

**Pt. 613**

LOCAL FINANCIAL COMMITMENT

FTA will use the following measures to evaluate the local financial commitment to a proposed project:

(a) The proposed share of project capital costs to be met using funds from sources other than the 49 U.S.C. 5309 new starts program, including both the local match required by Federal law and any additional capital funding ("overmatch"). Consideration will be given to:

(i) The use of innovative financing techniques, as described in the May 9, 1995, FEDERAL REGISTER notice on *FTA's Innovative Financing Initiative* (60 FR 24682);

(ii) The use of "flexible funds" as provided under the CMAQ and STP programs;

(iii) The degree to which alternatives analysis and preliminary engineering activities were carried out without funding from the §5309 new starts program; and

(iv) The actual percentage of the cost of recently-completed or simultaneously undertaken fixed guideway systems and extensions that are related to the proposed project under review, from sources other than the section 5309 new starts program (FTA's intent is to recognize that a region's local financial commitment to fixed guideway systems and extensions may not be limited to a single project).

(b) The stability and reliability of the proposed capital financing plan, according to:

(i) The stability, reliability, and level of commitment of each proposed source of local match, including inter-governmental grants, tax sources, and debt obligations, with an emphasis on availability within the project development timetable;

(ii) Whether adequate provisions have been made to cover unanticipated cost overruns and funding shortfalls; and

(iii) Whether adequate provisions have been made to fund the capital needs of the entire transit system as planned, including key station plans as required under 49 CFR 37.47 and 37.51, over a 20-year planning horizon period.

(c) The stability and reliability of the proposed operating financing plan to fund operation of the entire transit system as planned over a 20-year planning horizon.

**PART 613—PLANNING ASSISTANCE AND STANDARDS**

**Subpart A—Metropolitan Transportation Planning and Programming**

Sec.

613.100 Metropolitan transportation planning and programming.

**49 CFR Ch. VI (10–1–05 Edition)**

**Subpart B—Statewide Transportation Planning and Programming**

613.200 Statewide transportation planning and programming.

**Subpart C—Coordination of Federal and Federally Assisted Programs and Projects**

613.300 Coordination of Federal and federally assisted programs and projects.

AUTHORITY: 23 U.S.C. 134, 135, and 217(g); 42 U.S.C. 3334, 4233, 4332, 7410 et seq; 49 U.S.C. 5303–5306, 5323(k); and 49 CFR 1.48(b), 1.51(f) and 21.7(a).

**Subpart A—Metropolitan Transportation Planning and Programming**

**§ 613.100 Metropolitan transportation planning and programming.**

The regulations in 23 CFR part 450, subpart C, shall be followed in complying with the requirements of this subpart. 23 CFR part 450, subpart C, requires a metropolitan planning organization (MPO) be designated for each urbanized area and that the metropolitan area have a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs that consider all transportation modes. These plans and programs shall lead to the development of an integrated, intermodal metropolitan transportation system that facilitates the efficient, economic movement of people and goods.

[58 FR 58079, Oct. 28, 1993]

**Subpart B—Statewide Transportation Planning and Programming**

**§ 613.200 Statewide transportation planning and programming.**

The regulations in 23 CFR part 450, subpart B, should be followed in complying with the requirements of this subpart. 23 CFR part 450, subpart B, requires each State to carry out an intermodal statewide transportation planning process, including the development of a statewide transportation plan and transportation improvement program that facilitates the efficient, economic movement of people and

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goods in all areas of the State, including those areas subject to the requirements of 23 U.S.C. 135 and sections 3, 5, 8, 9 and 26 of the Federal Transit Act (49 U.S.C. app. 1602, 1604, 1607, 1607a, and 1622).

[58 FR 58079, Oct. 28, 1993]

**Subpart C—Coordination of Federal and Federally Assisted Programs and Projects**

**§ 613.300 Coordination of Federal and federally assisted programs and projects.**

The coordination of Federal and federally assisted programs and projects implementing OMB revised Circular No. A-95, which are set forth in 23 CFR part 420, subpart C, are incorporated into this subpart.

[41 FR 33443, Aug. 9, 1976]

**PART 614—TRANSPORTATION INFRASTRUCTURE MANAGEMENT**

AUTHORITY: 23 U.S.C. 303; 49 U.S.C. 5303-5305; and 49 CFR 1.48 and 1.51.

SOURCE: 61 FR 67175, Dec. 19, 1996, unless otherwise noted.

**§ 614.101 Cross-reference to management systems.**

The regulations in 23 CFR Part 500, subparts A and B shall be followed in complying with the requirements of this part. Part 500, subparts A and B implement 23 U.S.C. 303 for State development, establishment, and implementation of systems for managing traffic congestion (CMS), public transportation facilities and equipment (PTMS), intermodal transportation facilities and systems (IMS), and traffic monitoring for highways and public transportation facilities and equipment.

**PART 622—ENVIRONMENTAL IMPACT AND RELATED PROCEDURES**

**Subpart A—Environmental Procedures**

Sec.  
622.101 Cross-reference to procedures.

**Subpart B [Reserved]**

**Subpart C—Requirements for Energy Assessments**

622.301 Buildings.

**Subpart A—Environmental Procedures**

AUTHORITY: 42 U.S.C. 4321 *et seq.*; 49 U.S.C. 303(c), 5301(e), 5323, and 5324; 40 CFR 1.51.

**§ 622.101 Cross-reference to procedures.**

The procedures for complying with the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 *et seq.*), and related statutes, regulations, and orders are set forth in part 771 of title 23 of the Code of Federal Regulations.

[52 FR 32660, Aug. 28, 1987]

**Subpart B [Reserved]**

**Subpart C—Requirements for Energy Assessments**

AUTHORITY: Sec. 403(b), Pub. L. 95-620; E.O. 12185.

**§ 622.301 Buildings.**

(a) FTA assistance for the construction, reconstruction, or modification of buildings for which applications are submitted to FTA after October 1, 1980, will be approved only after the completion of an energy assessment. An energy assessment shall consist of an analysis of the total energy requirements of a building, within the scope of the proposed construction activity and at a level of detail appropriate to that scope, which considers:

- (1) Overall design of the facility or modification, and alternative designs;
- (2) Materials and techniques used in construction or rehabilitation;
- (3) Special or innovative conservation features that may be used;
- (4) Fuel requirements for heating, cooling, and operations essential to the function of the structure, projected over the life of the facility and including projected costs of this fuel; and
- (5) Kind of energy to be used, including: