



May 16, 2016

The Honorable Anthony Foxx  
Secretary, U.S. Department of Transportation  
Docket Operations  
M-30, West Building Ground Floor, Room W12-140  
1200 New Jersey Avenue SE  
Washington, DC 20590

**Re: Docket Number: FHWA-2013-0054, Proposed Rule on National Performance Management Measures: Assessing Performance of the National Highway System, Freight Movement on the Interstate System, and Congestion Mitigation and Air Quality Improvement Program**

Dear Secretary Foxx:

The Safe Routes to School National Partnership is a national non-profit that advances policy change and catalyzes support for healthy, active communities, starting with walking and bicycling to school. We are dedicated to creating livable, sustainable communities where all people can be healthy and physically active.

We appreciate the opportunity to comment on FHWA's proposed national performance measures for system performance. Overall, the proposed measures exclusively focus on the movement of cars and trucks and completely ignore other modes of transportation. Specifically, we have three primary concerns with the proposed rule as written:

- That the measure of National Highway System performance should address all modes of transportation;
- That the traffic congestion measure should measure modes of transportation that reduce congestion; and
- That the final rule should include a measure of greenhouse gas emissions (including emissions avoided) in its measures of on-road mobile source emissions.

We have greatly appreciated and strongly support the US Department of Transportation's focus and your leadership on increasing transportation options like bicycling and walking and on addressing disparities in transportation projects and decisions. *Unfortunately, those priorities will be damaged by this proposed rule.*

Specific to Ladders of Opportunity, you have said "we must reinvent how we think about transportation. We need to aspire to more, we need a transportation system that connects a big missing dot in the line between income inequality and opportunity." USDOT's principles for Connecting People to Opportunity prioritize supporting transportation projects that connect people to opportunity and invigorate opportunity within communities and assert that transportation facilities should be built by, for and with

the communities impacted by them. For the working poor, transportation costs make up nearly one-third of income due to lack of affordable transportation options—emphasizing the need to increase affordable public transit and accessible walking and bicycling networks. *Unfortunately, the proposed rule's focus on cars, trucks and roads does not meet the USDOT's own principles for Connecting People to Opportunity given that it ignores the needs of the working poor for transportation options.*

The USDOT report, *Beyond Traffic 2045: Trends and Choices*, identifies the major challenges our transportation system faces over the next three decades, with our population expected to grow by 70 million people by 2045, and that megaregions could absorb 75 percent of the country's population. To address greater populations and changing dynamics, the report identifies a range of policies to reduce congestion such as expanding transit services, promoting integrated transportation and land-use planning, supporting design and planning choices for non-vehicle modes of travel and more. *Regrettably, this proposed rule reflects a 1950s approach to transportation—roads and cars—rather than measuring the performance of the breadth of our transportation system and planning for our future needs.*

In 2014, you launched the Safer People, Safer Streets initiative, including the Mayor's Challenge. While this initiative has a safety focus, you highlighted "the growing number of Americans who bicycle or walk to work, to reach public transportation and to other important destinations." Contrary to your focus, the proposed rule fails to measure any mode of transportation other than driving.

We believe in accountability for transportation dollars, but are alarmed that this proposed rule forces states and cities to measure only one aspect of transportation, which will undercut efforts to create affordable transportation options and safe, healthy and economically viable cities and towns. In this proposed rule, seven of the eight proposed measures effectively count the same thing: the speed of cars or trucks and congestion of roads—either by focusing on speed or trip time. *The measures completely fail to count in any way people who walk, bicycle or take transit—even though these modes also reduce congestion and stress on the road network.* This is contrary to the vision that you have laid out in the initiatives discussed in the prior paragraphs.

Effectively, all of these measures define our transportation system as roads and cars, rather than on moving people through all modes of transportation. Many states and metropolitan areas are working to reduce reliance on roads and cars, which will not be measured in this proposed rule. What gets measured matters and the proposed rule would steer transportation funding towards expanding roads and increasing speeds. This will create more dangers for people walking, bicycling and crossing the street to catch a bus since higher speeds mean higher death rates for people struck by cars. It will also mean fewer dollars available for transportation infrastructure for other modes of transportation, such as crosswalks, sidewalks, bike lanes and transit accommodations—which are all essential to helping low-income people access jobs, grocery stores and health services.

***We urge you to make significant changes to the proposed measures so the final rule matches your vision for a multi-modal, accessible transportation system, as you have so compellingly called for in many initiatives during your tenure.*** Specific comments on several of the proposed measure categories follow.

### **Performance of the National Highway System**

The current proposed measures for the National Highway System focus on the reliability of NHS roads, as measured by travel time for vehicles. MAP-21 expanded the NHS significantly to include principal

arterials. Principal arterials in urban areas cut through population centers and frequently accommodate pedestrians, bicyclists, and transit users as well as drivers. In rural areas, NHS roads often divide towns with higher-speed traffic often without stoplights or crosswalks to allow residents to get from one side of the street to the other, inhibiting efforts to build walkable communities.

Focusing the NHS system performance measures only on cars and travel time ignores the nature and purpose of principal arterials and many NHS roads that make up a significant portion of the NHS. Congress has affirmed that the NHS is about more than just cars as well—just five months ago in the FAST Act, Congress amended section 109(c) to require—rather than just encourage—the consideration of all modes of transportation when building and reconstructing NHS roads.

That Congressional intent that the NHS consider all modes should be reflected in the NHS system performance measures. *As such, USDOT should add to the final rule a measure of reliability for people using the NHS system to bike, walk, or access transit.* For those users, reliability is about safety and accessibility; in other words, whether there is a safe way to get from point A to point B on foot, bike or transit. Having an inventory of NHS roadway features such as sidewalks, crosswalks, bike lanes, and transit lanes is a reasonable implementation step (which many metropolitan areas already have) and would allow for progress on meeting Congressional intent for section 109(c) through this measure. This is just one example of how NHS performance could be measured focused on people, rather than cars.

### **Traffic Congestion**

Similar to the comments on the NHS performance section, the measure here again focuses on vehicle speeds and trip delays. It fails to acknowledge or measure that an important tool in reducing congestion is to shift people out of single-occupant car trips and into other modes of transportation—such as carpooling, transit, bicycling, or walking. Annual monitoring of traffic trends and congestion often shows that small declines in vehicle miles traveled result in much larger declines in congestion, and conversely, small increases in vehicle miles traveled lead to larger increases in congestion. Managing traffic congestion must include consideration of how to shift car trips to other modes.

Counting only cars and trip delays will lead to increased spending on road expansion and road investments, rather than considering all transportation modes. Many states and metropolitan regions are actively working to increase the mode share of non-car modes or even to reduce vehicle miles traveled, and their efforts would not be counted in this proposed measure. *To measure progress on reducing traffic congestion, the final rule should add another measure to track the percentage of trips taken by walking, biking, and transit.* This is only one option; there are many examples of how states and metro areas are setting goals and measuring progress in shifting people out of cars or reducing driving.

This will help ensure that congestion is examined across the entire transportation system and all users, achieving a balanced approach that serves drivers as well as all those who walk, bike, and take transit.

### **On-road Mobile Source Emissions**

We are supportive of the current proposed measure for evaluating the air quality impact of CMAQ projects. The current measurements used in the CMAQ program for the most part do a good job of quantifying the air quality benefits of projects that reduce pollution by diverting people from driving into non-polluting walking or bicycling trips.

However, we believe the emissions measure does not go far enough. *We encourage USDOT to include a greenhouse gas emissions measure in the final rule.* Similar to the pollutants measure, an effective GHG measure should address not just tailpipe emissions but also avoided emissions for projects that shift people out of cars into non-polluting walking or bicycling trips or less-polluting transit trips.

Thank you for your consideration of these comments. ***We believe that if these comments were implemented, the rule would be closer to Congressional intent to have a performance-based system that addresses the breadth of our transportation system, not just roads.***

If you have any questions, please contact Margo Pedroso, Deputy Director, at [margo@saferoutespartnership.org](mailto:margo@saferoutespartnership.org) or 301-292-1043.

Sincerely,

A handwritten signature in black ink, appearing to read 'Cass', followed by a long horizontal flourish.

Cass Isidro  
Executive Director