



## *Florida Department of Transportation*

**RICK SCOTT**  
GOVERNOR

605 Suwannee Street  
Tallahassee, FL 32399-0450

**JIM BOXOLD**  
SECRETARY

November 19, 2015

Honorable Therese McMillian  
Acting Administrator, Federal Transit Administration  
U.S. Department of Transportation  
1200 New Jersey Avenue S.E.  
Washington, DC 20590

Re. Docket No. FTA– 2014–0020

Dear Administrator McMillian:

The Florida Department of Transportation (FDOT) is pleased to comment on the September 30, 2015 Notice of Proposed Rulemaking (NPRM) issued by the Federal Transit Administration (FTA) titled “Transit Asset Management; National Transit Database.” Our comments are based on a review of the NPRM and active participation in the development of the American Association of State Highway and Transportation Officials (AASHTO) comments. We fully support the AASHTO comments.

With these comments we are drawing attention to areas of greatest concern for FDOT.

- FDOT recommends that 5310 subrecipients (that are not also Section 5311 or Section 5307 subrecipients) not be included in the federal TAM plan requirements as proposed. Small private non-profit subrecipients do not have the capability to participate even in a scaled down version of the requirements.
- If the Section 5310 program is included, FDOT recommends that subrecipients having less than 10 vehicles be exempt.
- FDOT recommends that the final rule state that the purpose of the TAM plan is for long-lived assets with a value of at least \$20,000 and a ULB of five years or greater. The rule should only focus on those assets which require long term financial planning windows. Lease assets should not be included in the scope of the rule unless the lease is for a minimum of five years. The rule should expressly exclude office space or other administrative support facilities or equipment.
- FDOT recommends ranking projects in terms of high, medium, and low priority. Section 625.33, “Investment prioritization,” reaffirms that a TAM plan must include an investment prioritization and states that projects to maintain or improve a SGR are “to be ranked in order of priority and the year in which they are anticipated to be carried out”. This process raises questions regarding state programming flexibility and the relationship of the TAM plan to the other steps of the planning and project selection process. FDOT needs the ability to rank projects in broad classes instead of at the project level.

Otherwise, FDOT will be forced to deem one rural area's needs more important than another's.

- FDOT believes that asset management requirements should not apply to states, recipients, or subrecipients that do not build, manage, or operate transit assets. Assets owned by a third party should not be included in the TAM plan, even if a recipient, state, or subrecipient pays for the service.
- FDOT is strongly opposed to a mandate on the state to do a group plan for all its Tier II providers.
- FDOT is concerned about the definition of SGR. An older asset may not be "able to operate at a full level of performance", but still be in a State of Good Repair.
- The final rule should state that implementation of the individual TAM plan is the responsibility of each provider, not the state DOT.
- Can the state reject a provider's priorities if they don't meet the state's investment priorities?
- As proposed, FDOT cannot meet the requirements of the rule with existing staff resources. To meet all the requirements as proposed, would take substantial additional staff time.

We commend the Federal Transit Administration for its stakeholder engagement and outreach in implementing the asset management requirements of MAP-21. We appreciate the opportunity to provide these comments and look forward to working with FTA in the implementation of final rules that are in accord with FDOT and AASHTO recommendations.

Sincerely,



Jim Boxold  
Secretary