

Legal Framework for Metropolitan Planning Organizations (MPOs) and Rural Planning Organizations (RPO)

MPOs were first authorized in 1973 by the Federal Aid Highway Act to perform transportation planning functions for urbanized areas. An MPO's coverage is delineated by US Census designated Urbanized Areas and its surroundings. Orange County is a member jurisdiction of both the Durham-Chapel Hill-Carrboro MPO (DCHC MPO), and the Burlington-Graham MPO (BG MPO). Both are made of member jurisdictions with:

- Technical Committee – professional staff providing technical assistance and recommendations
- Board – elected officials serving as decision making authority for the MPO

United States Code Title 23 – amended with every subsequent federal transportation authorization bill – continues requiring MPOs develop a long-range transportation plan (now called Comprehensive Transportation Plans) and Transportation Improvement Programs (TIPs), now through a performance and data driven process. The process also adheres to the original 3c transportation planning principle that all work be Continuing, Cooperative, and Comprehensive as required by the original Federal Aid Highway Act.

North Carolina General Statutes (NCGS) Chapter 136 requires each MPO in NC, to coordinate all planning efforts with North Carolina Department of Transportation (NCDOT). This includes and not limited to:

- Comprehensive Transportation Plan
- Metropolitan Transportation Plan
- Environmental Justice and Title VI
- Strategic Prioritization of Transportation (SPOT)/State Transportation Improvement Program (STIP)
- Regional programs such as Air Conformity, Freight Study, Transit Planning, etc.

North Carolina created Rural Planning Organizations (RPOs) in the early 2000's, in response to federal regulations requiring that the state establish a process for consulting with rural governments on transportation issues. RPO regulations are found in NCGS 136-212.

By law, RPOs must include at least three contiguous counties and have a total population of at least 50,000. Each RPO has a Lead Planning Agency that serves as the administrative and technical staff for the RPO. In our region, Triangle J Council of Government (TJCOG) staffs the Triangle Area Rural Planning Organization (TARPO), which Orange County is a member. TARPO is made up of member jurisdictions in the following manner:

- Rural Technical Coordinating Committee (RTCC) – Professional planning staff that provide technical information and recommendations
- Rural Transportation Advisory Committee (RTAC) - elected officials that serve as the decision-making body of the RPO

Legal Framework - Federal

Transportation Authorization Bills

United States Code Title 23 amended

Federal Aid Highway Act

- 1919 – 1987, multiple iterations
- Authorized MPO/RPOs (1973)
- 3-C Planning Principle - continuing, comprehensive and cooperative (1962)

Intermodal Surface Transportation Efficiency (ISTEA)

- 1991-1997
- Added powers to MPO, air quality, and transit

Transportation Equity Act (TEA-21)

- 1998-2003
- Increase safety, security, multimodal, freight, and protect environment

Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for User (SAFETEA-LU)

- 2005-2009

Moving Ahead for Progress in the 21st Century (MAP-21)

- 2012-2014
- Performance-Based Planning

Fixing America's Surface Transportation Act (FACT-ACT)

- 2015-2020
- Performance Measures and Targets

Legal Framework - NC

North Carolina General Statute (N.C.G.S.) 136 - Transportation

NCDOT, MPO, RPO, DEQ, County, Municipality, etc.

