



Atlanta Regional Commission



NOVEMBER 2025

PUBLIC PARTICIPATION PLAN APPENDIX C:
CODE OF FEDERAL REGULATIONS
GOVERNING PUBLIC INVOLVEMENT IN
TRANSPORTATION PLANNING



Appendix C

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Code of Federal Regulations

Federal regulations governing public involvement for MPOs are included in 23 CFR 450.316, which was last amended in 2011. These regulations state that a MPO is required to engage in a metropolitan planning process that creates opportunities for public involvement, participation, and consultation throughout the development of the Metropolitan Transportation Plan (MTP) and the Transportation Improvement Program (TIP).

§ 23 CFR 450.316 Interested parties, participation, and consultation.

- (a) The MPO shall develop and use a documented participation plan that defines a process for providing individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.
- (1) The MPO shall develop the participation plan in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:
- (i) Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;
 - (ii) Providing timely notice and reasonable access to information about transportation issues and processes;
 - (iii) Employing visualization techniques to describe metropolitan transportation plans and TIPs;
 - (iv) Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web;
 - (v) Holding any public meetings at convenient and accessible locations and times;
 - (vi) Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;
 - (vii) Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
 - (viii) Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues that interested parties could not reasonably have foreseen from the public involvement efforts;
 - (ix) Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part; and
 - (x) Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.
- (2) When significant written and oral comments are received on the draft metropolitan transportation plan and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the EPA transportation conformity regulations ([40 CFR part 93, subpart A](#)), a summary, analysis, and report on the disposition of comments shall be made as part of the final metropolitan transportation plan and TIP.
- (3) A minimum public comment period of 45 calendar days shall be provided before the initial or revised participation plan is adopted by the MPO. Copies of the approved participation plan shall be provided to the FHWA and the FTA for informational purposes and shall be posted on the World Wide Web, to the maximum extent practicable.

- (b) In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, the MPO shall develop the metropolitan transportation plans and TIPs with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:
- (1) Recipients of assistance under title 49 U.S.C. Chapter 53;
 - (2) Governmental agencies and non-profit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and
 - (3) Recipients of assistance under 23 U.S.C. 201-204.
- (c) When the MPA includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.
- (d) When the MPA includes Federal public lands, the MPO shall appropriately involve the Federal land management agencies in the development of the metropolitan transportation plan and the TIP.
- (e) MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under § 450.314.



Federal Regulations Checklist

The Federal Regulations Checklist connects federally required elements as listed in 23 CFR 450.316 with specific pages in the Public Participation Plan (PPP). It can be used as a checklist or index to find where the PPP addresses each element, increasing clarity and transparency for how the PPP complies with these federal regulations.

Regulatory Reference	23 CFR 450.316	Page #
(a)	The MPO shall develop and use a documented participation plan that defines a process for providing the following with reasonable opportunities to be involved in the metropolitan transportation planning process.	16-39
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	Other interested parties	27, 30, 51
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(ii)	Timely notice and access to information about transportation issues and processes	16-20, 42-43
(iii)	Visualization techniques to describe MTPs and TIPs	37
(iv)	Making technical info and meeting notices available online	16-18, 42-43
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(vi)	Demonstrating explicit consideration and response to public input received for MTP and TIP	24, 49-50, 52-53
(vii)	Seeking out needs of traditionally underserved by existing transportation systems	28, 37-39, 49-50
(viii)	Providing additional opportunity for public comment if the final MTP or TIP differs significantly from the version that was made available for public comment	50, 52
(ix)	Coordinating with SWTP and STIP public involvement and consultation processes	48, 51

Regulatory Reference	23 CFR 450.316	Page #
(x)	Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan	2, 9, 51, 57-58
(2)	Provide summary, analysis and report on the disposition of comments as part of final MTP and TIP	50-51
(3)	Provide a minimum 45-day comment period for review of participation plan, share with FHWA and FTA for informational purposes, and post on-line	55
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(2)	Government agencies and non-profit orgs that receive federal assistance to provide non-emergency transportation services	27, 32
(3)	Recipients of assistance under 23 U.S.C. 201-204.	26, 43-44
(c)	Involve Indian tribal governments in MTP and TIP	22, 27, 31, 44
(d)	Involve federal public land agencies in MTP and TIP	26, 44-45
(e)	To extent practicable, develop documented processes that outline roles and responsibilities for consulting with other governments and agencies as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreements developed under CFR 450.314.	26, 44-45