

## Chapter IX Self-certification

Section 450.334 of the Metropolitan Planning Rules requires that at least every 4 years the Metropolitan Planning Organization certify that the planning process is addressing the major issues facing the area and is being conducted in accordance with applicable federal laws and regulations. The applicable requirements are contained in the following sections from the following legislation and regulations:

- Section 134 of Title 23 USC, Section 8 of the Federal Transit Act (49 USC app. 1607), and the Metropolitan Planning Rules—these sections require that the process for developing transportation plans and programs provide for consideration of all modes through a continuing, cooperative, and comprehensive planning process.
- Sections 174 and 176(c) and (d) of the Clean Air Act (42 USC 7504, 7506(c) and (d)) -- Section 174 discuss the planning and development of the air quality State Implementation Plan. Section 176 requires an air quality conformity analysis to demonstrate that the plans and programs developed through the transportation planning process are consistent with the objectives of the State Implementation Plan.
- Section 134 of Title 23 USC, and the Management and Monitoring Systems Final Rule outline requirements for operational Congestion Management Process in Transportation Management Areas.
- Title VI of the Civil Rights Act of 1964 and the Title VI assurance executed by each State under 23 USC 324 and 29 USC 794, which prohibit discrimination in federally assisted programs.
- Section 1101(b) and CFR 49, Subtitle A, Part 26 of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) regarding the involvement of disadvantaged business enterprises in federal funded transportation projects.
- The provisions of the Americans with Disabilities Act of 1990 (Public Law 101-336, 104 Stat. 327, as amended) and U.S. Department of Transportation regulations “Transportation for Individuals with Disabilities” (49 CFR Parts 27, 37, and 38), which address requirements of public transportation for persons with disabilities.
- The certification of these requirements by the metropolitan planning organization and the Texas Department of Transportation is provided in Exhibit IX-1. The region’s transportation authorities have also certified compliance with the transportation planning process as shown in Exhibit IX-2.





## EXHIBIT IX-1

### MPO SELF-CERTIFICATION FOR NONATTAINMENT AREAS

In accordance with 23 CFR § 450.334, the Texas Department of Transportation, and the North Central Texas Council of Governments, Metropolitan Planning Organization for the Dallas-Fort Worth-Arlington Urbanized Area, Denton-Lewisville Urbanized Area, and the McKinney Urbanized Area, hereby certify that the transportation planning process is being carried out in accordance with all applicable requirements, including:

- (1) 23 U.S.C. 134, 49 U.S.C. 5303, and implementing regulations;
- (2) In nonattainment and maintenance areas, sections 174 and 176(c) and (d) of the Clean Air Act, as amended (42 U.S.C. 7504, 7506(c) and (d)) and 40 CFR part 93;
- (3) Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d-1) and 49 CFR part 21;
- (4) 49 U.S.C. 5332, prohibiting discrimination on the basis of race, color, creed, national origin, sex, or age in employment or business opportunity;
- (5) Section 1101(b) of the SAFETEA-LU (Pub. L. 109-59) and 49 CFR part 26 regarding the involvement of Disadvantaged Business Enterprises in US DOT-funded projects;
- (6) 23 CFR part 230, regarding the implementation of an equal employment opportunity program on Federal and Federal-aid highway construction contracts;
- (7) The provisions of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.) and (49 CFR Parts 27, 37, and 38);
- (8) The Older Americans Act, as amended (42 U.S.C. 6101), prohibiting discrimination on the basis of age in programs or activities receiving Federal financial assistance;
- (9) Section 324 of title 23 U.S.C. regarding the prohibition of discrimination based on gender; and

(10) Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and 49 CFR part 27 regarding discrimination against individuals with disabilities.

Signatures:

TEXAS DEPARTMENT OF TRANSPORTATION  
DALLAS DISTRICT

  
\_\_\_\_\_  
District Engineer

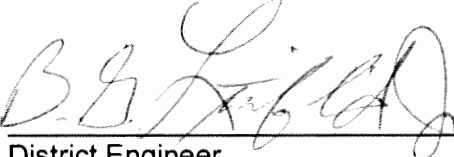
4/12/2012  
\_\_\_\_\_  
Date

TEXAS DEPARTMENT OF TRANSPORTATION  
FORT WORTH DISTRICT

  
\_\_\_\_\_  
District Engineer

4/12/2012  
\_\_\_\_\_  
Date

TEXAS DEPARTMENT OF TRANSPORTATION  
PARIS DISTRICT

  
\_\_\_\_\_  
District Engineer

4-12-12  
\_\_\_\_\_  
Date

NORTH CENTRAL TEXAS COUNCIL OF  
GOVERNMENTS  
METROPOLITAN PLANNING ORGANIZATION  
POLICY BOARD CHAIR

  
\_\_\_\_\_  
Chair, Regional Transportation Council

4-12-2012  
\_\_\_\_\_  
Date

## EXHIBIT IX-2

**MEMORANDUM OF AGREEMENT**  
**Between**  
**The DALLAS-FORT WORTH METROPOLITAN PLANNING ORGANIZATION**  
**and**  
**The TEXAS DEPARTMENT OF TRANSPORTATION**  
**and**  
**The PUBLIC TRANSPORTATION OPERATORS**

It is the purpose of this agreement to make provision for cooperative mutual responsibilities in carrying out the metropolitan transportation planning process in the Dallas-Fort Worth Metropolitan Planning Area and to provide a single agreement among the State, the MPO, and the Public Transportation Operator(s) in accordance with current federal legislation.

WHEREAS the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) promulgated regulations 23 CFR 450.314; and

WHEREAS § 450.314 – Metropolitan Planning Agreements further requires that the MPO, the State, and the public transportation operator(s) cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process in clearly identified written agreements between the MPO, the State(s), and the public transportation operator(s) serving the metropolitan planning area; and

WHEREAS it is recommended that to the extent possible, a single agreement among all responsible parties be developed to include specific provisions for cooperatively developing and sharing information related to the development of financial plans that support the Metropolitan Transportation Plan (MTP) (§ 450.322), the Metropolitan Transportation Improvement Program (TIP) (§ 450.324), and development of the annual listing of obligated projects (§ 450.332).

NOW, THEREFORE, the parties do agree as follows:

To cooperatively determine their mutual responsibilities in carrying out the metropolitan transportation planning process.

To make provisions for cooperatively developing and sharing information related to the development of financial plans that support the MTP and the TIP.

That the State, public transportation operator(s), and the MPO shall cooperatively develop a listing of projects (including investments in pedestrian walkways and bicycle transportation facilities) for which funds under 23 U.S.C. or 49 U.S.C. Chapter 53 were obligated in the preceding program year.

And that the Unified Planning Work Program (UPWP) will detail and document these responsibilities, deliverables and associated costs.


Signatory:

**NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS:**

  
Mike Eastland, Executive Director


Date: 7/20/11

**REGIONAL TRANSPORTATION COUNCIL:**

  
Michael Morris, Director of Transportation

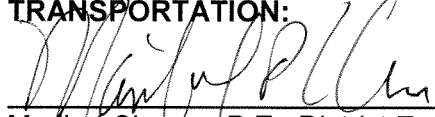
Date: 7/20/11

**DENTON COUNTY TRANSPORTATION AUTHORITY:**

  
Jim Cline, President

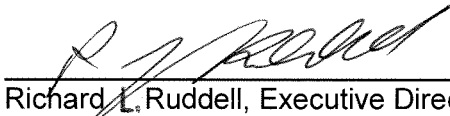
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**TEXAS DEPARTMENT OF TRANSPORTATION:**


  
Maribel Chavez, P.E., District Engineer, TxDOT Fort Worth District

Date: 7/14/11

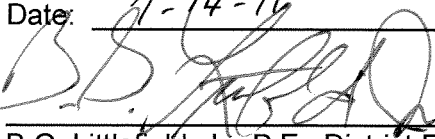
**FORT WORTH TRANSPORTATION AUTHORITY:**

  
Richard L. Ruddell, Executive Director

Date: 7-15-11

  
William Hale, P.E., District Engineer, TxDOT Dallas District

Date: 7-14-11

  
B.G. Littlefield, Jr., P.E., District Engineer, TxDOT Paris District


Date: 7-25-11

**DALLAS AREA RAPID TRANSIT:**

  
Gary C. Thomas, President/Executive Director

Date: 7/20/11

**NORTH TEXAS TOLLWAY AUTHORITY:**

  
Allen Clemson, Executive Director

Date: 7-14-2011

**DALLAS/FORT WORTH INTERNATIONAL AIRPORT:**

  
Jeffrey P. Fegan, Chief Executive Officer

Date: 7/15/11

**COLLIN COUNTY TOLL ROAD AUTHORITY:**

  
The Honorable Keith Self, President

Date: 7/18/11