

VOLUME II, SECTION VI. E.
STATE REQUIREMENTS FOR TRANSPORTATION PLANNING: ARIZONA

Arizona state law provides for the establishment of a regional public transportation authority (RPTA). The RPTA is a tax-levying public improvement district, which may operate both within and outside the corporate limits of the member municipalities in a county that has a population of 1,200,000 or more persons and that approves a transportation excise tax.¹ The RPTA's board must develop a regional public transportation system plan,² which must, among other requirements, define public transportation goals for each corridor, prioritize corridors for development, select appropriate public transportation technology including high occupancy vehicle lanes and related facilities, and determine operating performance criteria and costs for public transportation systems.³ The RPTA must present, on a fiscal year basis, the capital and operating costs and revenue needed by source (including tax levies) to fund the system plan.⁴ The board must vote on plan modifications to reflect changes in population density or technological advances at a public hearing.⁵

State law established the Citizens Transportation Oversight Committee (CTOC) in Maricopa County to review and advise the State Transportation Board, the Governor, the Director of the Arizona Department of Transportation and the governing body of the regional planning agency on matters relating to the regional freeway system.⁶ In addition, CTOC holds public hearings and issues public reports as it deems appropriate. Members are appointed from each of five county supervisory districts, with two additional members appointed by the Governor.⁷

Arizona state-level legislative action or a Governor's executive order may designate an agency to develop regional plans or programs. Pursuant to Executive Order 95-2 regional councils are provided a role in developing population estimates and projections. Each year, an Arizona MPO recommends population updates for July 1 of the current year to the Arizona Department of Economic Security (DES). In addition to providing the updates to DES, the MPO also produces population projections for the region every five years.

Legislative action resulted in various transportation-related responsibilities being placed on the MPO.⁸ The requirements outlined in legislation include:

- Plan freeway corridors

¹ A.R.C. §48-5102. A 1999 Arizona legislative bill, SB1341, would allow the creation of Intergovernmental Public Transportation Districts (IPTD) and boards within and between counties with a population of 400,000 or less (counties other than Maricopa and Pima counties).

² A.R.C. §48-5121 B

³ A.R.C. §48-5121 B

⁴ A.R.C. §48-5121 C

⁵ A.R.C. §48-5121 F

⁶ A.R.C. §28-6356

⁷ Arizona State Senate Fact Sheet for 1999 Senate Bill 1341

⁸ House Bill 2278 [no year given in MAG literature]

- Adopt freeway prioritization criteria
- Approve freeway priorities
- Approve material cost increases
- Issue an annual report on the status of the system

As illustrated in the Federal Legislation Review above, federal law and regulation require the preparation of state plans and regional plans in large urban areas. For the Maricopa County area, the Maricopa Association of Governments (MAG) has been designated as the MPO, and under such designation, has the following transportation related responsibilities:

- Have a federally certified transportation planning process
- Conduct an ongoing public involvement process
- Develop and apply management systems (pavement, bridge, congestion, transit, intermodal, safety)
- Prepare a five-year Transportation Improvement Program (TIP) that lists all transportation projects I in the region (includes federal, state, local and privately funded projects)
- Prepare a multimodal Long Range Transportation Plan (LRTP) with a 20-year time horizon (freeways, arterials, transit, bicycle, pedestrian, demand management)
- Find conformity for all transportation plans, programs, and projects
- Determine the exclusive public transportation systems to be acquired and constructed

The Arizona Revised Code also provides a transportation planning role for regional transportation authorities in less populous counties.⁹ A regional transportation authority (RTA) is a public, political, tax-levying public improvement and taxing subdivision of the state and a municipal corporation established in a county with a population of between 400,000 and 1,200,000 persons.¹⁰ Authority is vested in a board composed of members of the member jurisdictions of the regional council of governments.¹¹ The RTA develops and submits proposed elements for a ten-year regional transportation plan to the electorate for approval.¹² The RTA also has authority to develop supplemental plans, set plan priorities, appoints advisory committees, and has sole authority to implement the elements of the ten-year regional plan approved by the majority of the electors.¹³ Through their regional planning agency, the county and municipalities in the county must list transportation corridors by priority in the regional transportation plan.¹⁴

⁹ Arizona Revised Code §48-5301 et seq. (1998). By virtue of the population limits set forth in this statute it is not applicable to Maricopa County or to the MPO in Maricopa County.

¹⁰ A.R.C. §48-5301, §48-5302.

¹¹ A.R.C. §48-5303

¹² A.R.C. §48-5304, §5309

¹³ A.R.C. §48-5304

¹⁴ A.R.C. §48-5311

ATTACHMENT

Arizona - Statutory Requirements For Transportation Planning Organizations

Executive Order 95-2 *Population Estimates and Projections*

Regional councils have a role in developing population estimates and projections.

Ariz. Rev. Code §40-1152 *Public transportation services; contracts and agreements*

Permits any county, city or town to enter contracts or to jointly form a nonprofit corporation to carry out public transportation services. (A.R.C. §40-1152C.) A regional council of governments or a regional planning agency created pursuant to a joint exercise of powers agreement or pursuant to nonprofit corporation statutes is not permitted to provide public transportation services nor to operate such services in duplication of common carrier services already provided.

Ariz. Rev. Code §48-5102 *Regional public transportation authority* [intercounty]

A regional public transportation authority, a tax-levying public improvement district, may operate both within and outside the corporate limits of the member municipalities in a county that has a population of one million two hundred thousand or more persons and that approves a transportation excise tax.

Ariz. Rev. Code §48-5121 *Regional public transportation system plan* [intercounty]

A regional public transportation system plan shall be developed by the board of a regional public transportation authority. The system plan must, among other requirements, define public transportation goals for each corridor, prioritize corridors for development, and select appropriate public transportation technology. (A.R.C. §48-5121B.) Capital and operating costs and revenue needed by source must be presented on an individual fiscal year basis. (A.R.C. §48-5121C.) The board must vote at a public hearing to modify the plan. (A.R.C. §48-5121F.)

Ariz. Rev. Code §§48-5301 et seq. *Regional transportation authority* [intercounty]

A regional transportation authority is a public, political, tax-levying public improvement and taxing subdivision of the state and a municipal corporation established in a county with a population of between 400,000 and 1,200,000 persons. (A.R.C. §48-5301, 5302.) Authority is vested in a board composed of members of the member jurisdictions of the regional council of governments. (A.R.C. §48-5303.) The regional transportation authority develops and submits proposed elements for a ten-year regional transportation plan to the electorate for approval. (A.R.C. §48-5304; A.R.C. §48-5309.) The regional transportation authority develops supplemental plans, set plan priorities, may appoint advisory committees, and has sole authority to implement the elements of the ten-year regional plan approved by a majority of the electors. (A.R.C. §48-5304.) A regional transportation fund is established for the authority. (A.R.C. §48-5307.) Through their

regional planning agency, the county and municipalities in the county must list transportation corridors by priority in the regional transportation plan. (A.R.C. §48-5311.)