

56#K V1#F rgh#.#83 #DQ dwlrqdcj rdov#lqg#shuirup dqrh#p dqrjhp hqw#
p hdvxuhv

[US Code \(/uscode/text/23/150?qt-us_code_temp_noupdates=0#qt-us_code_temp_noupdates\)](/uscode/text/23/150?qt-us_code_temp_noupdates=0#qt-us_code_temp_noupdates)

[Notes \(/uscode/text/23/150?qt-us_code_temp_noupdates=1#qt-us_code_temp_noupdates\)](/uscode/text/23/150?qt-us_code_temp_noupdates=1#qt-us_code_temp_noupdates)

[prev \(/uscode/text/23/149\)](/uscode/text/23/149) | [next \(/uscode/text/23/151\)](/uscode/text/23/151)

(a) Declaration of Policy.— Performance management will transform the Federal-aid highway program and provide a means to the most efficient investment of Federal transportation funds by refocusing on national transportation goals, increasing the accountability and transparency of the Federal-aid highway program, and improving project decisionmaking through performance-based planning and programming.

(b) National Goals.— It is in the interest of the United States to focus the Federal-aid highway program on the following national goals:

(1) Safety.— To achieve a significant reduction in traffic fatalities and serious injuries on all public roads.

(2) Infrastructure condition.— To maintain the highway infrastructure asset system in a state of good repair.

(3) Congestion reduction.— To achieve a significant reduction in congestion on the National Highway System.

(4) System reliability.— To improve the efficiency of the surface transportation system.

(5) Freight movement and economic vitality.— To improve the national freight network, strengthen the ability of rural communities to access national and international trade markets, and support regional economic development.

(6) Environmental sustainability.— To enhance the performance of the transportation system while protecting and enhancing the natural environment.

(7) Reduced project delivery delays.— To reduce project costs, promote jobs and the economy, and expedite the movement of people and goods by accelerating project completion through eliminating delays in the project development and delivery process, including reducing regulatory burdens and improving agencies' work practices.

(c) Establishment of Performance Measures.—

(1) In general.— Not later than 18 months after the date of enactment of the MAP-21, the Secretary, in consultation with State departments of transportation, metropolitan planning organizations, and other stakeholders, shall promulgate a rulemaking that establishes performance measures and standards.

(2) Administration.— In carrying out paragraph (1), the Secretary shall—

(A) provide States, metropolitan planning organizations, and other stakeholders not less than 90 days to comment on any regulation proposed by the Secretary under that paragraph;

(B) take into consideration any comments relating to a proposed regulation received during that comment period; and

(C) limit performance measures only to those described in this subsection.

(3) National highway performance program.—

(A) In general.— Subject to subparagraph (B), for the purpose of carrying out section 119 (/uscode/text/23/119), the Secretary shall establish—

- (i) minimum standards for States to use in developing and operating bridge and pavement management systems;
- (ii) measures for States to use to assess—
 - (I) the condition of pavements on the Interstate system;
 - (II) the condition of pavements on the National Highway System (excluding the Interstate);
 - (III) the condition of bridges on the National Highway System;
 - (IV) the performance of the Interstate System; and
 - (V) the performance of the National Highway System (excluding the Interstate System);
- (iii) minimum levels for the condition of pavement on the Interstate System, only for the purposes of carrying out section 119 (/uscode/text/23/119) (f)(1) (/uscode/text/23/usc_sec_23_00000119----000-#f_1); and
- (iv) the data elements that are necessary to collect and maintain standardized data to carry out a performance-based approach.

(B) Regions.— In establishing minimum condition levels under subparagraph (A)(iii), if the Secretary determines that various geographic regions of the United States experience disparate factors contributing to the condition of pavement on the Interstate System in those regions, the Secretary may establish different minimum levels for each region;

(4) Highway safety improvement program.— For the purpose of carrying out section 148 (/uscode/text/23/148), the Secretary shall establish measures for States to use to assess—

- (A) serious injuries and fatalities per vehicle mile traveled; and
- (B) the number of serious injuries and fatalities.

(5) Congestion mitigation and air quality program.— For the purpose of carrying out section 149 (/uscode/text/23/149), the Secretary shall establish measures for States to use to assess—

- (A) traffic congestion; and
- (B) on-road mobile source emissions.

(6) National freight movement.— The Secretary shall establish measures for States to use to assess freight movement on the Interstate System.

(d) Establishment of Performance Targets.—

(1) In general.— Not later than 1 year after the Secretary has promulgated the final rulemaking under subsection (c), each State shall set performance targets that reflect the measures identified in paragraphs (3), (4), (5), and (6) of subsection (c).

(2) Different approaches for urban and rural areas.— In the development and implementation of any performance target, a State may, as appropriate, provide for different performance targets for urbanized and rural areas.

(e) Reporting on Performance Targets.— Not later than 4 years after the date of enactment of the MAP-21 and biennially thereafter, a State shall submit to the Secretary a report that describes—

(1) the condition and performance of the National Highway System in the State;

(2) the effectiveness of the investment strategy document in the State asset management plan for the National Highway System;

(3) progress in achieving performance targets identified under subsection (d); and

(4) the ways in which the State is addressing congestion at freight bottlenecks, including those identified in the National Freight Strategic Plan, within the State.