



# FHWA NPRM National Performance Management Measures

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# Proposal Highlights

- Proposes changes to the following in 23 CFR 490:
  - Extenuating Circumstances
    - Clarify the list of extenuating circumstances to explicitly include national emergencies, such as the COVID-19 pandemic.
  - Highway Performance Monitoring System Data Field Names
    - Updates to the HPMS Field Manual
  - **Safety Performance Measures**
    - Align with NHTSA's requirement under § 24102 of BIL to establish triennial Highway Safety Plan (HSP) safety targets that 'demonstrate constant or improved performance,' and establish criteria for insufficient data or information and extenuating circumstances.
  - Pavement Condition Measures
    - Codify the state of practice for the compliance determination and penalty assessment for the Pavement Condition Measures.
  - Freight Performance Measure
    - Align the State Freight Plan requirements with the 4-year cycle established by BIL.
- **Comment deadline extended to March 12, 2024**

# Safety Performance Measures



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- In general: Language changes for consistency and clarity
- 490.205 Definitions
  - Minor changes and additions
- 490.207 National Performance Measures for the HSIP
  - Change from use of 5-year rolling averages to 3-year averages
- 490.209 Establishment of Performance Targets
  - State DOTs establish (and submit) performance targets every 3 years instead of annually
    - Aligns with new NHTSA requirement to submit triennial Highway Safety Plan (HSP)
  - Addition of requirement to establish performance measures that “demonstrate constant or improved performance from the baseline safety performance.”
    - Impacts State DOTs that have set increasing performance targets previously

# Safety Performance Measures



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- 490.211 Determining Whether a State DOT Has Met or Made Significant Progress Toward Meeting Performance Targets
  - New language to phase in implementation of proposed changes
  - New requirement to address insufficient data
- **490.213 Reporting of Performance Targets for the HSIP**
  - Revised reporting requirement to specify first due date and that performance targets shall be reported triennially thereafter
  - Added requirement that actual performance shall be submitted annually in the State DOT's HSIP annual report
  - **Change to requirement for MPOs:**
    - “The MPOs shall ~~annually~~ **triennially** report their established safety targets to their respective State DOT, in a manner that is documented and mutually agreed upon by both parties.”

# Potential Timeline for Proposed Changes



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- If this new regulatory language goes into effect, the **next triennial cycle** under these proposed revised requirements is **expected to be for the HSIP safety performance targets reported in August 2024** representing safety performance for calendar years 2025 through 2027, based on a 3-year average.
- However, this cycle will not align with NHTSA's current triennial cycle (2024–2026) for the safety performance targets submitted by State HSOs in their triennial Highway Safety Plans (3HSP) in July 2023.
- As a result, **FHWA is seeking comment on how to approach aligning FHWA's triennial cycle with NHTSA's triennial cycle.**

# Additional Info

- A webinar about the changes was held on February 8, 2024
  - Recording and slides at the link below...
- Additional information related to the NPRM is available at [www.fhwa.dot.gov/tpm/rule.cfm](http://www.fhwa.dot.gov/tpm/rule.cfm).
- If you have any questions, contact:
  - [m.smithjackson@dot.gov](mailto:m.smithjackson@dot.gov) or
  - [alexis.kuklenski@dot.gov](mailto:alexis.kuklenski@dot.gov)

**Comments must be received on or before  
March 12, 2024**

[www.regulations.gov](http://www.regulations.gov) Docket #: FHWA-2023-0014



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# THANK YOU!

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