



# BOSTON REGION METROPOLITAN PLANNING ORGANIZATION

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## **TECHNICAL MEMORANDUM**

**DATE:** April 11, 2019  
**TO:** Boston Region Metropolitan Planning Organization  
**FROM:** Boston Region MPO Staff  
**RE:** Recommendations for an MPO Transit Committee

This memorandum describes the Boston Region Metropolitan Planning Organization (MPO) staff's recommendations regarding the creation of a transit committee as an option for expanding public transportation provider representation on the MPO board. Staff requests that the MPO discuss these recommendations at its April 11, 2019, meeting to advance decision making regarding transit provider representation on the MPO board and to inform updates to the MPO's memorandum of understanding (MOU), as needed.

### **1 BACKGROUND**

#### **1.1 Federal Recommendation**

The MPO's recent discussions regarding public transportation provider representation began in response to a recommendation from the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) in their 2015 certification review report to the Boston Region MPO.<sup>1</sup> In that document, FHWA and FTA noted that the Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) Act requires MPOs that have been designated or redesignated after December 18, 1991, to include public transit representatives on their boards.<sup>2</sup> They noted that the Boston Region MPO board includes direct representation for the Massachusetts Bay Transportation Authority (MBTA), the region's major transit provider, but does not include direct representation for MetroWest Regional Transit Authority (MWRTA) or Cape Ann Transportation Authority (CATA). MWRTA and CATA operate entirely within the Boston region and are the only regional transit authorities (RTA) in Massachusetts not represented on an MPO board. The FHWA and FTA note that these two

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<sup>1</sup> US Department of Transportation—Federal Highway Administration and Federal Transit Administration. "Transportation Planning Certification Review of the Metropolitan Planning Process for the Boston Transportation Management Area: Boston Region Metropolitan Planning Organization." Final Report—May 2015.  
[https://www.ctps.org/data/pdf/about/mpo/Boston\\_Region\\_MPO\\_Recert\\_2015.pdf](https://www.ctps.org/data/pdf/about/mpo/Boston_Region_MPO_Recert_2015.pdf), pg 20.

<sup>2</sup> These provisions have been continued under the Fixing America's Surface Transportation (FAST) Act.

agencies have expressed concern that, given the difference in scale between them and the MBTA, the MPO board's current representation arrangement may not fully represent the needs of these agencies.<sup>3</sup> In their final report, FHWA and FTA made the following recommendation:

"The MPO should work with the MetroWest and Cape Ann Regional Transit Authorities (MWRTA and CATA) to ensure that these providers of public transportation are represented on the MPO board in a way that is satisfactory to all parties and satisfies the MAP-21 requirement for transit representation on MPO boards. The particular form of this representation should be determined cooperatively by the interested parties. Possible examples include: full or fractional representation on the board for each RTA; a single seat that rotates between the RTAs; a transit or intermodal 'functional sub-region' representative similar to the geographical sub-region representatives already on the board; indirect representation through another MPO board member (e.g., MBTA or MassDOT) supplemented by voting membership for both RTAs on the Regional Transportation Advisory Council; or some other form of representation agreed upon by all parties."<sup>4</sup>

## 1.2 MPO Discussions and Existing Motion

The MPO deliberated options for expanding transit provider representation on the MPO board at several meetings during 2016 and 2017. Under the MPO's current structure, MWRTA and CATA can communicate information and concerns to their applicable subregional representatives: the MetroWest Regional Collaborative (MWRC) and the North Shore Task Force (NSTF), respectively. These entities could also participate in the MPO's Regional Transportation Advisory Council (Advisory Council), though this body serves a large stakeholder group and discusses a broader set of transportation issues than just transit.

Alternative options for representing these agencies include those suggested by FHWA and FTA in the 2015 Certification Review report. To date, the two most-discussed ways of responding to FHWA and FTA's recommendation to address this matter have been (1) to provide the two RTAs a shared seat or individual seats on the MPO board, and (2) to provide a seat on the MPO board for a transit committee composed of the two RTAs and a number of other transit providers.

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<sup>3</sup> US Department of Transportation—Federal Highway Administration and Federal Transit Administration. "Transportation Planning Certification Review of the Metropolitan Planning Process for the Boston Transportation Management Area: Boston Region Metropolitan Planning Organization," Final Report—May 2015.

[https://www.ctps.org/data/pdf/about/mpo/Boston\\_Region\\_MPO\\_Recert\\_2015.pdf](https://www.ctps.org/data/pdf/about/mpo/Boston_Region_MPO_Recert_2015.pdf), pg 20.

<sup>4</sup> Ibid.

The November 8, 2018, memorandum titled “Regional Transit Authorities on the Boston Region MPO Board” summarizes these MPO discussions.<sup>5</sup>

The MPO took its most recent action on this matter at its November 8, 2018, meeting, when it voted to begin the process of amending its MOU to add a seat to the board that would represent a transit committee. The adopted motion specified that MWRTA would serve as the committee’s representative on the MPO board for an initial three-year term beginning upon execution of an updated MOU.

At its January 17, 2019, meeting, the MPO discussed potential next steps should it create a transit committee, and it also revisited other options for enhancing public transportation provider representation, including adding seats for one or both of the RTAs with service areas fully within the MPO region. The MPO directed MPO staff to develop a detailed proposal for a transit committee for MPO board members to consider. MPO staff subsequently distributed a survey to MPO members that included questions regarding such a committee that MPO staff posed to members during the January 17, 2019, meeting. Appendix A includes a summary of survey responses.

## 2 CONSIDERATIONS

To develop this proposal, MPO staff considered information from several sources.

### 2.1 Federal Guidance and Recommendations

MPO staff reviewed the FHWA and FTA certification review recommendation regarding RTA representation, which is detailed on pages 1 and 2. Staff also reviewed 2014 federal guidance related to public transportation provider representation on MPO boards, which FHWA and FTA released to help MPOs implement MAP-21 legislative provisions.<sup>6</sup> This guidance emphasizes having transit agencies that receive FTA Urbanized Area Formula (Section 5307) funding represent transit interests on MPO boards. In the Boston Region MPO

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<sup>5</sup> Boston Region MPO Staff. “Regional Transit Authorities on the Boston Region MPO Board.” November 8, 2018.  
[https://www.ctps.org/data/calendar/pdfs/2018/MPO\\_1018\\_Memo\\_RT\\_A\\_Representation\\_on\\_MPO\\_Board.pdf](https://www.ctps.org/data/calendar/pdfs/2018/MPO_1018_Memo_RT_A_Representation_on_MPO_Board.pdf).

<sup>6</sup> US Department of Transportation—Federal Highway Administration and Federal Transit Administration. “Policy Guidance on Metropolitan Planning Organization (MPO) Representation.” Federal Register, Volume 79, Number 105, June 2, 2014.  
<https://www.govinfo.gov/content/pkg/FR-2014-06-02/pdf/2014-12163.pdf>.

area, the MBTA, MWRTA, and CATA receive these funds. Appendix B discusses this guidance in more detail.

## 2.2 MPO Discussions and Survey Responses

MPO staff reviewed prior MPO discussions on this matter, particularly those that took place at the November 8, 2018, and January 17, 2019, meetings. Staff also considered the 12 responses it received from members to a transit provider representation survey (see Appendix A). Through these discussions and survey responses, MPO members have expressed diverse perspectives and opinions on the following topics related to transit provider representation:

- Whether to expand the MPO board to include representatives of transit providers besides the MBTA
- Whether to provide direct representation for CATA and MWRTA or to create a transit committee, should the MPO board be expanded
- Who should be a part of and who should represent a transit committee on the MPO board, should a committee be formed

During the MPO's recent discussions about a transit committee option, some MPO members have expressed concern about how adding one or more seats for MWRTA and CATA would affect the representation of different subregions on the MPO board. In addition, a number of members have emphasized the value of increased coordination between the region's public transportation providers, which could address provider and rider needs. MPO staff recommends that the MPO support more opportunities for coordination between the region's transit providers, whether as part of an approach for expanding transit provider representation on the MPO board or through other MPO programs and activities.

## 2.3 Feedback from MWRTA and CATA

MWRTA and CATA have provided input on the matter of transit provider representation at MPO meetings and in conversations with MPO staff. At the MPO's November 8, 2018, meeting, MWRTA staff provided testimony on behalf of MWRTA's executive director about the agency's past and current requests for a seat on the MPO board.<sup>7</sup> Staff described comments made by an auditor and FTA's Region One Representative during MWRTA's 2011 triennial audit by FTA, which indicated that MWRTA should have its own voice on the MPO board. MWRTA staff noted that this issue has been raised in subsequent FTA audits. MWRTA staff said that MWRTA felt that it is being excluded and that "to not have

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<sup>7</sup> Boston Region MPO. "Memorandum for the Record—Boston Region Metropolitan Planning Organization Meeting—November 8, 2018 Meeting." Approved December 20, 2018. [https://www.ctps.org/data/calendar/pdfs/2018/MPO\\_1220\\_Draft\\_Minutes\\_1108.pdf](https://www.ctps.org/data/calendar/pdfs/2018/MPO_1220_Draft_Minutes_1108.pdf)

a seat on this board as metro west's public transportation provider is difficult to comprehend as we are experienced and knowledgeable advocates for advancing the use of efficient shared ride modes of transportation in an area that requires and deserves more of it.”<sup>8</sup>

MPO staff had follow-up conversations with MWRTA and CATA in January and February to inform its recommendations. During a conversation with MPO staff in January, MWRTA staff expressed support for a committee as an alternative to a direct representation option. As part of a conversation and follow-up correspondence in February, CATA staff expressed support to MPO staff for either an MPO seat that would rotate between MWRTA and CATA or an MPO seat that would represent a transit committee.

More recent feedback from MWRTA and CATA indicates that these agencies would no longer find a transit committee to be a satisfactory solution for their representation. On March 25, 2019, CATA staff submitted a letter to the MPO chair expressing their full support for a shared seat with MWRTA on the MPO board and for MWRTA holding this seat for an initial three-year term. On April 2, 2019, MWRTA and CATA staff submitted the following statement to MPO staff to supplement previously provided feedback on transit provider representation; these themes were reiterated in a follow-up conversation:

“Given that CATA and MWRTA are not voting members of an MPO, unlike every other RTA in the Commonwealth, both RTAs have missed many opportunities to avail themselves of planning money. With MWRTA representing the 16 communities’ transit needs in MetroWest and CATA representing 4 in the Cape Ann area, this widens the scope of the MPO and brings more diversity to the table. Although RTA staff correctly assumed that the MPO’s suggestion that a transit committee be formed at this time, after much thought and consideration, the MetroWest Administrator is adamant that the representation on the MPO should not be diluted in the form of a committee. The Administrator questions the MPO’s motives in ignoring for several years its plea to be an active and participating member of the Boston MPO. The MWRTA and CATA will continue to seek its rightful place on the MPO.”<sup>9</sup>

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<sup>8</sup> Boston Region MPO. “Memorandum for the Record—Boston Region Metropolitan Planning Organization Meeting—November 8, 2018 Meeting.” Approved December 20, 2018. [https://www.ctps.org/data/calendar/pdfs/2018/MPO\\_1220\\_Draft\\_Minutes\\_1108.pdf](https://www.ctps.org/data/calendar/pdfs/2018/MPO_1220_Draft_Minutes_1108.pdf)

<sup>9</sup> From email correspondence between MWRTA Staff (Ed Carr, Eva Willens, Sara Scully, and Joy Glynn), CATA Staff (Felicia Webb), and MPO staff (Annette Demchur and Michelle Scott) on April 2, 2019.

In the follow-up discussion with MPO staff on April 2, 2019, MWRTA staff noted that other RTAs in the Commonwealth did not have to coordinate with a transit committee as a condition for a voting seat on MPO boards.

The recommendation FHWA and FTA made to the MPO in the 2015 Certification Review Report (see Section 1.1) stated “the MPO should work with the MetroWest and Cape Ann Regional Transit Authorities (MWRTA and CATA) to ensure that these providers of public transportation are represented on the MPO board in a way that is satisfactory to all parties and satisfies the MAP-21 requirement for transit representation on MPO boards.” As mentioned above, MWRTA and CATA’s recent feedback indicates that they would no longer find a committee option satisfactory. The MPO will need to consider how to address this aspect of the federal recommendation as it moves forward with addressing transit provider representation on the MPO board.

## 2.4 Other Considerations

When making recommendations, MPO staff reviewed practices that other MPOs use to manage transit committees in the context of the Boston Region MPO’s local circumstances. MPO staff also notes that the options for addressing RTA representation on the MPO board may impose different demands on participating entities and MPO staff. In particular, should the MPO continue to pursue creation of a transit committee

- the committee’s representative to the MPO will need to regularly participate in bi-weekly MPO meetings and may need to facilitate committee discussions at multiple transit committee meetings per year; and
- MPO staff resources will be needed to support transit committee meetings, which will involve tradeoffs with respect to other MPO activities.

Staff also acknowledges that the success of a committee option would depend on interest and regular participation by the region’s public transit providers.

## 3 RECOMMENDATIONS FOR AN MPO TRANSIT COMMITTEE

### 3.1 General Approach

MPO staff’s recommendations in this section address the MPO’s request for a more detailed staff proposal for a transit committee. When developing these recommendations, MPO staff envisioned that such a committee would provide a forum where public transportation providers in the region could deliberate needs, issues, and ideas that would inform MPO planning and decision making. The representative of this committee would be responsible for communicating the

outcomes of discussions at transit committee meetings when providing information, asking questions, making requests, and otherwise taking action as a voting member of the MPO board.

When developing its recommendations, MPO staff assumed that members of the transit committee would occasionally take formal votes to inform the actions of their representative to the MPO board. However, given that the committee may only meet a few times a year, MPO staff assumes that aside from these votes, that the committee's representative would generally consider committee member input—in other words, vote their conscience—when taking action on MPO matters throughout the calendar year.

Staff proposes that the MPO board take a flexible approach to implementing a transit committee to account for any factors that may not be apparent until staff conducts further outreach to transit providers or until committee meetings begin. The sections that follow include staff recommendations pertaining to the committee's mission, membership and representation—these provide a framework that MPO members could modify as new information becomes available. MPO staff also emphasizes flexibility when drafting language referencing a transit committee for inclusion in the MPO's MOU.

To advance creation of a transit committee, staff proposes that the MPO invite potential participating transit providers to an event during which MPO members and staff would describe the MPO's plans to create a transit committee and share current proposals for structuring the committee. MPO staff would coordinate with Advisory Council leadership when organizing this event, as some potential members of this transit committee may already be voting members on the Advisory Council (see Sections 3.3 and 3.5). MPO members and staff could then gauge potential participant interest and collect feedback. MPO staff would relay this feedback to the MPO to support further decision making regarding the committee. Once the MPO board has made further decisions regarding the transit committee and its meetings are underway, the committee's representative and MPO staff would report regularly to the MPO board about the committee's attendance and activities. The MPO board could consider this information when proposing any modifications to committee structure and operations in the future.

### **3.2 Transit Committee Mission**

MPO staff proposes that the committee mission include three key elements, which received high ranks from MPO members who took the survey.

- Represent public transportation providers serving the Boston region on the MPO board<sup>10</sup>
- Advise the MPO on matters pertaining to public transit to inform MPO transportation planning and decision making
- Provide a forum for the region's public transportation providers to discuss topics of mutual interest and concern<sup>11</sup>

The first two elements directly relate to the impetus for forming the committee and specify the committee's relationship to the MPO. Staff proposes also including the third element, as this aspect of the committee might provide value to participants and incentivize their attendance.

### 3.3 Transit Committee Membership

MPO staff proposes establishing designated seats on the transit committee for MWRTA, CATA, the MBTA, and the MassDOT Rail and Transit Division. These entities receive and manage and/or invest federal transit funding and thereby have the most direct relationship to the MPO's federally required planning process. These entities would be able to participate in any formal votes taken by the transit committee. To broaden the diversity of transit providers on the committee, staff proposes that the committee include voting seats for other types of members, which are listed below.

- **Other RTAs operating in the Boston region.** This group includes five RTAs that provide service near the northern, western, and southern borders of the region. These include the Brockton Area Transit Authority, the Greater Attleboro Taunton Regional Transit Authority, the Lowell Regional Transit Authority, the Merrimack Valley Regional Transit Authority, and the Montachusett Regional Transit Authority. MPO staff proposes the committee provide up to two voting seats to this group.
- **TMAs operating in the Boston region.** MPO staff proposes the committee provide up to three seats to individual TMAs that operate in the region. Staff recommends that the MPO make these seats available specifically to TMAs that provide shuttle services. Alternatively, the MPO could designate a seat for MassCommute, a coalition of TMAs operating in Massachusetts, to represent all TMAs.

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<sup>10</sup> MPO staff has removed the word "additional" from the statement that was included in the transit representation survey.

<sup>11</sup> MPO staff has removed the phrase "irrespective of their relationship to MPO activities" from the statement that was included in the transit representation survey.



- **MPO municipalities that provide transit service to the public.** MPO staff proposes the committee provide up to two voting seats to MPO municipalities that meet this criterion. These municipalities are Bedford, Beverly, Burlington, Dedham, and Lexington. MPO staff recognizes that currently, four of the five MPO municipalities that would be eligible for these seats are currently represented on the MPO board, either through subregional or at-large city or town seats. Staff recommends that the committee still include a seat for this type of entity because (1) these entities would provide valuable perspectives to transit-related discussions; and (2) the municipalities currently occupying subregional or at-large city or town seats on the MPO board may change over time.

As noted above, staff suggests a maximum number of seats for each category. To get the committee started, the MPO might specify the number of seats in each category, and then choose entities to hold those seats, based on interest from eligible participants or other factors. The MPO could review attendance and feedback from the transit committee outreach event proposed in Section 3.1 before finalizing these aspects of the committee. MPO staff proposes that staff or the transit committee representative regularly report to the MPO on transit committee attendance and activities. If fewer than five entities attend transit committee meetings on an ongoing basis, the MPO may wish to propose modifications to the committee's structure or operations. The MPO also may wish to limit the committee's initial voting member size to 12 members. In this case, if the committee wishes to expand beyond this number, it would need to consult the MPO. Should the committee expand its membership over time, it should seek to maintain a balance among transit provider types.

The entities occupying other RTA, TMA, or municipal seats on the transit committee could serve for a fixed term—for example, one to two years—which would allow the committee to change some participants over time. This would happen according to a process established by the transit committee and/or the MPO. In addition, though the number of voting seats on the transit committee would be limited, its meetings would be open to the public. Additional transit providers not holding voting seats, other stakeholders—such as municipalities that offer council on aging or other types of transit service—or members of the public would be welcome to participate in transit committee meetings.

### 3.4 Transit Committee Representation on the MPO Board

MPO staff proposes that only the RTAs that program federal transit funding in the MPO's Transportation Improvement Program (TIP) would be eligible to serve as the committee's representative on the MPO board. This would limit eligibility to MWRTA and CATA. MPO staff proposes this for the following reasons:

- Of those agencies not already represented on the MPO board, MWRTA and CATA relate most directly to the MPO's planning process because they regularly receive FTA funding and therefore must be involved in MPO activities on an ongoing basis. Their federally funded investments must be included in the MPO's Long-Range Transportation Plan and TIP and they must be involved in other federally required performance-based planning and programming activities, such as MPO performance target setting for transit safety and asset management.
- This approach aligns with federal guidance, which emphasizes having recipients of federal transit Urbanized Area Formula (Section 5307) funding represent public transportation providers on MPO boards.<sup>12</sup>
- This approach would most directly address the representation of the transit agencies that were specifically identified in FHWA and FTA's recommendation in the 2015 federal certification review report.

The transit committee would play an important role in ensuring that MWRTA or CATA is informed by diverse provider perspectives when making decisions on the MPO board.

The MPO's existing motion on expanding transit provider representation (see page 2) identifies MWRTA as the committee's representative to the MPO for an initial three-year term. This aligns with MPO staff's proposal, although the MPO may choose to adjust the length of this initial term through another motion. Prior to the end of this initial term, staff proposes that the committee establish a process for transitioning leadership between these eligible entities in coordination with the MPO.

MPO staff recognizes that a number of MPO members have indicated that the transit committee should be able to elect its own representative and that there are downsides to restricting eligibility for being the committee's representative on the MPO board to MWRTA and CATA. This approach would impose a restriction on the transit committee's operations and governance and could dampen the interest of other transit providers, in participating on the committee. To address these concerns, staff will need to work closely with MWRTA and CATA to encourage diverse participation in the committee and to account for the needs and viewpoints of all participants when sharing information with and taking action

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<sup>12</sup> US Department of Transportation—Federal Highway Administration and Federal Transit Administration. "Policy Guidance on Metropolitan Planning Organization (MPO) Representation." <https://www.federalregister.gov/documents/2014/06/02/2014-12163/policy-guidance-on-metropolitan-planning-organization-mpo-representation>

as part of the MPO board. One option to address this issue could be to make the MPO representative and the committee chair to two separate roles. While MWRTA or CATA would be the committee's representative to the MPO board, another member entity would set agendas and lead committee discussions, in consultation with the representative.

### **3.5 Transit Committee Relationship to the Regional Transportation Advisory Council**

MPO staff proposes that the MPO defer to Advisory Council leadership on whether an entity could be a voting member of both an MPO transit committee and of the Advisory Council. The Advisory Council chair has said that transit committee members could participate as nonvoting members of the Advisory Council. Per the suggestion of one of the survey respondents, staff recommends that the Advisory Council and the MPO transit committee identify a liaison to participate in discussions at both transit committee and Advisory Council meetings.

## **4 CONCLUSION, REQUESTED ACTION, AND NEXT STEPS**

In summary, MPO staff requests MPO board concurrence or feedback on the following recommendations regarding the creation of an MPO transit committee as an option for expanding transit provider representation on the MPO board:

- The MPO take a flexible approach to implementing a transit committee to account for any factors that may not be apparent until staff conducts further outreach to transit providers or until committee meetings begin
- The MPO invite potential participating public transportation providers to an event during which MPO members and staff would describe the MPOs plans to create a transit committee and current proposals for structuring the committee
- The committee mission include (1) representation of public transportation providers serving the Boston region on the MPO board; (2) the committee advising the MPO on matters pertaining to public transit to inform MPO transportation planning and decision making; and (3) providing a forum for the region's public transportation providers to discuss topics of mutual interest and concern.
- The creation of designated seats on the transit committee for MWRTA, CATA, the MBTA, and the MassDOT Rail and Transit Division
- The creation of other fixed-term seats for other RTAs serving the MPO region, TMAs that operate shuttle service, and MPO municipalities that provide transit service to the public

- The RTAs that program federal transit funding in the MPO's TIP would be the only entities eligible to serve as the committee's representative on the MPO board
- The MPO defer to Advisory Council leadership on whether an entity could be a voting member of both an MPO transit committee and of the Advisory Council

MPO staff requests that that the MPO discuss this set of recommendations at its April 11, 2019, meeting as part of advancing an approach to address the federal recommendation regarding transit provider representation on the MPO board. The MPO may choose to advance some or all of staff recommendations or to select other options. MPO staff will use MPO member feedback and any formal actions to take next steps. These may include organizing an event to gauge transit provider interest in participating in an MPO transit committee and proposing updates for the MPO's MOU.

## APPENDIX A: SUMMARY OF MPO TRANSIT PROVIDER REPRESENTATION SURVEY RESULTS

### Respondents

Twelve Metropolitan Planning Organization (MPO) members responded to the survey.

### General Feedback

One of the 12 respondents did not answer any questions regarding a transit committee in the affirmative. This respondent expressed disagreement with a survey instrument that presupposed the expansion of the MPO board, noting

- the Regional Transportation Advisory Council (Advisory Council) is a key vehicle to advance discussion of issues pertaining to the MetroWest Regional Transit Authority (MWRTA) and the Cape Ann Transportation Authority (CATA) on the MPO board;
- existing permanent subregional representatives—the North Shore Task Force and the MetroWest Regional Collaborative—could communicate on behalf of these agencies; and
- a lack of awareness of MWRTA and CATA providing testimony at recent MPO meetings, while the federal agencies call for the need for dialogue with MWRTA and CATA as part of their recommendation in the 2015 Certification Review report.

### Potential Transit Committee Mission

The survey asked members to select mission statements they felt should apply to the committee and to supply others, as desired. They were then asked to rank those mission statements in order of importance, with 1 being the most important. Eleven of the 12 respondents answered this survey question. Table A-1 displays the results, with the number of respondents selecting each option shown in the cells.

**Table A-1**  
**Respondent Selection and Ranking of**  
**Potential Committee Mission Statements**

<b>Mission Statement</b>	<b>Rank 1</b>	<b>Rank 2</b>	<b>Rank 3</b>	<b>Rank 4</b>	<b>Did not include or rank</b>	<b>Total</b>
Represent additional public transportation providers serving the region on the MPO board	6	1	2	0	2	11
Advise the MPO on matters pertaining to public transit to inform MPO transportation planning and decision making	2	7	1	0	1	11
Provide a forum for the region's public transportation providers to discuss topics of mutual interest and concern (irrespective of their relationship to MPO activities)	3	2	4	1	1	11
<b>Member-proposed statement:</b> Review the transit elements of the TIP and provide for more detailed discussion	0	0	1	0	10	11

MPO = Metropolitan Planning Organization. TIP = Transportation Improvement Program.

### Potential Transit Committee Support for MPO Decision Making

The survey asked members to note how a transit committee might support and improve the MPO's decision making. Ten respondents identified the following ways the committee might support the MPO:

- Provide input on matters relating to suburban transit or transit outside of the MBTA service area
- Provide more unified and comprehensive input for the whole region
- Support coordination between the region's public transit providers
- Provide more first-hand knowledge of transit service, planning, and operations
- Advise on funding requests made to the MPO, particularly for the Long-Range Transportation Plan or Transportation Improvement Program
- Focus on Regional Transit Authority (RTA) needs
- Focus on first- and last-mile solutions
- Provide direct representation and voice to transit providers
- Provide a transit-focused forum for discussing transit issues

- Advise on the challenges, needs, and day-to-day experience of public transit providers
- Formulate new ideas for the MPO

## Transit Committee Membership

The survey asked members several questions about the types of organizations that should be included as members of the committee and what characteristics their membership should take. For context, staff noted that members of the committee would attend committee meetings and offer insight and guidance on topics brought to the committee for discussion. Depending on the committee structure and operations, members might also (1) vote on items that would inform the actions that their representative would take when voting on the MPO board and (2) vote to elect their representative to the MPO board. Permanent members would not rotate or need to be re-elected to their seat on the committee.

Eleven respondents answered questions regarding committee membership.

### *General Comments on Committee Membership*

- One respondent commented in favor of being more inclusive with respect to committee membership.
- One respondent said that committee membership should focus on entities that move significant numbers of people and have a regional impact.
- One respondent said that the MBTA and MassDOT already have representation on the MPO and should not gain an additional seat on the MPO through a transit committee.
- One respondent noted that membership details might be best explored by the committee itself. This respondent noted that each entity representative should only have one voting seat, and that should the committee function in the same way as the Advisory Council, member permanence would only be considered with respect to voting status and would be determined by attendance. This respondent did not have any additional comments on who should be eligible to represent the committee on the MPO board, other than there should not be duplicate representation for entities that already have MPO representation.
- One respondent noted insufficient information to form an opinion on which members should be permanent.

### *Minimum Number of Members*

The survey asked respondents to recommend a minimum number of committee members. Five respondents said five; two said seven; two said eight; and one

said 10. One respondent did not identify a minimum and said that setting a minimum was not a concern.

### ***MWRTA and CATA Participation***

- Eleven respondents indicated that MWRTA and CATA should be committee members.
- Ten respondents suggested one seat for each RTA.
- Eight of the 11 respondents affirmed they should be permanent members of the committee.
- Nine of the 11 respondents affirmed that they should be eligible to represent the committee on the MPO board.

### ***MBTA Participation***

- Eleven respondents indicated that the MBTA should be a member of the committee. Of these, one specified that it should be a nonvoting member.
- Nine respondents suggested assigning one seat to the MBTA.
- Nine respondents affirmed that the MBTA should be a permanent member of the committee.
- None of the respondents indicated that the MBTA should be eligible to represent the committee on the MPO board.

### ***MassDOT Rail and Transit Division Participation***

- Eleven respondents indicated that the MassDOT Rail and Transit Division should be a member of the committee. Of these, one specified that it should be a nonvoting member.
- Nine respondents suggested assigning one seat to the MassDOT Rail and Transit Division.
- Nine respondents indicated it should be a permanent member of the committee.
- None of the respondents indicated that the MassDOT Rail and Transit Division should be eligible to represent the committee on the MPO board.

### ***Other Regional Transit Authority (RTA) Participation***

- Eleven respondents indicated that the other RTAs that serve the region, such as the Lowell Regional Transit Authority or the Brockton Area Transit Authority, should be members of the committee.
- Eight respondents suggested assigning them one seat, while one suggested three seats (noting that this amount may depend on the



number of RTAs in the region). One respondent indicated that any RTA that operates fixed route service in the Boston Region should have a seat on the committee, if desired.

- Eight respondents indicated that other RTAs that are operating in the region should be eligible to be permanent members of the committee.
- Five of the respondents indicated that these entities should be eligible to represent the committee on the MPO board.

### *Transportation Management Association (TMA) Participation*

- Eleven respondents indicated that the TMAs that serve the region, such as the 128 Business Council and Middlesex 3, should be members of the committee.
- Seven respondents suggested assigning them one seat, while two suggested three seats (with one noting that this amount may depend on the number of TMAs in the region). One person specified one seat specifically for MassCommute, which is a coalition of TMAs operating in Massachusetts.
- Five respondents indicated that TMAs should be eligible to be permanent members of the committee.
- Six respondents indicated that these entities should be eligible to represent the committee on the MPO board.

### *Participation by Municipalities that Provide Transit Service to the Public*

- Ten respondents indicated that municipalities that provide service to the public, such as Lexington and Dedham, should be members of the committee. One respondent indicated uncertainty.
- Six respondents suggested assigning this type of entity one seat, one respondent suggested two seats, and one suggested three seats. One suggested that any of these entities that wished to participate should be able to do so.
- Three respondents indicated that these entities should be eligible to be permanent members of the committee. One said no, and noted that this should depend on the funding level and type of transit service.
- Four respondents indicated that these entities should be eligible to represent the committee on the MPO board.

### *Participation by Municipalities that Provide Any Kind of Transit Service*

- Five respondents indicated that municipalities that provide any kind of transit service, including council on aging service, should be members of the committee. One respondent indicated they were not sure. One respondent said no and that only municipalities that provide fixed route service to the public should be eligible for a seat.
- Five respondents suggested assigning this type of entity one seat.
- Three respondents indicated that this type of entity should be eligible to be a permanent member of the committee.
- None of the respondents indicated that these entities should be eligible to represent the committee on the MPO board.

### *Transit Committee Expansion*

The survey asked respondents whether the committee should seek MPO approval to expand its membership. Eleven respondents answered the question.

- Six said yes.
- One respondent replied with a qualified yes, noting that this was unlikely to be an issue in the early days of the committee and that a productive committee size would be 10 to 15 members.
- Three said no, with one of the respondents noting that MPO approval should only be required when adding voting members to the MPO board. The respondent added that the MPO should determine the makeup and proportionality of voting weights in consultation with the transit committee.
- One respondent said that the committee should consult the MPO if it seeks to add a member that provides service statewide or primarily outside the MPO area.

### **Committee Representation on the MPO Board**

The survey asked members questions regarding the selection of the transit committee's representative to the MPO board. Eleven respondents answered these questions.

### *General Comments on Committee Representation*

- One respondent noted that the transit committee representative that votes on the MPO board should be accountable to other interested parties, including other RTAs, municipalities, MassDOT, the MBTA, and the TMAs.

- One respondent replied that MWRTA or CATA should not be the permanent transit committee chairs, and that the most equitable way to provide additional public transit provider representation—and a greater variety of representation—on the MPO board would be for the transit committee chair to be elected. In addition, the respondent replied that there is an open question—perhaps specifically for the committee itself—of whether MWRTA would be eligible to run for the committee chair position after its initial three-year term, unless no other candidates express interest.

### *Selection of MPO Representative*

The survey asked respondents whether the MPO should appoint the committee's representative; whether the committee should elect its representative; or if they felt another method should be used. Eleven respondents answered the question.

- Ten said the committee should elect its own representative. One noted that the representative would need to be from MWRTA or CATA.
- One said that the MPO should appoint its representative and that the committee representative must be from an RTA.

### **Committee Relationship to the Advisory Council**

The survey asked whether members of a transit committee should be eligible to vote on the Advisory Council. The Advisory Council includes both voting and nonvoting members, with voting membership dependent on attendance and whether the member entity serves on the MPO board. Ten respondents answered this question; one noted insufficient information to provide a response.

- Six respondents said yes, with one respondent noting support of this policy as long as it does not violate the Advisory Council Bylaws.
- The MPO representative to the Advisory Council said no, although transit committee members could participate in the Advisory Council meetings and conversations as nonvoting members.
- Two other respondents said no.
- One respondent deferred the question to the Advisory Council. This respondent replied that not all members of the transit committee should be able to vote on the Advisory Council, and suggested that the transit committee appoint a liaison to the Advisory Council, who would be a voting member of that body.

## APPENDIX B: 2014 FEDERAL GUIDANCE ON INCLUSION OF PUBLIC TRANSPORTATION PROVIDERS ON MPO BOARDS

In 2014, the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) released guidance to help Metropolitan Planning Organizations (MPO) implement Moving Ahead for Progress in the 21<sup>st</sup> Century (MAP-21) legislative provisions regarding the inclusion of providers of public transportation boards serving transportation management areas (TMA).<sup>1</sup> MAP-21 stipulates that within two years of its enactment, which occurred in 2012, each MPO that serves a TMA shall consist of local elected officials, appropriate state officials, and “officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation.”<sup>2</sup> These provisions were continued as part of the Fixing America’s Surface Transportation (FAST) Act, which also stipulated that a representative of a transit provider may also represent a local community on the MPO board.

The full guidance document, “Policy Guidance on Metropolitan Planning Organization (MPO) Representation,”<sup>3</sup> was published in the Federal Register on June 2, 2014. Pertinent elements of this federal guidance include the following:

- “To satisfy 23 U.S.C. 134(d)(2)(B) and 49 U.S.C. 5303(d)(2)(B), a representative of a provider of public transportation that operates in a TMA should be eligible to be a designated recipient, a direct recipient, or a sub-recipient of the Urbanized Area Formula funding program.” (page 31218)

In the preamble to the policy guidance, FHWA and FTA note, “The FTA and FHWA recommend selecting a representative from among those public transportation providers that are eligible to receive Urbanized Area Formula funding because most Federal transit funding planned by MPOs serving TMAs is awarded under this program, and an eligible recipient of Urbanized Area Formula funding will be in the best position to represent transit interests on the MPO.” (page 31217)

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<sup>1</sup> Federal agencies define a transportation management area (TMA) as an urbanized area with a population of more than 200,000 individuals as determined by the 2010 census, or an area with a population of fewer than 200,000 individuals that is designated as a TMA by the request of the Governor and the MPO designated for the area. The Boston Region MPO area meets the criteria for being a TMA.

<sup>2</sup> See Title 23 US Code (USC) Part 134(d)(2) and 49 USC Part 5303(d)(2).

<sup>3</sup> US Department of Transportation—Federal Highway Administration and Federal Transit Administration. “Policy Guidance on Metropolitan Planning Organization (MPO) Representation.” Federal Register, Volume 79, Number 105, June 2, 2014. <https://www.govinfo.gov/content/pkg/FR-2014-06-02/pdf/2014-12163.pdf>.

*Note: the MBTA, which has a seat on the MPO board, receives approximately 90 percent of Urbanized Area Formula (Section 5307) funding that comes to the Boston Urbanized area, which covers the Boston region, other parts of Eastern Massachusetts, and portions of New Hampshire and Rhode Island. MetroWest Regional Transit Authority receives approximately 1.1 percent of this funding, while Cape Ann Transportation Authority receives approximately 0.3 percent of this funding. Other Massachusetts RTAs that operate in the region also receive Boston Urbanized Area Section 5307 funding. Five agencies receive approximately 8.4 percent of the funding that comes to the Boston Urbanized Area. These agencies report their investments in other MPO Transportation Improvement Programs.*

- “An MPO serving a TMA should formally establish through a board resolution the role and responsibilities of a representative of providers of public transportation, including, at a minimum, that the transit representative should (1) consider the needs of all eligible providers of public transportation in the metropolitan planning area and to address those issues that are relevant to the responsibilities of the MPO, and (2) have equal decision-making rights and authorities as the other members that are on the policy board of an MPO that serves a TMA.” (page 31219)
- “There are multiple providers of public transportation within most TMAs. An MPO that serves an area designated as a TMA that has multiple providers of public transportation may need to cooperate with the eligible providers to determine how the MPO will meet the requirement to include representation by providers of public transportation. There are various approaches to meeting this requirement. For example, an MPO may allocate a single board position to eligible providers of public transportation collectively, providing that one representative of providers of public transportation must be agreed upon through a cooperative process. The requirement for representation might also be met by rotating the board position among all eligible providers or by providing all eligible providers with proportional representation. However the representation is ultimately designated, the MPO should formally adopt the revised structure through a board resolution, bylaws, a metropolitan planning agreement, or other documentation, as appropriate.” (page 31219)