

## MINUTES

### **REGIONAL TRANSPORTATION COUNCIL February 11, 2016**

The Regional Transportation Council (RTC) met on Thursday, February 11, 2016, at 1 pm in the Transportation Council Room of the North Central Texas Council of Governments (NCTCOG). The following members or representatives were present: Monica R. Alonzo, Bruce Arfsten, Douglas Athas, Brian Barth, Carol Bush, Mike Cantrell, Andy Eads, Charles Emery, Gary Fickes, Robert Franke, Sandy Greyson, Mojoy Haddad, Roger Harmon, Clay Jenkins, Ron Jensen, Jungus Jordan, Stephen Lindsey, David Magness, Scott Mahaffey, Matthew Marchant, Ray Smith (representing Maher Maso), Ann Zadeh (representing Cary Moon), Stan Pickett, Mark Riley, Kevin Roden, Amir Rupani, Kelly Selman, Gary Slagel, Mike Taylor, Stephen Terrell, Oscar Trevino, Oscar Ward, Bernice J. Washington, Duncan Webb, Glen Whitley, Kathryn Wilemon, W. Jeff Williams, and Zim Zimmerman.

Others present at the meeting were: Vickie Alexander, Antoinette Bacchus, Rick Bailey, Melissa Baker, Berrien Barks, Adam Beckom, Bryan Beck, Natalie Bettger, Brandi Bird, Brandy Bissland, David Boski, Bruce Bradford, Kristina Brevard, Charles Brewer, Ron Brown, Chris Burkett, Loyl Bussell, David Cain, Angie Carson, Sarah Chadderdon, Derek Cheatham, Michael Copeland, Hal Cranor, Clarence Daugherty, Kim Diederich, Jerry Dittman, David Dreiling, David Dryden, Chad Edwards, Traci Enna, Kevin Feldt, Keineth Fuller, Bob Golden, Alan Greer, Mary Griffin, Philip Haigh, Tony Hartzel, Luke Harvey, Jeff Hathcock, Tommy Henderson, Rebekah Hernandez, Jesse Herrera, Robert Hinkle, Jodi Hodges, Jessie Huddleston, Greg Janes, Eric Jensen, Dan Kessler, Karen Khan, Ken Kirkpatrick, Chris Klaus, Dan Lamers, Susan Langdon, April Leger, Sonny Loper, Mark Lorraine, Paul Luedtke, Steve McCullough, Chris Metz, Michael Miles, Cliff Miller, Erin Moone, Michael Morris, Ron Natinsky, Emily Nicholson, Mickey Nowell, Nick Page, John Polster, Greg Porter, James Powell, Vercie Pruitt-Jenkins, Dean Radeloff, Tito Rodriguez, Kyle Roy, Moosa Saghian, Steve Salin, Russell Schaffner, Nikki Simon, Jahnae Stout, Gerald Sturdivant, Gary Thomas, Lauren Trimble, Frank Turner, Daniel Vedral, Leslie Wade, Mitzi Ward, Kendall Wendling, Sandy Wesch, Elizabeth Whitaker, Cheryl Williams, Jason Williams, Amanda Wilson, Brian Wilson, Mykol Woodruff, and Kate Zielke.

1. **Approval of January 14 and January 20, 2016, Minutes:** The minutes of the January 14 and January 20, 2016, meetings were approved as submitted in Reference Item 1.1 and Reference Item 1.2. Glen Whitley (M); Mike Cantrell (S). The motion passed unanimously.
2. **Consent Agenda:** The following item was included on the Consent Agenda.
  - 2.1. **Unified Planning Work Program Modifications:** A motion was made to approve modifications to the FY2016 and FY2017 Unified Planning Work Program provided in Reference Item 2.1.1. Additional information was provided in Electronic Item 2.1.2  
  
Glen Whitley (M); Robert Franke (S). The motion passed unanimously.
3. **Orientation to Agenda/Director of Transportation Report:** Michael Morris introduced Captain Mike Stephan, Base Commander of the Naval Air Station Fort Worth Joint Reserve Base. Captain Stephan highlighted information about the military installation and thanked Regional Transportation Council (RTC) members and local leaders for helping to protect the installation through development planning of the area, support for the regional planning initiatives, and relationships that assist with continued operation in the region. He presented a token of gratitude to members for the RTC's continued partnership with the base. Michael Morris thanked the City of Mesquite for bringing to staff's attention an issue related to contracting public transportation services. Correspondence from Mesquite was provided in

Electronic Item 3.1. Staff has been working on a strategy to assist Mesquite that benefits the region as well, which is anticipated to be completed by May. Regarding the Texoma Area Paratransit System, the agency is no longer providing service in the region. He thanked the Denton County Transportation Authority for providing service in Frisco and Dallas Area Rapid Transit for providing service in the McKinney Urbanized Area and the City of Allen. Wise County has found a transit provider and further discussion is needed for the rural portion of Collin County. He added that the loan approved by the RTC was not used. Money is still owed to TAPS and it is working to get reimbursement. Related to Earth Day 2016, Mr. Morris thanked the North Texas Tollway Authority for Regional Toll Revenue funds that came to region in the past and noted he would like to thank the entity formally through an upcoming Earth Day initiative. Staff is working on some potential projects or programs that will involve the RTC. January public meeting minutes were provided in Electronic Item 3.2, the February public meeting notice was provided in Electronic Item 3.3, and the current Mobility Matters was provided at the meeting. Information regarding the air quality State Implementation Plan was provided in Electronic Item 3.4 and air quality funding opportunities for vehicles were provided in Electronic Item 3.5. Dallas-Fort Worth Clean Cities recognition and annual report information was provided in Electronic Item 3.6. Recent correspondence was provided in Electronic Item 3.7, recent news articles in Electronic Item 3.8, and recent press releases in Electronic Item 3.9. Transportation partner progress reports were provided at the meeting.

4. **Proposed Policy for Possible Employer Location:** Michael Morris highlighted the proposed policy regarding how the Regional Transportation Council (RTC) may wish to consider requests for infrastructure assistance associated with the location of new employers to the Dallas-Fort Worth region. A copy of the draft policy was provided in Reference Item 4. Following approval to assist American Airlines, Sandy Greyson requested staff develop a policy for handling such requests to ensure that all interested localities have an equitable chance to participate. At its January 14, 2016, meeting, RTC members discussed the draft policy. Many expressed concerns and voted to take no action in order to have additional time to review the policy. One option is to instruct staff to continue work on the policy. The other option is to have no policy. Staff will notify the RTC that a request for assistance has been received, and the RTC will then have an opportunity to consider the request. Sandy Greyson discussed her original request for a policy that would allow all entities an equitable chance to compete for a large employer locating in the region. In hind sight and following last month's discussion, she noted that a policy does not seem realistic. The employer and the entity will likely have already reached an agreement regarding location prior to the request for assistance. She asked if staff believed policy guidelines for the types of requests considered should be established. Mr. Morris responded that staff did not believe policy guidelines are necessary. In the absence of guidelines, the decision will be brought before the RTC and considered based on the merits of the individual request. Ms. Greyson asked if staff would simply present the request for action, or if the item would be presented for information as well. Mr. Morris noted that the request would likely be brought to the RTC once, for action. If determined necessary, the RTC may choose to bring it back a second time. A motion was made to table the draft Regional Transportation Council Policy Position to Assist Local Governments in Attracting Large Employers to the Region, provided in Reference Item 4. Jungus Jordan (M); Andy Eads (S). The motion passed unanimously. Bernice J. Washington requested that in the future, staff offer as much information as possible so members are equipped to make an appropriate decision.
5. **Mobility 2040 and Transportation Conformity:** Chad McKeown provided an update on the development of Mobility 2040, the next long-range transportation plan for the region. Guiding principles have been focused on roadway, transit, and bicycle/pedestrian improvements. The multimodal solutions that have been developed for the Plan provide a variety of transportation choices for the region, that will be increasingly important as the

region matures and approaches a population of approximately 10.7 million. He highlighted Mobility 2040 prioritization to first maximize the existing system and then implement strategic infrastructure investment. Based on the latest information, expenditures for Mobility 2040 total \$118.9 billion. Since the Plan is multimodal, Mobility 2040 includes over 500 miles of existing and funded projects with an additional 1,291 miles of planned off-street bicycle and pedestrian trails referred to as the Regional Veloweb. Transit builds on the existing rail system to provide choice through both the regional rail extension to many fast growing areas, as well as the addition of the new high-intensity bus concept that will allow guaranteed speed for premium bus service. The existing rail system, proposed extensions to the rail system, and corridors identified for high-intensity bus lines were highlighted. The Cotton Belt corridor was discussed, and details of the proposed draft policy were presented in Agenda Item 6. Mobility 2040 will include the Regional Transportation Council (RTC) Policy Position on Transit Implementation in the Cotton Belt Corridor. The recommendation is for a regional rail line from Dallas/Fort Worth International Airport to Plano with one-seat ride connectivity with TEX Rail. Mr. McKeown highlighted major roadway recommendations. Recommendations include freeways, tollways, and managed lane facilities and are responsive to the guiding principle of the need for reevaluation of toll facilities. Based on feedback received from Denton County and the City of Fort Worth, one change has been made to the recommendations. When originally presented, IH 35W in Denton County included only new or additional freeway capacity. Based on the feedback, the corridor now includes additional freeway capacity as well as tolled managed lanes. Mobility 2040 also includes funded improvements to major arterials highlighted in the presentation and detailed in Electronic Item 5.2, as well as major corridors for future evaluation included in the illustrative map. The illustrative map identifies areas of transportation need that are not included in the financially constrained portion of the Plan. Mr. McKeown noted a draft of the Mobility 2040 document is available for review online through the link provided in Electronic Item 5.1. Also included in Mobility 2040 is the RTC Policy Bundle concept. The voluntary initiative will provide additional choices in meeting congestion and transportation issues with policies instead of projects. As noted, participation is voluntary. If entities decide to participate, a range of policies will be available to choose from that are grouped based on the level of effort to implement the policies. These include joint staff coordination meetings, governing body approval, ordinances, or elections. Mr. McKeown noted Mobility 2040 recommendations have been presented to the public for comment.

Chris Klaus provided information regarding 2016 Transportation Conformity. As a result of the region being in nonattainment for ozone, the Clean Air Act requires the MPO to perform an air quality conformity determination on the Mobility Plan to ensure the transportation system complies with applicable Motor Vehicle Emission Budgets (MVEB) established for the region. Staff analyzes the ozone precursors of nitrogen oxides (NOx) and volatile organic compounds (VOCs) in the region for various analysis years using the latest planning assumptions available when the analysis begins. Over a year ago, the North Central Texas Council of Governments (NCTCOG) assisted in developing and providing to the Texas Commission on Environmental Quality (TCEQ) emission inventories for the transportation system. Upon completion, these emission inventory estimates are anticipated to be the required MVEB for the 10-county nonattainment area. However, the Environmental Protection Agency has set the budgets at 148.36 tons per day for NOx and 77.182 tons per day for VOCs, which is higher than staff's submitted inventories. Staff has committed to adhere to the original estimates submitted to TCEQ. Mr. Klaus highlighted the differences between emission inventories related to planning assumptions. Each of the four analysis years in Mobility 2040 fall below the set budget for both NOx and VOCs for the ten-county ozone nonattainment area. Upon local approval of Mobility 2040, conformity results will be provided to federal and State partners for review. Staff anticipates a United States Department of Transportation 2016 Transportation Conformity determination in the June timeframe.

Stan Pickett noted that in December, the City of Mesquite requested that NCTCOG study the IH 635 corridor between IH 20 and US 80 and asked if the corridor has been included as part of Mobility 2040. Mr. McKeown responded that current focus is on the LBJ Express and LBJ East projects, but that the IH 635 corridor between IH 20 and US 80 can be added to the illustrative map. Matthew Marchant, referencing the major roadway map, noted capacity maintenance on US 75 to SH 121. He asked if new lanes were not expected on US 75 through 2040. Mr. McKeown noted in that section, portions of the corridor recently completed or under construction are assumed to be completed by the base year in the network, 2017. The map indicates projects beyond 2017. Mr. Morris noted the comment by Mr. Pickett and a comment expressed to staff by Glen Whitley and suggested to include the requested corridor studies in the Unified Planning Work Program, study the projects to ensure there are no unintended consequences, and bring the projects to staff for the next Mobility Plan.

6. **Cotton Belt Corridor Policy**: Michael Morris presented the draft Regional Transportation Council (RTC) Policy Position on Transit Implementation in the Cotton Belt Corridor. A copy of the draft policy position was provided in Electronic Item 6. He noted that RTC members along the corridor have been contacted, and there is not consensus on the next steps forward. In summary, the policy states that the RTC has proposed a Cotton Belt corridor as a rail component for many years in its Mobility Plan and Dallas Area Rapid Transit (DART) has approved rail funding in its 2035 financial plan. It requests that DART explore possibilities of expediting rail service in the eastern side of the corridor. If rail service cannot be expedited, the policy requests that some form of DART-selected premium transit service should be implemented. If approved, the policy will be integrated into Mobility 2040. Sandy Greyson thanked staff for responding to comments she made at a recent public meeting. She noted a remaining question about the inconsistent use of terms throughout the policy such as premium bus transit, premium transit service, and high-intensity bus. She asked why consistent terms were not used throughout the policy. Mr. Morris noted the policy included the definition of premium transit service because this level of service is referred to in Mobility 2040 and the proposed policy will be implemented within the Mobility Plan. A variety of initiatives will be used to provide the level of service and the definition includes all other terms. Staff's desire is that the policy applies to many options and use of specific terms does not eliminate an option. Ms. Greyson discussed staff's intent to not limit the policy, noting the importance of citizens understanding the intent was not to limit options. Clay Jenkins noted the suggestion to include performance metrics and asked if that had been included in the policy. Mr. Morris discussed the four-year time constraint that was included in the policy. There is no reason to believe that DART will not operate in good faith to expedite rail. He added that metrics have not been added in order to give Dallas Area Rapid Transit the greatest flexibility. Bruce Arfsten clarified that the City of Addison is not in favor of bus rapid transit as an option in the Cotton Belt corridor and that the four-year time frame is not seen as an option. Mr. Morris clarified that while the policy may not be entirely satisfactory to either side, the effort is to reach a middle ground. Staff has worked to provide insight to DART on options in a portion or all of the corridor, but Addison has not been interested. He noted there are technical questions that must be resolved before bus could be implemented in the corridor. Ms. Greyson asked why the policy does not contain technical questions regarding rail in the corridor. Mr. Morris noted if bus were to be implemented, there may be unintended consequences to a rail investment. Instead of spending a lot of time on the feasibility of bus, the position creates an opportunity for DART to help expedite rail. There could be unintended consequences if it cannot, but it is a public sector corridor and there are questions why the corridor could not be used for another purpose. RTC members can address the issue if rail is not expedited, so staff is suggesting to keep the position. Even though both sides are not satisfied, the proposed policy creates an opportunity to bring closure to the process. Mr. Arfsten noted that Addison's other concern is that if bus rapid transit is implemented, it may become a long-term solution with

no rail in the future. Mr. Morris discussed the technical issues related to grade separations in the corridor that may be needed for bus rapid transit, but that would not be compatible with rail. The grade solution for bus is cheaper, but creates a throw-away project because it is not compatible with rail. In this instance, bus rapid transit may not be as inexpensive as believed because it may need to be designed according to rail specifications. Gary Slagel noted that the DART Board has rail in its 2035 plan, and is trying to expedite its implementation. The Board will discuss the four-year term included in the proposed policy and may choose to take a formal position at its meeting on February 23. Mr. Morris suggested that DART leave flexibility and added that the spirit of the policy is partnership. He cautioned that if a longer term is requested by DART, it may appear as if DART does not understand the desire to expedite rail. However, if a shorter term is requested, there may not be sufficient time to work through the necessary details to implement rail. Ms. Greyson responded to Mr. Arfsten's comment regarding the City of Addison. She noted there has been a suggestion on the table for a number of years to address Addison's concern by beginning rail in Addison and moving west. To her knowledge, Addison has not been in favor of the suggestion. Ms. Slagel noted that DART is pursuing two paths, one dual track from Dallas/Fort Worth (DFW) International Airport to Plano and a first-phase single track from Addison to DFW International Airport.

- 7. Federal Legislative Update:** Amanda Wilson provided information on the new long-term transportation bill, the Fixing America's Surface Transportation (FAST) Act. The bill was signed into law December 4, 2015, and is effective until September 30, 2020. The five-year bill authorizes surface transportation programs with over \$305 billion in funding. It includes a 5 percent increase for highway programs and 8 percent increase for transit programs in FY2016, and a 2 percent increase in each program for FY2017-FY2020. Funding totals for various programs and agencies were highlighted with highway and transit receiving the largest amount of funding. She noted this is the first time the Federal Railroad Administration and Amtrak have been funded in the same bill as highway and transit. She also noted the \$7.5 billion rescission of unobligated balances in FY2020 spread among states. Related to Metropolitan Planning Organization (MPO) planning, there were minor changes. Planning efforts should consider intercity transportation, intercity buses and facilities, and commuter vanpool programs, system resiliency and reliability, natural disaster risk reduction, and travel/tourism. There is also a new, optional Congestion Management Plan. This does not replace the existing Congestion Management Process. The purpose is to look at access to jobs to reduce vehicle miles traveled during the peak period, improve connectivity between where jobs are and job seekers, support access to jobs, consult with employers to find out how it would be best to get people to those jobs. One of the biggest changes for transportation is the renaming of the Surface Transportation Program (STP), now titled the Surface Transportation Block Grant Program (STBGP). Funding is suballocated to states for overall statewide surface transportation projects and some is suballocated directly to MPOs. The amount suballocated to MPOs increases from 51 percent to 55 percent over the life of the bill. In addition, there is now a set aside for the previous Transportation Alternative Program (TAP) now referred to as STBGP set-aside. Funding allocations will be continued with 50 percent to both the State and MPOs. Two new freight programs are included in the bill. The first is a competitive grant program. States, large MPOs, and cities are eligible to apply. The second is the National Highway Freight Program focused on highways, rail, ports, and intermodal projects. Ms. Wilson highlighted additional items related to the Federal Highway program. Project delivery and streamlining continues to be a priority. The Texas Department of Transportation has been part of a pilot program to assume the responsibility for the environmental review process and this is being expanded to the nation. The Transportation Infrastructure Finance and Innovation Act received a 71 percent funding cut, but the existing balance remains in the program. Related to transit, there are minor programmatic changes. The Bus Discretionary Program was reinstated and bus and bus facilities received a funding increase. Positive train control

received \$199 million in one-time funding for positive train control implementation and the deadline was extended. Details were provided in Electronic Item 7.

8. **Managed Lanes Communication Workshop Update:** Amanda Wilson provided an overview of the recent Managed Lanes Communication Workshop held on January 14, 2016. Regional Transportation Council (RTC) Chair Mark Riley brought together RTC policy officials and public information officers from the transportation providers to discuss identifying a communications plan that will help the public better understand managed lanes. A copy of the meeting agenda and presentation was provided in Electronic Item 8. The primary message heard from comments regarding a public campaign to help users understand managed lanes is to keep it simple. Suggestions included brief videos that can be shared on social media, a regional message for agencies to share, ability to access resources to share with constituents, and targeted information for a variety of audiences, use of analytics/data, as well as interesting stories and analogies that are relevant to the user. Next steps include developing a communications plan, and efforts have begun to collect assets that the North Texas Tollway Authority, the Texas Department of Transportation, and the developer of the LBJ Express and North Tarrant Express projects for distribution. Staff hopes to have additional information available to RTC members over the summer. Ms. Wilson noted that staff is happy to integrate any additional comments from members into the communications plan.
9. **Update Regarding the Texas Department of Transportation Congestion Relief Program:** Michael Morris thanked elected officials for attending the January 28, 2016, Texas Transportation Commission meeting, at which the allocation of \$1.3 billion statewide was confirmed for the Texas Department of Transportation (TxDOT) Congestion Relief partnership. Ms. Gotti provided an update regarding the TxDOT Congestion Relief partnership approved by the Regional Transportation Council (RTC) at its January 14, 2016, meeting. Updated funding totals since the last meeting were highlighted, including changes since the mail out. She noted the \$1.3 billion allocation statewide resulting in \$527 million to the region versus the \$406 million previously presented. This allocation translates to approximately \$163.8 million in the west and \$364 million in the east. It was noted that TxDOT used the previous 69 percent east/31 percent west for the allocation of funding. Staff will update the Council regarding the current equity percentages through the east/west quarterly report at the March 10, 2016, meeting. The project list for the initiative remains the same: SH 121/SH 360 Interchange, SH 199, and IH 820 (from SH 121 to Randol Mill) in the west and IH 35E (Southern Gateway and Lowest Stemmons) in the east. Supplemental projects also remain the same. For SH 121 at SH 360, the project cost has changed from \$60 million to \$61 million in TxDOT Congestion Relief funding. No changes are proposed for SH 199 leaving the project at \$56.5 million. She noted significant changes for the IH 820 project. As originally presented, the amounts were flexible depending on the total funding received through the initiative. The project cost has been revised to \$147.8 million with the following revenue: \$46.3 million in Congestion Relief funding, \$90 million in savings from the IH 35W project, and \$11.5 million of TxDOT Bridge funding. The additional funding will allow for a larger portion of the project to be implemented. On the IH 35E Southern Gateway project, changes have been made to reflect the base project versus the deck park. The overall funding amounts remain unchanged and discussions are continuing with TxDOT on the best option for how to implement the project. Regarding IH 35E Lowest Stemmons, the previous proposal was \$20 million in Congestion Relief funding and \$80 million in Proposition 1 funding. Due to the higher allocation, the proposal is to fund the total project cost of \$100 million with Congestion Relief funding only. Ms. Gotti noted that these changes will be presented to the RTC at its March 10, 2016, for final action of the project amounts.
10. **2017-2020 Transportation Improvement Program Development Draft Listings:** Adam Beckom provided an overview of the 2017-2020 Transportation Improvement Program (TIP)

development process and draft listings. Efforts began by reviewing all active projects in the region, including meetings with implementing agencies to review funding, scopes, and staging. Needed adjustments to existing projects were then made. Revised project listings were developed and balanced to available revenues in the Unified Transportation Plan. In addition, Mobility Plan and air quality conformity review of projects was conducted. Draft listings will be presented for public review in March with final listings provided to members in April. Draft TIP roadway and transit project listings were provided in Electronic Item 10.1. Roadway projects are listed using a double-entry sheet showing projects as they are listed currently and the changes proposed as part of the effort. One of the main focus areas has been implementation of the Project Milestone Policy. Submittal packets from implementing agencies are under review. As previously presented, these include projects that were selected for funding more than 10 years ago but that have not moved forward to construction. Staff will request final action on the projects at the April 2016 meeting along with 2017-2020 TIP listings. Mr. Beckom noted draft project listings reflect updates and status information received from implementing agencies and have been financially constrained to the current Unified Transportation Program (UTP). The UTP is set for update this month, so staff will be monitoring for any changes that come out of the Texas Transportation Commission meeting. Michael Morris encouraged members to review projects that have been funded over 10-years and to meet with staff as soon as possible. Mr. Beckom added that final comments from agencies are needed by February 12 for inclusion in the public meeting item. Any comments received after that time are not guaranteed to be reflected in the final draft project listings to be presented at public meetings in March. The timeline was reviewed. In March, draft listings will be presented to the public. STTC action will also be requested in March, and STTC action will be requested in April. The final document is due to TxDOT in May and Texas Transportation Commission approval is anticipated in the August timeframe. Federal approval is expected in October.

11. **Air Quality Freight Initiatives:** Jeff Hathcock provided an update on air quality freight initiatives. Heavy-duty diesel vehicles contribute approximately 41 percent of all on-road nitrogen oxides (NO<sub>x</sub>) emissions in the region, and the air quality emphasis areas that these initiatives fall under are high-emitting vehicles, idling, and energy/fuel use. The first initiative is the Saving Money and Reducing Truck Emissions (SMARTE) Program. In June 2015, staff began outreach with drivers, fleet managers, and vendors. Resources for businesses within the region were highlighted and staff also engaged the businesses with various air quality initiatives such as the Clean Fleet Policy, the DFW Clean Cities Coalition, the SmartWay Transport Partnership, and anti-idling efforts. Regarding idling, a map was highlighted showing cities and counties that have adopted a memorandum of agreement with the Texas Commission on Environmental Quality and have also adopted idling limitations within their boundaries. Related infrastructure includes existing truck stop electrification sites to help reduce idling when trucks are on government mandated break periods. The heavy-duty diesel inspection maintenance pilot program was also highlighted. Staff evaluated the feasibility of incorporating heavy-duty diesel vehicles into the State's inspection/maintenance program for the reduction of NO<sub>x</sub> emissions. Viable technologies to be considered for the emissions testing were identified. Staff then refined the on-road heavy-duty emissions measurement system design and are investigating other remote sensing technologies. An improved system to collect real world data will soon be deployed and results are expected in the fall of 2016. Truck lane restrictions were also discussed, which includes over 486 miles in the region. Efforts are ahead of schedule, and all short and medium term truck lane restrictions are in place except IH 635, SH 114, and IH 30 due to construction. These exceptions are anticipated to be ahead of schedule as well. Mr. Hathcock also noted a new department of public safety regulation regarding commercial vehicle weight enforcement. All agencies that have not received recorded commercial vehicle enforcement training through the DPS must attend an updated DPS training course before weight enforcements can be conducted. Information regarding the Texas Freight

Mobility Plan, the State's first comprehensive plan that focuses on goods movement was highlighted. The plan provides details on all modes of freight transportation and infrastructure and includes opportunities, strategies, and policies that will be implemented to enhance economic growth and goods movement throughout the State. Future projects are prioritized in the plan and NCTCOG is actively focused on the prioritization of regional initiatives. Following approval from the Texas Transportation Commission on January 28, TxDOT must ensure the plan is fiscally constrained prior to required Federal Highway Administration approval. Additional details regarding each of these initiatives were provided in Electronic Item 11.

12. **Lawsuits Against Volkswagen Group of America, Inc., Audi of America, LLC, and Porsche Cars North America:** Chris Klaus presented information regarding the recent lawsuits against Volkswagen Group of America, Inc., Audi of America, LLC, and Porsche Cars North America. Last year, the Environmental Protection Agency (EPA) announced that 2.0 liter and 3.0 liter diesel vehicles from Volkswagen, Audi, and Porsche were found to have emission defeat devices that were activated during an emissions test. The software turned off during regular operation increasing fuel mileage and performance with higher emissions. The vehicles are believed to release up to 40 times the permitted levels of nitrogen oxides for light-duty vehicles. The California Air Resources Board and the EPA are the two regulatory agencies that govern vehicle emissions standards. Volkswagen has proposed vehicles recalls, which have yet to be accepted by the EPA or CARB. Affected vehicles were highlighted. The State of Texas has filed two separate lawsuits. The first is for deceptive trade practices misleading and providing false information on the product. The second is for violating the Texas Clean Air Act. A separate suit has also been filed by Harris County. At the federal level, the United States Department of Justice, on behalf of the EPA, has filed a civil complaint. Nearly 600,000 2.0 liter and 3.0 liter diesel engines are impacted in the United States. Sanctions could total more than \$40 billion. North Central Texas Council of Governments staff has performed an estimation of the registered, impacted vehicles in the region. Staff believes that the number of affected vehicles could be near 3,000. Staff proposes that the Regional Transportation Council submit a letter to the Department of Justice and the Attorney General requesting that if a financial settlement is reached, funds be disbursed to nonattainment regions in Texas to offset increased emissions. Staff estimates, based on the impacted vehicles in the region, funds could be equivalent to one year of AirCheckTexas repair and replacement funding or approximately \$17 million. A draft of the letter was provided in Electronic Item 12.1 and additional details were provided in Electronic Item 12.2. RTC action to submit the letter will be requested at the March 10, 2016, RTC meeting.
13. **Progress Reports:** Regional Transportation Council attendance was provided in Reference Item 13.1, Surface Transportation Technical Committee meeting minutes and attendance was provided in Electronic Item 13.2., and the current Local Motion was provided in Electronic Item 13.3.
14. **Other Business (Old or New):** There was no discussion on this item.
15. **Future Agenda Items:** Regional Transportation Council (RTC) Chair Mark Riley noted that the RTC Legislative and Finance Subcommittee would meet prior to the March 10, 2016, meeting.
16. **Next Meeting:** The next meeting of the Regional Transportation Council is scheduled for Thursday, March 10, 2016, 1:00 pm, at the North Central Texas Council of Governments.

The meeting adjourned at 2:40 pm.