A BILL for an Act to create and enact a new section to chapter 24-01 of the North Dakota Century Code, relating to metropolitan planning organizations; and to amend and reenact section 24-01-04 of the North Dakota Century Code, relating to master street plans developed by municipalities.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 24-01-04 of the North Dakota Century Code is amended and reenacted as follows:

24-01-04. Municipalities to develop master street plan. Each municipality located within a designated metropolitan planning organization, each municipality of over five thousand population in this state, according to the latest available census, shall develop and adopt a master street plan cooperatively between the director and the municipal officials, which must ensure the proper location and integration of the state highway connections in the total city street plan. In selecting and designating the master street plan, the cooperating officials shall take into account the more important principal streets that connect the residential areas with business areas, and the streets that carry the important rural traffic into and across the city, to ensure a system of streets upon which traffic can be controlled and protected, in such a manner as to provide safe and efficient movement of traffic within a municipality.

SECTION 2. A new section to chapter 24-01 of the North Dakota Century Code is created and enacted as follows:

Metropolitan planning organizations.

1. Metropolitan planning organizations shall develop, in cooperation with the state and public transit operators, transportation plans and programs for metropolitan areas which encourage and promote the safe and efficient management.
operation, and development of surface transportation systems that will serve the
mobility needs of people and freight and foster economic growth and development
within and through urbanized areas of this state while minimizing
transportation-related fuel consumption, air pollution, and greenhouse gas
emissions. The plans and programs for each metropolitan area must provide for
the development and integrated management and operation of transportation
systems and facilities, including pedestrian walkways and bicycle transportation
facilities that will function as an intermodal transportation system for the
metropolitan area. The process for developing such plans and programs must
provide for consideration of all modes of transportation and must be continuing,
cooperative, and comprehensive, to the degree appropriate, based on the
complexity of the transportation problems to be addressed. To ensure that the
process is integrated with the statewide planning process, metropolitan planning
organizations shall develop plans and programs that identify transportation facilities
that should function as an integrated metropolitan transportation system, giving
emphasis to facilities that serve important national, state, and regional
transportation functions.

2. a. A metropolitan planning organization must be designated for each urbanized
area of the state.

b. Each metropolitan planning organization designated in a manner prescribed
by title 23 of the United States Code must be created and operated under this
section.

c. The jurisdictional boundaries of a metropolitan planning organization must be
determined by agreement between the governor and the applicable
metropolitan planning organization. The boundaries must include at least the
metropolitan planning area, which is the existing urbanized area and the
contiguous area expected to become urbanized within a twenty-year forecast
period, and may encompass the entire metropolitan statistical area or the
consolidated metropolitan statistical area.

d. The governing body of the metropolitan planning organization shall designate,
at a minimum, a chairman, vice chairman, and secretary. The chairman and
vice chairman must be selected from among the member delegates comprising the governing board. The secretary shall prepare meeting minutes and maintain agency records. The secretary may be a member of the metropolitan planning organization governing board, an employee of the metropolitan planning organization, or other individual.

3. The metropolitan planning organization shall manage a continuing, cooperative, and comprehensive transportation planning process that results in the development of plans and programs that are consistent, to the maximum extent feasible, with the approved local government comprehensive plans of the units of local government the boundaries of which are within the metropolitan area of the metropolitan planning organization. A metropolitan planning organization must be the forum for cooperative decisionmaking by officials of the affected governmental entities in the development of the plans and programs.

4. The powers, privileges, and authority of a metropolitan planning organization are those specified in this section. Each metropolitan planning organization shall perform all acts required by federal or state laws or rules which are necessary to qualify for federal aid. Each metropolitan planning organization shall be involved in the planning and programming of transportation facilities, including airports, intercity and high-speed rail lines, seaports, and intermodal facilities, to the extent permitted by state or federal law.

a. Each metropolitan planning organization, in cooperation with the department of transportation, shall develop:

(1) A long-range transportation plan;
(2) An annually updated transportation improvement program; and
(3) An annual unified planning work program.

b. In developing the long-range transportation plan and the transportation improvement program required under subdivision a of subsection 4, each metropolitan planning organization shall provide for consideration of projects and strategies that will:

(1) Support the economic vitality of the metropolitan area, especially by enabling global competitiveness, productivity, and efficiency;
(2) Increase the safety and security of the transportation system for motorized and nonmotorized users;
(3) Increase the accessibility and mobility options available to people and for freight;
(4) Protect and enhance the environment, promote energy conservation, and improve quality of life;
(5) Enhance the integration and connectivity of the transportation system, across and between modes, for people and freight;
(6) Promote efficient system management and operation; and
(7) Emphasize the preservation of the existing transportation system.

c. To provide recommendations to the department of transportation and local governmental entities regarding transportation plans and programs, each metropolitan planning organization shall:
   (1) Prepare a congestion management system for the metropolitan area and cooperate with the department in the development of all other transportation management systems required by state or federal law;
   (2) Assist the department in mapping transportation planning boundaries required by state or federal law;
   (3) Assist the department in performing its duties relating to access management, functional classification of roads, and data collection;
   (4) Execute all agreements or certifications necessary to comply with applicable state or federal law;
   (5) Represent all the jurisdictional areas within the metropolitan area in the formulation of transportation plans and programs required by this section; and
   (6) Perform all other duties required by state or federal law.

d. The department of transportation shall allocate to each metropolitan planning organization, for the purpose of accomplishing its transportation planning and programming duties, an appropriate amount of federal transportation planning funds.
e. Each metropolitan planning organization must have an executive director who reports directly to the metropolitan planning organization governing board for all matters regarding the administration and operation of the metropolitan planning organization and any additional personnel as determined necessary. The executive director and any additional personnel may be employed either by a metropolitan planning organization or by another governmental entity, such as a county, city, or regional planning council, that has a staff services agreement signed and in effect with the metropolitan planning organization. Each metropolitan planning organization may contract with local or state agencies, private planning firms, private engineering firms, or public or private entities to accomplish the metropolitan planning organization's transportation planning and programming duties and administrative functions.

f. To enhance the metropolitan planning organization's knowledge, effectiveness, and participation in the urbanized area transportation planning process, each metropolitan planning organization shall provide training opportunities and training funds specifically for local elected officials and others who serve on a metropolitan planning organization. The training opportunities may be conducted by an individual metropolitan planning organization or through statewide and federal training programs and initiatives that are specifically designed to meet the needs of the metropolitan planning organization board members.

5. Upon notification by an agency of the federal government that this section conflicts with federal laws or regulations, the department of transportation or a metropolitan planning organization may take any necessary action to comply with the federal laws and regulations or to continue to remain eligible to receive federal funds.