



October 30, 2013

U.S. Department of Transportation
1200 New Jersey Avenue, SE
Docket Operations, M-30
West Building Ground Floor
Room W12-140
Washington, DC 20590-0001

RE: Docket No. FTA-2013-0029

Dear Docket Clerk:

On behalf of the more than 1,500 member organizations of the American Public Transportation Association (APTA), I write to provide comments on the Proposed Policy Guidance jointly issued by the Federal Transit and Highway Administrations concerning Metropolitan Planning Organization Representation, which was published on September 30, 2013, at 78 FR 60015.

About APTA

APTA is a non-profit international trade association of more than 1,500 public and private member organizations, including public transit systems; high-speed intercity passenger rail agencies; planning, design, construction and finance firms; product and service providers; academic institutions; and state associations and departments of transportation. More than ninety percent of Americans who use public transportation are served by APTA member transit systems.

APTA speaks for its members. Its Board of Directors reiterated that fact on March 9, 2013, when it adopted the following statement: “While APTA encourages its members to provide specific examples or impacts in support of the association's positions, APTA crafts its comments to represent those of all APTA members. The association goes to great lengths to ensure its regulatory comments represent the consensus views of our members. Every APTA member has the opportunity to review drafts, participate in discussions, and assist in crafting those consensus comments. In short, we speak with a single voice and, when the rare instance occurs that we cannot reach consensus, we do not speak at all. APTA's comments are those of our more than 1,500 members. This consensus-based method of crafting regulatory comments is a factor underlying APTA's selection as one of Washington's most trusted brands in a broad survey conducted by the National Journal and we encourage all federal agencies to recognize the representative nature of the association's regulatory comments.”

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We appreciate the broad flexibility FTA and FHWA have incorporated into this draft guidance. We do believe one point needs to be made mandatory. In discussing the specifically designated representative, we believe “should be an elected official or a direct representative employed by the agency being represented” should be replaced with “must be an elected official serving on the policy board of the agency being represented or a direct representative employed by the agency being represented.” We do not believe an elected official without a position on an agency’s policy board can adequately represent that agency and others in the transportation management area.

Additionally, FTA and FHWA should confirm that the language in footnote 8, referencing 49 USC 5303(d)(3) and 23 USC 134(d)(3) does not serve to exempt any MPO from compliance with the mandate to include transit representation on their MPO. Finally, FTA and FHWA should affirmatively note that all public transportation agencies within the MPO should be eligible to serve in this important role.

We appreciate the opportunity to assist the Agencies in this important rulemaking. For additional information, please contact James LaRusch, APTA’s chief counsel and vice president corporate affairs, at (202) 496-4808 or jlarsch@apta.com.

Sincerely yours,



Michael P. Melaniphy
President & CEO

MPM/jpl