

Performance Management Written Procedures for Transit Safety Measures
among the
North Jersey Transportation Planning Authority (NJTPA),
Delaware Valley Regional Planning Commission (DVRPC),
South Jersey Transportation Planning Organization (SJTPO),
and New Jersey Department of Transportation (NJDOT),
with the applicable Tier 1 transit agencies
New Jersey Transit Corporation (NJ TRANSIT), and
Delaware River Port Authority/Port Authority Transit Corporation (DRPA/PATCO)

March 2021

Background

These performance management procedures:

- document agreement among NJDOT, the three New Jersey Metropolitan Planning Organizations (NJTPA, DVRPC, and SJTPO), and the two New Jersey Tier 1 transit operating agencies regulated by the Federal Transit Administration (NJ TRANSIT and DRPA/PATCO);
- address the performance-based transportation planning and programming process required under the Moving Ahead for Progress in the 21st Century (MAP-21) Act and the Fixing America's Surface Transportation (FAST) Act for transit safety within the State of New Jersey; and
- enable compliance with the requirements of the US Department of Transportation (USDOT) Statewide and Metropolitan Transportation Planning Final Rule (23 CFR Part 450 and 49 CFR Part 613), and the Federal Transit Administration (FTA) Public Transportation Agency Safety Plan (PTASP) Final Rule (49 CFR Part 673).

All three of the New Jersey Metropolitan Planning Organizations (MPOs) conduct continuing, comprehensive, and cooperative metropolitan transportation planning processes, pursuant to 23 USC 134. The final federal Planning Rule, adopted May 27, 2016, indicates in 23 CFR 450.314(h) that written procedures must be developed regarding the MAP-21 and FAST Act performance management requirements, and that these procedures be documented either through existing metropolitan planning agreements, or by another means, as determined cooperatively by the parties (23 CFR 450.314(h)(2)). By use of these written procedures, the parties listed above choose the latter option.

Provisions herein complement existing metropolitan planning agreements and may be supplemented by related agreements regarding performance management (such as covering urbanized areas extending beyond New Jersey and therefore involving other parties).

Scope of Agreement

The Final Planning Rule requires the development and use of a performance-based planning and programming process. This process includes developing an assessment of transit safety, including data acquisition, sharing, analysis, target setting, and reporting for the following national transit safety performance measures established under the National Public Transportation Safety Plan:

- *Fatalities*: total number of reportable fatalities and rate per total vehicle revenue miles, by mode
- *Injuries*: total number of reportable injuries and rate per total vehicle revenue miles, by mode
- *Safety events*: total number of reportable events and rate per total vehicle revenue miles (broken down by type of event, where appropriate), by mode
- *System reliability*: mean distance between major mechanical failures, by mode

Coordination among the transit operating agencies and MPOs is required where the operating agency's service area overlaps with the MPO planning area. Each transit operating agency provides service within the following MPO planning area(s), and these written procedures will pertain to these areas:

- NJ TRANSIT
 - NJTPA
 - DVRPC
 - SJTPO
- DRPA/PATCO
 - DVRPC

Written Provisions

The parties to this agreement—the MPOs (NJTPA, DVRPC, SJTPO), transit operating agencies (NJ TRANSIT and DRPA/PATCO), and NJDOT—agree to the provisions described below, for all elements where coordination is required within each Transit Agency's MPO area.

1) Overall schedule and elements

- a) The parties will collaboratively determine schedule(s) for data collection, analysis, target setting, sharing, and reporting for the transit safety performance measures, following regulations and guidance from FTA, and allowing sufficient time for review.

2) Transportation performance data

- a) Primary responsibility for data collection associated with the transit safety performance measures will reside with the transit operating agencies, and will be conducted in accordance with FTA regulations and guidance. The operating agencies will share this data with NJDOT and the applicable MPO.

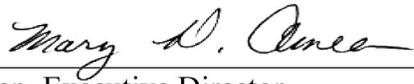
3) Establishment of performance targets

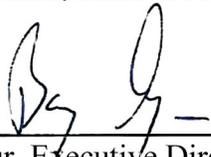
- a) Each transit operating agency will establish targets for each of the transit safety performance measures, coordinating with NJDOT and the applicable MPO(s), to the maximum extent practicable.

- b) Within 180 days of receiving all of the final targets from each applicable transit operating agency (or any date specified by federal code), each MPO will establish targets for each transit safety performance measure. For each performance measure, each MPO has the discretion to either agree to plan and program projects contributing toward the targets from each operating agency, or set a quantifiable target for the MPO planning area.
 - c) For any transit safety performance measure for which an MPO adopts its own quantitative planning area target, the MPO will develop draft targets in coordination with the applicable operating agency(ies) and NJDOT. The operating agency(ies) and NJDOT will be provided an opportunity to provide comments on draft MPO performance targets prior to final MPO adoption.
 - d) Coordination among the parties on draft performance targets may include communication about policies, trends, conditions or other factors that contribute to their determination.
- 4) Reporting of performance targets and performance to be used in tracking progress**
- a) The transit operating agencies will report transit safety performance targets and performance to FTA, as required. NJDOT and the applicable MPO(s) will be notified when an operating agency has established or updated targets, reported final targets, and reported performance.
 - b) Each MPO will report its transit safety performance targets to the NJDOT and the applicable transit operating agency(ies). For each transit safety performance measure, the MPO will provide the following information no later than 180 days after the date all applicable operating agencies establish performance targets, or the date specified by federal code. This reporting will include for each target a determination of whether the MPO:
 - i) agrees to plan and program projects so that they contribute toward the accomplishment of the transit agency's performance target, or
 - ii) sets a specified quantifiable target for that performance measure for the MPO planning area.
 - c) Documentation of an MPO target or support of the operating agency target will be provided in the form of a letter, resolution or other formal correspondence. If the MPO supports the operating agency's target, this formal documentation of support is only required of the initial targets; support of subsequent/revised targets does not require formal documentation of support.
 - d) Each MPO will include pertinent information regarding required performance-related content (including the current targets and performance), in any metropolitan transportation plan (MTP) or Transportation Improvement Program (TIP) amended or adopted subsequent to this agreement. Any TIP update will include, to the maximum extent practicable, a description of the anticipated effects of the TIP toward achieving the established transit safety performance targets. Each MPO will coordinate with the applicable operating agency(ies) to ensure that the MTP and/or TIP language is accurate.

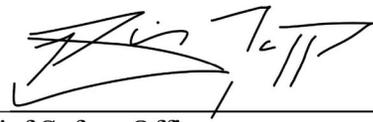
5) Agreement

The above process is hereby acknowledged by the parties to this agreement, through their respective authorized executives, provided however that no Commissioner, director, officer, agent or employee of any party shall be charged personally by any other party with any liability, or held liable to the other party, under any term or provision of this Permit, or because of the party's execution or attempted execution, or because of any breach thereof.

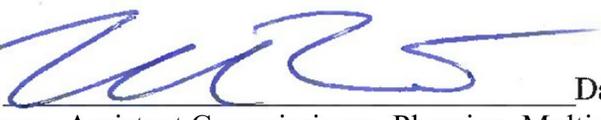
Signature:  Date: 07/20/2021
Mary D. Ameen, Executive Director
North Jersey Transportation Planning Authority

Signature:  Date: 7/15/21
Barry Seymour, Executive Director
Delaware Valley Regional Planning Commission

Signature:  Date: 7/19/2021
Jennifer Marandino, Executive Director
South Jersey Transportation Planning Organization

Signature:  Date: 07/20/2021
Brian A. Lapp, Chief Safety Officer
New Jersey Transit Corporation

Signature:  Date: 2/26/2021
John Rink, General Manager and Account Executive, Port Authority Transit Corporation

Signature:  Date: 7/14/2021
Michael Russo, Assistant Commissioner, Planning, Multimodal and Grants Administration
New Jersey Department of Transportation