

Dear Secretary Foxx,

Idaho Smart Growth agrees with many organizations nationally who believe that the NPRM on performance measures will fail the citizens in the nation in the following ways:

The proposed rule focuses only on vehicle delay when considering congestion. The rule plans to measure vehicle speed and delay **seven** different ways, while ignoring people carpooling, taking transit, walking & biking or skipping the trip entirely. Focusing on average delay by simply measuring the difference between rush hour speeds compared to free-flow 3 a.m. traffic rewards places with fast travel speeds at the expense of places with shorter commutes and less travel time overall. Focusing on vehicle delay foresees moving cars more quickly as the solution which has proven to be unsuccessful strategy for addressing congestion.

The proposed congestion measure doesn't acknowledge congestion reductions from individuals that don't drive. By failing to count everyone commuting by other modes the rule completely ignores how many people are actually moving through a corridor. This measure treats a corridor filled with buses or carpoolers the same as a corridor filled with single-occupancy vehicles. It ignores millions of people who opt out of congestion entirely by taking transit, telecommuting, walking or biking, and even penalizes places where people get to take shorter trips. Any traffic congestion measure should lead us to solutions that increase access to opportunity for everyone — regardless of how they travel each day.

The rule treats main streets like highways. By treating highways the same as main streets with the same priority for faster speeds—in the heart of a small town or along avenues where people are shopping, dining, walking, and enjoying an evening out. On a main street, what looks like “vehicle delay” to a traffic engineer looks like economic activity and success to a local merchant or mayor on a main street, prioritizing fast driving speeds above things like economic growth, safety, equity, and opportunity is a recipe for failure.

The rule thinks we must wait until we have perfect data before attempting to measure other modes or travel. Throughout the rule's 425 pages, USDOT say they lack adequate data to measure other modes of transportation, ignoring sources like (your own!) National Transit Database, the U.S. Census American Community Survey, and cell phone network data among others. USDOT has recently invested millions of taxpayer dollars to procure the data necessary to develop these vehicle-only measures. If USDOT is spending our money to collect data then they must find ways to acquire what data they can to better measure the entire system and all of its users. We can't wait until we have the “perfect” data to develop transit, walking and biking measures.

This rule also sets an impossible standard for freight and ignores differences in urban settings. We believe that moving freight and getting freight to its final destination are imperative for our economy's success. However, by defining congestion for freight on interstates as speeds below **50 mph** but below just 35 mph for commuters, strangely prioritizes freight movement as a priority over people movement in every situation and creates the impossible situation of trying to manage roadways for two different standards at once. **And by proposing the same 50 mph measure on city streets as freeways the rule fails to acknowledge or effectively address the complexity of freight movement in urban areas.** It's simply not feasible or affordable to build

capacity for trucks to travel at 50 mph through the middle of major cities during rush hour so why use that as the measure. There are better ways to improve freight movement on highways and in our urban areas.

The rule does not measure GHG emissions yet our transportation sector making up 30% of all GHGs emitted annually. Despite some hopes that USDOT would tackle transportation's contribution to climate change as part of these performance measures, there's nothing with any teeth here. Instead—in a 425 page proposed rule—there are just six pages (p. 101-106) addressing greenhouse gas emissions that offer up a broad set of questions asking others for advice on how they might do something, sometime later in some future rulemaking, to address climate change. Instead, they should be proposing to do something now.

Here are four ideas that we support that the USDOT should have proposed for the rule:

1. Make VMT per capita a core measure. Vehicle Miles Traveled (VMT) per capita is strongly correlated with important transportation system outcomes. It's correlated with total system costs, costs to households, greenhouse gas emissions, crashes, injuries and fatalities.
2. Shift from excess travel time to total travel time. A total travel time measure, which recognizes the value of shorter trips, even when they occur at somewhat lower speeds better recognizes the economic and environmental value of more compact development patterns. Implement a "total travel time" measure that computes total travel time per resident, and gives equal weight to measures that reduce the distance of trips and the need for travel, especially at the peak hour, when it will have the greatest effects on congestion.
3. Establish a separate methodology for transit delays. How much additional time do transit riders incur from transit systems that don't have average running speeds of some reference number (like DOTs 35 MPH for freeways and 15 MPH) for roads, or locally established expectations. The amount of this delay could easily be calculated from transit system operating records and ridership counts.
4. Instead of assessing how a building or road project will affect traffic delay, California will measure how much traffic it generates, period. Car trips, not car delays, will be the thing to avoid. This is likely to have the opposite effect of LOS, leading to more efficient use of land and transportation infrastructure.