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Subject: FHWA Docket Number FHWA-2013-0053
National Performance Management Measures; Assessing Pavement Condition for the National Highway Performance Program and Bridge Condition for the National Highway Performance Program

The Montana Department of Transportation (MDT) respectfully submits the following comments in response to the Federal Highway Administration's (FHWA) proposed National Performance Management Measures; Assessing Pavement Condition for the National Highway Performance Program and Bridge Condition for the National Highway Performance Program rules to address provisions in the Moving Ahead for Progress in the 21st Century Act (MAP-21).

As a member of the American Association of State Highway and Transportation Officials (AASHTO), we have invested extensive staff time into the development of the AASHTO comments filed on the docket and provide our broad support for these comments. MDT also fully endorses the comments filed jointly by the state transportation departments of Idaho, Montana, North Dakota, South Dakota, and Wyoming.

With that said, we want to ensure preservation of a state administered, federally assisted program, preservation of state flexibility in delivering its programs, and limiting burden on states as FHWA works thru the MAP-21 rulemaking process. The following comments are provided with these principles in mind.

General

Declining Conditions: The preamble of the proposed rule describes that states will be allowed to set condition targets below the current condition in cases where managed decline of the infrastructure will occur. The rule beyond the pre-ample should clearly provide states authority to set targets that reflect declining conditions.

Avoid Worst First: Setting minimum condition thresholds may potentially force states into "worst first" management practice, which is not an effective asset management model. Every effort must be taken to ensure these rule makings do not result in worst first.

Lessen Reporting Burden: With multiple rule makings underway, and more planned in the future, FHWA should coordinate the reporting deadlines for all of the rules that fall under this title to reduce the burden on states and allow reasonable process development timeframes.

Pavement

Viable Pavement Measures: As described in both the AASTO and 5-state comments, IRI is the only national measure of pavement condition that is viable at this time. Including cracking and rutting in the proposed rule is a cause of significant concern ranging from data availability, consistency, and definition. There is little benefit and certainly negative ramifications to state

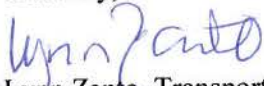
programs by attempting to enact performance measures where consistency doesn't exist. Under the current rule pavement performance measures should be limited to IRI, and additional measures could be added in the future when the multitude of issues with those proposed measures are resolved.

IRI Calculation: The 2010 HPMS Reassessment determined bridges would remain a part of the IRI calculation, while the NPRM proposes to exclude bridges from the IRI calculation. If HPMS is to be the source for reporting data, HPMS and the pavement performance rules need to be consistent - and bridges should be included in the IRI calculation for performance reporting.

Pavement Data Segment Length: The proposed requirement for states to report pavement data in no more than 0.10 mile segments places new and unnecessary burden on states. States do not manage pavement in 0.10 mile segments and reporting at this level will provide little or no benefit while requiring considerable additional staff time and data processing efforts.

MDT appreciates the opportunity to comment on this rulemaking process. We encourage FHWA to be considerate of limiting state burden and costs, preserving state flexibility and authority for administering its programs as provided in Title 23 USC, and allowing states to focus efforts on those most critical to safety management as it continues this rulemaking process.

Sincerely,



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