle facilities.
• The TIP shall contain all regionally significant projects requiring an action by the FHWA or the FTA.
• The TIP shall include, for each project or phase, sufficient descriptive material to identify the project or phase, estimated total project cost, the amount of federal funds proposed to be obligated during each program year for the project or phase, and identification of the agencies responsible for carrying out the project or phase. In areas with Americans with Disabilities Act required paratransit and key station plans, the TIP must identify the projects that will implement these plans.
• Each project or project phase included in the TIP shall be consistent with the approved metropolitan transportation plan.
• The TIP shall include a financial plan that demonstrates how the approved TIP can be implemented, indicates public and private sources that are reasonably expected to be made available, and recommends any additional financing strategies for needed projects and programs. Only projects for which construction or operating funds can reasonably be expected to be available may be included. For purposes of transportation operations and maintenance, the financial plan shall contain system-level estimates of costs and revenue sources that are reasonably expected to be available. The financial plan may include additional projects that would be included in the TIP if reasonable additional resources were to become available.
• The TIP shall include a project, or a phase of project, only if full funding can be anticipated for the project within the time period for completion of the project. Financial constraint shall be demonstrated and maintained by year and shall include sufficient financial information to demonstrate which projects are to be implemented. In the case of proposed funding sources, strategies for ensuring their availability shall be identified in the financial plan.
• The TIP should identify the criteria and process for prioritizing the transportation plan elements for inclusion in the TIP and any changes in priority from previous TIPs. It should also list major projects from the previous TIP that were implemented and identify any significant delays in the planned implementation of major projects.
Article 332 - Annual listing of obligated projects:

- In MPAs, on an annual basis, and no later than 90 calendar days following the end of the program year, the state, public transportation operators, and the MPO shall cooperatively develop a listing of projects (including investments in pedestrian walkways and bicycle transportation facilities) for which funds were obligated in the preceding program year.
- The listing shall include all federally funded projects authorized or revised to increase obligations in the preceding program year and shall, at a minimum, identify for each project the amount of federal funds requested in the TIP, the federal funding that was obligated during the preceding year, and the federal funding remaining and available for subsequent years.
- The listing shall be published or otherwise made available in accordance with the MPOs public participation criteria for the TIP.

Article 334 – Self certifications and federal certifications:

- For all MPAs, concurrent with the submittal of the entire proposed TIP to FHWA and FTA as part of the State Transportation Improvement Program (STIP) approval, the state and the MPO shall certify at least every four years that the metropolitan transportation planning process is being carried out in accordance with all applicable requirements including 23 U.S.C. 134; 49 U.S.C. 5303; Title VI of the Civil Rights Act of 1964, 49 U.S.C. 5332 prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity; the provisions of the Americans with Disabilities Act of 1990; the Older Americans Act prohibiting discrimination on the basis of age in programs or activities receiving federal financial assistance; and prohibition of discrimination based on gender, or discrimination against individuals with disabilities.
- In TMAs, FHWA and FTA shall jointly review and evaluate the transportation planning process for each TMA no less than once every four years to determine if the process meets the requirements of applicable provisions of federal law.

1.6  Moving Ahead for Progress in the 21st Century Planning Factors

According to the Code of Federal Regulations (CFR), Title 23, Part 450, Subpart B, Article 306, “The metropolitan transportation planning process shall be continuous, cooperative, and comprehensive, and provide for consideration and implementation of projects, strategies, and services that will address the following planning factors:”
Factor 1. Support the economic vitality of the United States, the states, metropolitan areas, and non-metropolitan areas, especially by enabling global competitiveness, productivity, and efficiency.

Factor 2. Increase the safety of the transportation system for motorized and non-motorized users.

Factor 3. Increase the security of the transportation system for motorized and non-motorized users.

Factor 4. Increase accessibility and mobility of people and freight.

Factor 5. Protect and enhance the environment, promote energy conservation, improve the quality of life, and promote consistency between transportation improvement and state and local planned growth and economic development patterns.

Factor 6. Enhance the integration and connectivity of the transportation system, across and between modes throughout the state, for people and freight.

Factor 7. Promote efficient system management and operation.

Factor 8. Emphasize the preservation of the existing transportation system.

1.7 Governing Legislation

The following are the House and Senate bills and bill amendments related to transportation management, operation, structure, and funding that have been implemented during the 83rd (2013) and 82nd (2011) legislative sessions. These bills and bill amendments have taken effect since the last MTP was produced by the HCMPO. The most recent legislative change occurred on Nov 4, 2014 with the approval of Senate Joint Resolution 1 and implementation is expected in early 2015.

1.7.1 83RD TEXAS LEGISLATIVE SESSION - 2013

Senate Joint Resolution 1-Transportation Funding, Select

Senate Joint Resolution (S.J.R.) 1 proposed a constitutional amendment to transfer certain general revenue to the Economic Stabilization Fund, the State Highway Fund, and dedicate the revenue transferred to the State Highway Fund for transportation purposes. The bill requires that if in the preceding year, the state received from oil and gas taxes a net amount greater than that received in 1987, the comptroller shall transfer an amount equal to 75% of the difference between those amounts (25% continues to go to the general revenue), with one-half to the rainy day fund (37.5%) and the remainder to the State Highway Fund.
(37.5%). The legislature, by general law, shall provide for a procedure by which the allocation of the amount transferred to the State Highway Fund may be used only for constructing, maintaining, and acquiring rights-of-way for public roadways other than toll roads. This constitutional amendment was approved by Texas voters on November 4, 2014.

House Bill 1-Transportation Funding, Select

House Bill (H.B.) 1 relates to transportation funding, expenditures, finance, and the preservation of a sufficient balance in the Economic Stabilization Fund through appropriation. The bill includes provisions with respect to the Texas Department of Transportation (TxDOT), establishes a process to preserve a balance in the Economic Stabilization Fund, and creates two committees to evaluate various aspects of transportation funding. The bill requires TxDOT to identify $100 million in savings within the agency from areas that do not affect the amount of funding available for transportation projects. The savings shall then be used to make payments on the principal and interest on bonds and other public securities. While the bill provides for appropriation, funding increases to TxDOT are not associated with this provision. This bill became effective on November 4, 2014 with the passage of S.J.R 1.

Senate Bill 466-Transportation

Senate Bill (S.B.) 466 is intended to expedite the development and construction of highways and other transportation infrastructure projects by reducing the amount of time it currently takes for TxDOT to obtain approval of environmental documents required under the National Environmental Policy Act (NEPA) and other federal laws. The bill does not reduce the number and nature of federal environmental requirements. The bill substantially improves the efficiency of the environmental review process for transportation projects in Texas by enabling TxDOT to complete environmental reviews in-house rather than have to forward environmental documents to the Federal Highway Administration’s (FHWA) Texas office, which has a small number of staff available to review and approve projects. This bill became effective on September 1, 2013.

House Bill 474-Transportation

H.B. 474 amends the Transportation Code to authorize the Texas Transportation Commission (TTC) to allow the Hidalgo County Regional Mobility Authority (HCRMA) to issue permits for the movement of oversize or overweight vehicles carrying cargo on specified roads in Hidalgo County. The bill authorizes the HCRMA to collect a permit fee not to exceed $80 per trip beginning in fiscal year 2013 and to adjust the fee for inflation annually using an index prescribed by the bill. The fees can be used for construction and maintenance of the roads specified by the bill and for the regional mobility authority’s
administrative costs. The bill requires the HCRMA to make payments to TxDOT to provide funds for maintenance of the applicable roads. The bill requires the HCRMA to report to the Department of Motor Vehicles (DMV) all permits issued. The bill authorizes the Department of Public Safety (DPS) to enforce the permits. This bill became effective on September 1, 2013.

**House Bill 1198-Transportation**

H.B. 1198 amends Chapter 502 of the Transportation Code to authorize certain counties to impose an optional county fee of up to $10 for transportation projects when registering a vehicle in those counties. The new fee is collected in addition to the existing optional county road and bridge fee authorized by the Transportation Code, Section 502.401. The bill requires revenue collected from the fee to be credited to the county road and bridge fund.

One hundred percent of the revenue from the fee goes to the county's regional mobility authority to fund long-term transportation projects in the county. The provisions apply only to a county that borders the United Mexican States and has a population of more than 250,000. Based on the applicable criteria, Cameron, El Paso, Hidalgo, and Webb counties are eligible. This bill became effective on September 1, 2013.

**Senate Bill 1110-Transportation Reinvestment Zones**

S.B. 1110 relates to transportation reinvestment zones (TRZs), which are an innovative way for local communities to capture revenue for transportation projects without raising taxes or implementing new revenue sources. TRZs allow counties or cities to capture an increase in tax revenue, whether from sales or property tax, that occurs in a designated area for the purpose of funding transportation improvements. A county or municipality may currently contract with a public or private entity to develop a transportation project in a TRZ and pledge or assign all or a portion of the funds collected into the tax increment account to that entity. The revisions in S.B. 1110 clarify that the pledge or assignment may not be rescinded until commitments that are the subject of the pledge or assignment have been satisfied.

S.B. 1110 clarifies that any amount that the county receives from a tax increment (or the installment payments of assessments) that has not been designated for use in connection with a transportation project in the TRZ may be used for other purposes as determined by the commissioners’ court (rather than only for other purposes associated with the transportation project). Municipalities currently have this broader authority for the use of unencumbered funds and the legislation merely conforms to these requirements. This bill became effective on September 1, 2013.
House Bill 3126-Transportation

H.B. 3126 amends Section 502.402 of the Transportation Code to authorize certain counties to impose an optional county fee for registering a vehicle. A county described by Subsection (a) with a population of less than 700,000 can impose a fee not to exceed $20. Based on the applicability criteria, the provision applies only to Cameron County. The new fee can be collected in addition to the existing optional county road and bridge fee authorized by the Transportation Code, Section 502.401. The bill authorizes the fee to take effect in accordance with the requirements of Section 502.401 (on January 1 of a year). The bill also requires the revenue collected from the fee to be credited to the county road and bridge fund.

Prior to passage, the Comptroller of Public Accounts and the DMV reported that the bill will impact the state’s cash flow but increase revenue to the County Road and Bridge Fund in the applicable counties. Based on the information provided by the DMV, it is assumed any costs or duties associated with implementing the provisions of the bill have been absorbed within existing resources. This bill became effective on September 1, 2013.

Senate Bill 510-Transportation

S.B. 510 relates to issues of highway workers that are losing their lives as a result of being struck on the job by traveling motorists. Since 1938, 101 TxDOT employee fatalities were a result of being struck by motorists while the employees were working within a work zone or near the shoulder of the roadway. Seven of these fatalities occurred within the last 10 years with two employee fatalities in August and September 2008.

S.B. 510 amends Section 545.157 (Passing Authorized Emergency Vehicles) of the Transportation Code to specifically include certain vehicles, such as TxDOT vehicles that are not separated from the roadway by a traffic control channelizing device and using visual signals that comply within the standards and specifications adopted under Section 547.105 (Maintenance and Service Equipment Lighting Standards). Passing motorists can be penalized under law for not vacating the lane closest to the vehicle when driving on a highway with two or more lanes traveling in the direction of the vehicle; or not slowing to recommended speeds. This bill became effective on September 1, 2013.

Senate Bill 971-Transportation

S.B. 971 amends Section 222.108 (d) of the Transportation Code to authorize the creation of TRZ's for port projects. The port reinvestment zones have the authority to obtain local revenues from property tax increment financing. The financing obtained can be used to repay loans or other debt incurred to finance a port project. Financing authority may be
exercised by a port commission and by no other governmental entity. The bill seeks to assist all ports along the Texas Gulf Coast in generating revenue to provide local matching dollars or pay for costly long-term economic development projects such as dredging waterways and widening channels. This bill became effective on September 1, 2013.

**Senate Bill 1730-Transportation**

Legislation enacted in 2003 changed the structure of Texas transportation funding by authorizing the use of comprehensive development agreements (CDAs) to create public-private partnerships to build transportation projects. TxDOT was given authority to enter into a CDA with a private entity to design, develop, finance, construct, maintain, repair, operate, extend, or expand various types of transportation projects. S.B. 1730 provides TxDOT and certain regional mobility authorities the ability to enter into a CDA for all or part of certain projects or for improvements to or construction of certain projects.

The authority to enter into CDAs for these specific projects expires in 2017. Additionally, S.B. 1730 establishes certain contract provisions that must be included in a CDA that are designed to protect the state from future liabilities. This bill became effective on September 1, 2013.

**Senate Bill 1747-Transportation**

S.B. 1747 amends current law relating to funding and donations for transportation projects, including projects of county energy transportation reinvestment zones. TxDOT will establish and administer a grant program to distribute funds for transportation infrastructure projects located in counties that have created a county energy transportation reinvestment zone. The funds are supplied by H.B. 1025, which appropriated $225 million in general revenue to be transferred to the Transportation Infrastructure Fund to implement the provisions of S.B. 1747.

The accelerated road degradation in several counties throughout the state in recent years has been attributed to the unexpected increased vehicle traffic due to the exploration of oil & gas resources. County roads were not intended to sustain the heavy trucks that are used in oil & gas production. County road and bridge budgets are not sufficiently funded to routinely maintain the roads and counties are left with severe damage directly related to energy exploration and production. County roads in areas with increased oil & gas production need an immediate solution and a sustainable long-term plan dedicated to maintaining the roads in regions supporting the current upsurge in Texas oil & gas production. This bill became effective on September 1, 2013.
House Bill 2204-Transportation

H.B. 2204 amends the Transportation Code to require the TTC to establish a variable speed pilot program implemented by TxDOT to study the effectiveness of lowering the *prima facie* speed limit to address inclement weather, congestion, construction, or any other condition that impacts the safe movement of traffic. The bill requires that a speed limit established under the program be based on a traffic and engineering investigation. The bill requires the TTC to submit a report to the Legislature regarding the pilot program. The provisions of the bill will expire on February 1, 2015. Based on information provided by TxDOT, it is assumed that any costs or duties associated with implementing the provisions of the bill will be absorbed within the agency’s existing resources. This bill became effective on June 14, 2013.

House Bill 2982-Energy Resources

H.B. 2982 authorized the Texas Railroad Commission (TRC) to adopt and implement safety standards applicable to the intrastate transportation of hazardous liquids, carbon dioxide, and natural gas in rural locations by gathering pipeline. The bill authorizes the Railroad Commission to establish safety standards for gathering facilities and transportation activities in certain locations to the extent that the standards are consistent with federal law and as necessary to maintain the maximum degree of federal program delegation. The bill requires the Railroad Commission to affirm whether or not any well within an application for permit to drill is located inside or within 50 yards of an easement held by TxDOT. The Railroad Commission is required to notify TxDOT within 14 days of receipt of an application for a permit to drill inside of or within 50 yards of an easement held by TxDOT. The bill explicitly states that no authority would be provided to TxDOT with regard to the approval of an application for a permit to drill. This bill became effective on September 1, 2013.

House Bill 1777-International Trade & Intergovernmental Affairs

H.B. 1777 amends the Transportation Code to require the Border Trade Advisory Committee to conduct a study evaluating the effect of wait times at points of entry between the United States and the United Mexican States on international trade. The bill requires that the results of the study be reported to the Legislature. The study must include recommendations regarding intergovernmental initiatives to reduce wait times and promote international trade. This bill became effective on July 14, 2013.
1.7.2 82ND TEXAS LEGISLATIVE SESSION - 2011

Senate Bill 548-Transportation & Homeland Security

S.B. 548 addresses the environmental review process for transportation projects, set in place by the National Environmental Policy Act (NEPA), which sometimes slows project delivery. Some of these delays are unnecessary and the process might be improved with legislative and administrative changes. Although the state cannot address many of the procedures involved with projects using federal dollars, there are opportunities to make the state process more efficient.

The bill requires the TTC, by rule, to establish standards for processing an environmental review document for a highway project. The bill requires that the standards increase efficiency, minimize delays, and encourage collaboration and cooperation between TxDOT and a local government sponsor, with the goal of prompt approval of legally sufficient documents. This bill became effective on September 1, 2011.

Senate Bill 1420-Transportation

S.B. 1420, also known as the TxDOT Sunset Bill, is the evaluation of the usefulness and relevance of TxDOT as a state agency. All state agencies are subject to such review every twelve years. S.B. 1420 contains recommendations from the legislature to improve TxDOT operations as an agency.

The Texas Highway Department was created in 1917 to direct county road construction programs. Since then, TxDOT's mission has evolved to delivering a 21st century transportation system by providing for the safe, efficient, and effective means for the movement of people and goods throughout the state. S.B. 1420 amends current law expressly granted to the Texas Department of Transportation (TxDOT). This bill became effective on September 1, 2011.

House Bill 422-Transportation & Homeland Security

H.B. 422 amends the Transportation Code to allow TxDOT to issue a permit for the operation of certain commercial motor vehicles, truck-tractors, or combinations of vehicles that exceed the maximum weight limit set by TxDOT due to the presence of an auxiliary power unit that allows the vehicle to operate on electricity or battery power if TxDOT finds that such an exemption would reduce nitrogen oxide emissions. The bill amends the Transportation Code to allow the TTC by rule to authorize TxDOT to issue a permit to a motor carrier to transport multiple loads of the same commodity over a state highway if all of the loads are traveling between the same general locations. The bill requires a permit application to be accompanied by a fee in an amount set by the commission, not to exceed
$9,000, which would be deposited into the State Highway Fund. This bill became effective on September 1, 2011.

House Bill 563-Transportation & Homeland Security

H.B. 563 amends Chapter 222 of the Transportation Code regarding the use of taxes collected on property in a municipal TRZ and in a county transportation zone and deposited into a tax increment account. The bill changes the criteria for which municipalities and counties are authorized to create a TRZ. If all or part of a transportation project in the zone is subject to oversight by TxDOT, then TxDOT is required (at the option of the governing body of the municipality, the country, or TxDOT to the extent permitted by law) to delegate full responsibility for the development, design, letting of bids, construction of the project (including project oversight and inspection) to the municipality or county. The bill stipulates that a TRZ should only be created and transportation project undertaken if there are sufficient resources available or the net fiscal impact is positive. This bill became effective on September 1, 2011.

House Bill 630-Transportation

H.B. 630 amends the Transportation Code to authorize TxDOT, a county, regional toll way authority, or a regional mobility authority to enter into an agreement to provide funds to a state or federal agency to expedite the agency’s performance of its duties related to the environmental review process for TxDOT transportation projects. The bill requires each entity to make each agreement available on the entity’s internet website. The bill requires TxDOT to establish, by rule, a process to certify district environmental specialist to work on all documents related to state and federal environmental review processes and to make the process available to TxDOT employees. This bill became effective on September 1, 2011.

House Bill 3309-Transportation & Homeland Security

H.B. 3309 provides the Executive Director of TxDOT the authority to set maximum weights for state highways, roads, and bridges. The director may set the maximum single axle weight, tandem axle weight, gross weight of a vehicle, or gross weight of a combination of vehicles and loads, that may be moved over a state highway or a farm or ranch road if the director finds that the heavier maximum weight would rapidly deteriorate or destroy the road or a bridge or culver along the road. The director must make the finding under this section on an engineering and traffic investigation and in making the finding shall consider the width, condition, and type of pavement structure and other circumstances on the road. This bill became effective on June 17, 2011.
House Bill 3730-Transportation

H.B. 3730 relates to certain privatization of maintenance contracts awarded by TxDOT. This bill states that the contract will involve an amount, for which a formal solicitation process for the purchase of services is not required under rules relating to the delegation of purchasing authority to state agencies adopted by the comptroller. This bill became effective on September 1, 2011.

House Bill 3771-Transportation

H.B. 3771 amends the Transportation Code to authorize TxDOT, upon application by a railroad company, to adopt safety standards for high-speed passenger rail rolling stock and systems that operate at speeds in excess of 185 miles per hour for that railroad. A railroad company would not need to seek approval of safety standards from TxDOT if the railroad is operating under standards approved by the Federal Rail Administration. The bill requires TxDOT to impose a reasonable fee on a railroad company that submits an application to cover all costs to administer the provisions of the bill. Based on information provided by TxDOT, it is assumed that the agency will adopt fees to be assessed with the application from a railroad company in an amount that will be sufficient to cover the agency’s cost of evaluating safety standards and adopting rules as provided by the bill. This bill becomes effective on September 1, 2011.

1.7.3 Legislative Public Outreach

Proposition 1 is a statewide ballot proposition and constitutional amendment authorized by S.J.R. 1. The constitutional amendment was passed by Texas voters on November 4, 2014. Proposition 1 amends the Texas Constitution’s Transportation Funding Amendment. The amendment will divert an estimated $1.4 billion per year in oil and gas severance taxes from the state’s multibillion-dollar Rainy Day Fund to provide money for TxDOT to update and maintain infrastructure around the state.

The HCMPO provided public outreach and made presentations to Hidalgo County organizations and groups that requested more information on Proposition 1. The HCMPO was able to reach larger audiences and clarify any questions regarding Proposition 1 funding by presenting the following information:

- Funds can only be used for new construction and preservation of the state highway system.
- Funds cannot be used for toll roads.
- Does not raise taxes, fees or debt on citizens or businesses.
- Requires TxDOT to identify $100 million in savings.
• Begins to pay down the State’s debt.
• Ensures the Rainy Day Fund maintains a sufficient balance.

1.8 Planning Process and Methodology

Metropolitan transportation planning is the process of examining travel and transportation issues and needs in the metropolitan areas. Many see the transportation planning process as a problem solving method. The planning process is coordination between planning partners working towards the same goal. As part of metropolitan planning, MPOs are responsible for information gathering and dissemination, examination of travel patterns and trends, analysis of alternatives to meet projected future demands, and providing a safe and efficient transportation system that meets mobility needs while not creating adverse impacts to the environment.

MPOs have a responsibility to work collaboratively with their planning partners to plan for all modes of transportation and ensure that the needs of the Hidalgo County community are met. A MPOs collaborative role is to include conducting a Continuing, Cooperative, and Comprehensive planning process for the metropolitan area, known as the 3-Cs. As part of the MPO structure, there are committees that meet once a month and others when needed to provide technical perspective and evaluate transportation plans. The most common committees are the Technical Advisory Committee (TAC) and the Transportation Policy Committee (TPC). The TAC meets on the first Tuesday of every month and provides the TPC with technical advice and support on any items being presented for consideration for approval and/or adoption. The TAC is responsible for coordinating the development of regional transportation planning within the metropolitan study area.

The TPC is designated by the Governor of Texas as the decision making body for all regional transportation plans and programs within our metropolitan study area. With the assistance of and/or recommendations made by TAC, TPC plans, develops, and maintains an affordable, safe and efficient transportation system for this region. TPC meets on the third Thursday of every month and consists of elected officials representing the 22 cities within Hidalgo County, Hidalgo County, TxDOT, public transportation providers, and other planning partners that exist in Hidalgo County. TPC is committed to coordinating and integrating the region’s transportation planning in an open and collaborative process.

Other committees have formed to assist with the HCMPO’s mission in addressing the transportation and mobility needs of the Hidalgo County community. The Citizens Advisory Committee (CAC) meets the day after each TAC meeting, normally the first Wednesday of the month. CAC is formed of citizens who wish to hear the recommendations from TAC to TPC, and provide any input as part of the recommendation to TPC.
HCMPO subcommittees have also been developed to aid in the collection and dissemination of information on planning efforts related to specific transportation modes. The Bicycle and Pedestrian Advisory Committee (BPAC) is a subcommittee of TAC assembled to provide technical expertise, public outreach support, review of regional bicycle and pedestrian planning, and assistance in the selection of bicycle and pedestrian projects funded by the HCMPO. It consists of planners, engineers, bike/ped advocates, and interested citizens. BPAC meetings are held the first Monday of every month with current efforts being geared towards the development of the Transportation Alternative Program selection criteria.

RGV Freight Advisory Committee’s (RGV-FAC) function is to elevate freight transportation as a critical component of the region’s economic vitality and competitiveness. The RGV-FAC provides insight to the HCMPO and our neighboring MPOs on freight issues, priorities, projects, and funding needs for freight improvements. They also aid our TAC and TPC when making decisions affecting freight mobility. The RGV-FAC is currently aiding in the development of the first Regional Freight Plan/Study. Overall, RGV-FAC serves as a regional voice for the freight industry. Members consist of various key stakeholders who meet on an as needed basis.

Through a joint effort, our transportation planning partners and neighboring MPOs assist in providing an improved quality of life for the region. Methodologies used by the three MPOs in the region and other transportation entities to solve transportation planning problems can vary. To maintain consistency and improve regional mobility, a continued review of the performance of the network and coordination between entities is required.

Some of the methodologies used by the HCMPO in transportation planning include in-house plans and/or studies, surveys, inventories, and Geographic Information Systems (GIS) analysis. Conducting surveys is an appropriate tool to collect relevant data that will assist in identifying efficient movement of people and goods. Personal interviews enhance the data collection done through surveys and allows for development of appropriate recommendations, plans, and/or studies.

GIS analysis is a powerful tool used in transportation planning. The large volume of data collected from in-house plans, studies, surveys, and inventories can be tied to geographic features like roadways using GIS. Tying data to geographic features allows the HCMPO to evaluate alternatives and assess how changes in one part of the network may affect other portions of the network or the regional network, which is tied to neighboring MPO networks and other transportation entities such as ports and railroads. GIS is also useful as a visualization tool for public outreach because it can synthesize large volumes of data into maps and images that are easier to understand.
1.9 Hidalgo County Metropolitan Planning Organization Study Area

Study areas utilized by the HCMPO are largely governed by U.S. Census counts for population and density. An Urban Area Boundary (UAB) is an urbanized area defined by the U.S. Census based upon population density per square mile. The Metropolitan Area Boundary (MAB) is the area forecasted to be urbanized within the next 20 years and the area in which the transportation planning process occurs. Figure 1-1 shows the UAB’s as they were in the 2010-2035 MTP and as they are currently since being expanded by the 2010 Census.

At the time of the 2000 census, the MAB was comprised of 999.12 square miles and had a population of almost 570,000, which made it the 6th largest TMA in Texas. After the 2010 Census was conducted, the MAB was updated to include an additional 585.48 square miles and a total population of just fewer than 775,000, making it the 5th largest TMA in Texas. The HCMPO has been among the top five fastest growing metro areas in the U.S. every year since 1986.

The MAB was changed after the 2010 Census to include the northern portions of Hidalgo County and exclude a small portion of the eastern county near the City of Mercedes (Figure 1-2). The current MAB contains 1584.60 square miles. This is the area expected to become urbanized during the twenty-five year planning period of this 2015-2040 MTP.
Figure 1-1: Hidalgo County Metropolitan Planning Organization's 2000 Urban Area Boundary as used for the 2010-2035 Metropolitan Transportation Plan (area hatched in orange). In 2010, the urbanized area was expanded and is represented by the blue shaded area. The 2010 Urban Area Boundary is used for planning purposes in this document, the 2015-2040 Metropolitan Transportation Plan. A larger print of this map is in Appendix A.
Figure 1-2: The Hidalgo County Metropolitan Planning Organization’s Metropolitan Area Boundary and Urban Area Boundary as delineated by the 2010 Census and used for planning purposes in this document, the 2015-2040 Metropolitan Transportation Plan. A larger print of this map is in Appendix A.
The Hidalgo County urbanized area currently includes the cities of Alamo, Alton, Donna, Edcouch, Edinburg, Elsa, Granjeno, Hidalgo, La Joya, La Villa, McAllen, Mercedes, Mission, Palmhurst, Palmview, Peñitas, Pharr, Progreso, Progreso Lakes, San Juan, and Weslaco. The Hidalgo County MAB additionally includes Sullivan City and rural areas of Hidalgo County. The 2010 Census population data for all cities within the MAB is shown in Table 1-1.

Table 1-1: 2010 Census population counts for all 22 cities within the Hidalgo County Metropolitan Planning Organization's Metropolitan Area Boundary.

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<th>Entity</th>
<th>Population</th>
<th>Entity</th>
<th>Population</th>
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