



## MEMORANDUM

**To:** Transportation Committee

**From:** CMAP Staff

**Date:** May 23, 2025

**Subject:** MPO Self-Certification for the Metropolitan Transportation Planning Process

**Action Requested:** Recommend Approval of Self Certification to MPO

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### Purpose

This memo outlines the self-certification requirements for the metropolitan transportation planning process, in compliance with federal law. The MPO Policy Committee will be asked to approve the updated self-certification in June. The Transportation Committee is requested to recommend approval of the attached certification statement.

### Background

In accordance with 23 CFR § 450.336, each MPO and the State of Illinois must self-certify every four years that their respective planning processes comply with all applicable federal regulations. The MPO Policy Committee is charged with implementing the metropolitan planning process in the CMAP region in accordance with the following applicable federal requirements:

#### 1. Metropolitan Transportation Planning Requirements

- **23 U.S.C. 134** – Highways, Sec. 134. Metropolitan Planning  
Describes the legal framework for MPOs and the conduct of the metropolitan transportation planning processes, development of transportation plans, programs, and activities to encourage and promote safe and efficient management, operation and development of transportation systems.
- **49 U.S.C. 5303** – Public Transportation, Sec. 5303. Metropolitan Transportation Planning  
Provides the legal framework to encourage and promote the safe and efficient management, operation, and development of surface transportation systems that will serve the mobility needs of people, as well as freight and foster economic growth and development within and between States and urbanized areas. It also encourages the continued improvement of the metropolitan and statewide transportation planning processes.
- **23 CFR 450.336 (a)**, Self-certifications and Federal certifications  
Requires MPOs and the State to certify compliance with all planning requirements every four years

#### 2. Clean Air Act and Transportation Conformity

- **Clean Air Act, 42 U.S.C. Sec. 7401 et seq.**

The law that defines the Environmental Protection Agency's responsibilities for protecting and improving the nation's air quality and the stratospheric ozone layer, per the Clean Air Act Amendments of 1990.

- **40 CFR part 93** – Determining Conformity of Federal Action State or Federal Implementation Plans

Sets forth policy, criteria, and procedures for demonstrating and assuring conformity of such activities to an applicable implementation plan developed pursuant to the CAA. This section also provides procedures for air quality nonattainment and maintenance to implement requirements with respect to the conformity of transportation plans, programs, and projects which are developed, funded, or approved by the United States Department of Transportation (USDOT), and by MPOs or other recipients of highway or transit funds.

3. **Civil Rights Act of 1964**

Title VI of the Civil Rights Act of 1964

states that "No person in the United States shall, on the ground of race, color, or national origin be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance." This legislation authoritatively outlawed discrimination in the conduct of all federal activities. Subsequent laws and Presidential Orders added handicap, sex, age, and income status to the criteria for which discrimination is prohibited.

4. **Federal Transit Law, 49 U.S.C. 5332**

States that a person may not be excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance under this chapter because of race, color, religion, national origin, sex, disability, or age.

5. **Fixing America's Surface Transportation Act, Section 1101(b) of the FAST Act (Pub. L. 114-357) and 49 CFR part 26**

Provides the legal and regulatory framework regarding the involvement of disadvantaged business enterprises in USDOT funded projects.

6. **Equal Employment Opportunity on Federal and Federal-Aid Construction Contracts, 23 CFR part 230**

Provides regulatory standards for the implementation of an equal employment opportunity program on federal and federal-aid highway construction contracts.

7. **The American with Disabilities Act (ADA) of 1990, 42 U.S.C. 12101 et seq.**

Prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities. It prohibits the discrimination on the basis of disability by public accommodations and in commercial facilities.

- **49 CFR part 27** specifies nondiscrimination on the basis of disability in programs or activities receiving federal assistance
- **49 CFR part 37** implements portions of ADA related to transportation services for individuals with disabilities; and
- **49 CFR part 38** provides guidelines for accessibility standards required by ADA for transportation vehicles.

8. **The Older Americans Act, as amended, 42 U.S.C. 6101**

Prohibits discrimination on the basis of age in programs or activities receiving federal assistance.

**9. Federal-Aid Highways, Section 324 of title 23 U.S.C.**

Prohibits discrimination based on gender.

**10. Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794 and 49 CFR part 27**

Prohibits discrimination against individuals with disabilities

As noted in the attached self-certification document, CMAP asserts (by and through the MPO Policy Committee) that the conduct of the metropolitan planning and programming process (including the development and implementation of the Regional Transportation Plan, the Transportation Improvement Program, and the Unified Work Program) complies with all applicable federal requirements – namely those listed above.

**Current Documentation**

In support of its assertion of self-compliance, CMAP provides links to current planning process documentation to this committee for its consideration and review.

<b>Unified Work Program</b>	<a href="#">FY25 Northeastern Illinois Unified Work Program for Transportation Budget</a> , approved by the MPO Policy Committee March 2025
<b>Transportation Improvement Program</b>	<a href="#">FFY 2023-28 Transportation Improvement Program</a> , adopted by the MPO Policy Committee October 2022
<b>Public Participation Plan</b>	<a href="#">Public Participation Plan</a> , approved by the MPO Policy Committee January 2024
<b>Air quality conformity analysis</b>	<a href="#">Air quality conformity analysis</a> , adopted in October 2022
<b>Congestion management process</b>	Current <a href="#">Congestion Management Process</a> documentation
<b>MPO cooperative agreements</b>	<a href="#">Board-MPO memorandum of understanding</a> , <a href="#">NIRPC</a> and <a href="#">SEWRPC</a> cooperative agreements
<b>Metropolitan planning area boundary</b>	<a href="#">Resolution to reaffirm boundary</a> , approved by the MPO Policy Committee June 2024
<b>Annual listing of obligated projects</b>	<a href="#">Annual obligation and performance reports</a>
<b>TMA Certification Review</b>	<a href="#">Chicago, Illinois, TMA Certification Review</a> , 2022

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