

management system definitions also specify their applicability to the BIA, FS, FWS and NPS, as appropriate.

#### *Subpart B*

##### *Section 971.200 Purpose*

This section states the purpose of this proposed regulation, which is to fulfill the requirements set forth by the TEA-21.

##### *Section 971.202 Applicability*

This section defines the applicability of the management systems.

##### *Section 971.204 Management Systems Requirements*

This section sets forth general requirements for all four management systems. Additional requirements applicable to specific systems are in §§ 971.208 through 971.214.

Paragraph (a) states that the tri-party partnership shall develop, establish, and implement the management systems as described in this subpart. In addition, paragraph (a), along with paragraph (d), provides flexibility in the development of the management systems. To ensure the management systems are developed, implemented, and operated systematically, paragraph (b) requires the development of procedures that will include the following: Consideration of management system results in the planning process; system analysis; a description of each management system; operation and maintenance of management systems and databases; and data collection, processing, analysis, and updating. Paragraph (c) ensures that the database has a geographical reference system so that information can be geolocated. Paragraph (e) requires a periodic evaluation of the effectiveness of the management systems, preferably as part of the transportation planning process. Paragraph (f) ensures that transportation investment decisions based on management system results would be used at the State area level.

##### *Section 971.206 Funds for Establishment, Development, and Implementation of the Systems*

This section provides that the funds available for the FH program can be used for development, establishment, and implementation of the management systems in accordance with legislative provisions for the funds.

##### *Section 971.208 Federal Lands Pavement Management System (PMS)*

Paragraph (a) defines the applicability of the PMS. Paragraph (b) permits the use of the American Association of State Highway and Transportation Officials' (AASHTO) "Pavement Management

Guide"<sup>3</sup> as a guide for the development of the PMS. Paragraph (c) provides flexibility for the development of the PMS.

This section further sets forth components that must be included in a PMS. They include requirements for a basic framework composed of data collection and maintenance, network level analysis, and reporting requirements.

##### *Section 971.210 Federal Lands Bridge Management System (BMS)*

Paragraph (a) defines the applicability of the BMS. Paragraph (b) permits the use of the AASHTO's "Guidelines for Bridge Management Systems"<sup>4</sup> as a guide for the development of the BMS.

The section sets forth components that must be included in a BMS. They consist of data collection and maintenance, network level analysis, investment analysis, and reporting requirements.

##### *Section 971.212 Federal Lands Safety Management System (SMS)*

Paragraph (a) defines the applicability of the SMS. Paragraph (b) permits the use of the FHWA publication entitled "Safety Management Systems: Good Practices for Development and Implementation."<sup>5</sup>

Because of the strong emphasis the TEA-21 has on safety, paragraph (c) requires the SMS to be used to ensure that safety is considered and implemented as appropriate in all phases of transportation planning, programming and project implementation. Paragraph (d) states that the level of complexity of a SMS depends on the nature of the facilities involved.

Paragraphs (e) and (g) set forth components that must be included in a SMS. They include data collection and

maintenance, identification and correction of potential safety problems, coordination, and reporting.

To provide flexibility, paragraph (f) states that the extent of SMS requirements set forth in this proposed rule for low volume roads may be tailored to be consistent with the functional classification of the roads. However, each functional classification should include adequate requirements to ensure effective safety decisionmaking.

##### *Section 971.214 Federal Lands Congestion Management System (CMS)*

This section defines congestion and addresses the criteria and the need for CMS coverage for portions of the FH network outside the boundaries of transportation management areas (TMAs). In addition, it specifies that the tri-party partnership shall consider CMS results in selecting implementation strategies to address congestion. Paragraph (c)(1) requires consideration of strategies that reduce automobile travel and improve the efficiency of the existing transportation system.

Paragraph (c)(2) further sets forth components to be included in a CMS. They include the following: identification and documentation of measures for congestion; identification of the causes of congestion; development of evaluation processes; identification of benefits of congestion management; determination of methods to monitor and evaluate performance of the overall transportation system after strategies are implemented; and consideration of example strategies provided in the proposed rule.

#### **Rulemaking Analyses and Notices**

All comments received before the close of business on the comment closing date indicated above will be considered and will be available for examination using the docket number appearing at the top of this document in the docket room at the above address. The FHWA will file comments received after the comment closing date in the docket and will consider late comments to the extent practicable. In addition to late comments, the FHWA will also continue to file in the docket relevant information becoming available after the comment closing date, and interested persons should continue to examine the docket for new material. A final rule may be published at any time after close of the comment period.

<sup>3</sup> "Pavement Management Guide," AASHTO, 2001, is available for inspection as prescribed at 49 CFR part 7. It may be purchased on line at <http://www.transportation.org/publications/bookstore.nsf> or mail addressed to the American Association of State Highway and Transportation Officials (AASHTO), Publication Order Dept., P.O. Box 96716, Washington, DC 20090-6716.

<sup>4</sup> "Guidelines for Bridge Management Systems," AASHTO, 1993, is available for inspection as prescribed at 49 CFR part 7. It may be purchased on line at <http://www.transportation.org/publications/bookstore.nsf> or mail addressed to the American Association of State Highway and Transportation Officials (AASHTO), Publication Order Dept., P.O. Box 96716, Washington, DC 20090-6716.

<sup>5</sup> "Safety Management Systems: Good Practices for Development and Implementation," FHWA and NHTSA, May 1996, may be obtained at the FHWA, Office of Safety, Room 3407, 400 Seventh St., SW., Washington, DC 20590, or electronically at <http://safety.fhwa.dot.gov/media/documents.htm>. It is available for inspection and copying as prescribed at 49 CFR part 7.