



# PUBLIC PARTICIPATION PLAN

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Prepared by:  
Northeast Arkansas Regional Transportation Planning  
Commission

In cooperation with  
Cities of Bay, Bono, Brookland, & Jonesboro  
Craighead County

Jonesboro Economical Transportation System (JET)  
Arkansas Department of Transportation (ARDOT)  
Federal Highway Administration (FHWA)  
Federal Transit Administration (FTA)



**RESOLUTION 17-07  
ADOPTING A REVISED PUBLIC PARTICIPATION PLAN**

**WHEREAS**, the Transportation Policy Committee of the Jonesboro Area Transportation Study (JATS) is the officially designated Metropolitan Planning Organization (MPO) for the Jonesboro metropolitan area; and

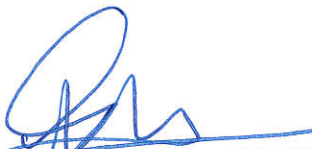
**WHEREAS**, the Transportation Policy Committee recognizes the importance of public participation in the transportation planning process; and

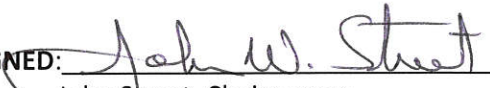
**WHEREAS**, changes to the current Public Participation Plan are necessary in order to include the most recent Federal Legislation (FAST Act of December 2016), Title VI and Civil Rights details, and the revised MPO Notice of Nondiscrimination.

**NOW, THEREFORE, BE IT RESOLVED**, that the Transportation Policy Committee does hereby adopt the revisions to the Public Participation Plan hereto attached.

Duly recorded this 16<sup>th</sup> day of May, 2017.

**ATTEST:**

  
\_\_\_\_\_  
Erica Tait  
MPO Director

**SIGNED:**   
\_\_\_\_\_  
John Street, Chairperson  
Council Member, City of Jonesboro



**NORTHEAST ARKANSAS  
REGIONAL TRANSPORTATION  
PLANNING COMMISSION**

**RESOLUTION 20-02**

**A RESOLUTION IN ADOPTING THE REVISED MPO PUBLIC PARTICIPATION PLAN**

**WHEREAS**, the Transportation Policy Committee of the Jonesboro Area Transportation Study (JATS) is the officially designated Metropolitan Planning Organization (MPO) for the Jonesboro metropolitan area; and

**WHEREAS**, the Policy Committee is the decision-making body of the MPO, this Committee approves and adopts all the transportation planning activities of the Metropolitan Planning Organization; and

**WHEREAS**, the MPO Public Participation Plan (PPP) was reviewed and revised throughout by staff to reflect recent changes/updates to the following items:

- Personnel for MPO Director
- Depictions and electronic links to currently outlined MPO plans and documents
- Text formatting and document aesthetics
- Document cover page

**WHEREAS**, the Technical Advisory Committee and Transportation Policy Committee have reviewed the proposed updates to MPO Public Participation Plan and the public comment period of forty-five (45) days has been executed with no comments received; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Transportation Policy Committee of the Northeast Arkansas Regional Transportation Planning Commission (N.A.R.T.P.C.) has chosen to accept and adopt the updates to the MPO Public Participation Plan.

Duly recorded this 18 day of February, 2020.

**SIGNED:** John Street  
John Street (Chairperson)  
Council Member, City of Jonesboro

**ATTEST:** Cecelie Cochran  
Cecelie Cochran, MPA (Secretary)  
MPO Director



**NORTHEAST ARKANSAS**  
REGIONAL TRANSPORTATION  
PLANNING COMMISSION

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## **NOTICE OF NONDISCRIMINATION**

The Northeast Arkansas Regional Transportation Planning Commission (N.A.R.T.P.C.) (hereafter referred to as “MPO”) complies with the Americans with Disabilities Act of 1990, Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964 and other federal equal opportunity laws and therefore does not discriminate on the basis of race, sex, color, age, national origin, religion or disability, in admission or access to and treatment in MPO programs and activities, as well as the MPO’s hiring or employment practices. Complaints of alleged discrimination and inquiries regarding the MPO’s nondiscrimination policies related to hiring or employment may be directed to Mr. Dewayne Douglas, Director of Human Resources, City of Jonesboro, P.O. Box 1845, Jonesboro, Arkansas, 72403-1845, Phone No. (870) 933-4640. Mr. Douglas can also be contacted at the following email address: [DDouglas@jonesboro.org](mailto:DDouglas@jonesboro.org).

Complaints of alleged discrimination related MPO programs and activities may be directed to Ms. Cecelie Cochran, ADA/504/Title VI Coordinator, N.A.R.T.P.C., P. O. Box 1845, Jonesboro, Arkansas, 72403-1845, (870)933-4623 (Voice/TTY 711). Ms. Cochran can also be contacted at the following email address: [ccochran@jonesboro.org](mailto:ccochran@jonesboro.org). Free language assistance for Limited English Proficiency individuals is available upon request.

This notice is available from the ADA/504/Title VI Coordinator in large print, on audio tape, and in Braille.

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# INTRODUCTION

In 2003, the Governor of the State of Arkansas, acting by and through the Arkansas Department of Transportation (ARDOT), designated the Jonesboro Area Transportation Study (JATS) Policy Committee to be the Metropolitan Planning Organization (MPO) for the metropolitan area.

The Northeast Arkansas Regional Transportation Planning Commission (N.A.R.T.P.C.) is the designated MPO for the Jonesboro Metropolitan Planning Area. Formerly the “Jonesboro Metropolitan Planning Organization,” the organization was renamed the Northeast Arkansas Regional Transportation Planning Commission (N.A.R.T.P.C.) in November 2017. N.A.R.T.P.C. is a transportation-planning body composed of locally elected officials and representatives from state and local transportation agencies. The MPO planning area (approximately 245 square miles) includes the cities of Bay, Bono, Brookland, Jonesboro, and some unincorporated portions of Craighead County. The primary objective of the MPO is to prepare consensus-driven, fiscally constrained plans for the development of a safe, efficient and affordable regional transportation system.

The Northeast Arkansas Regional Transportation Planning Commission is a cooperative effort by participating governmental units, Arkansas Department of Transportation (ARDOT), regional transportation and transit providers, and other interested parties to develop the transportation policies and plans for the growing Jonesboro metropolitan area.

Meaningful public participation is vital to ensure that the concerns of a diverse community of stakeholders are represented throughout the transportation planning process.

This plan has been developed and adopted in order to make certain that public participation is an integral and effective part of MPO activities and that decisions are made with the benefit and consideration of a wide range of public perspectives.

City of Bay  
<http://cityofbay.org/>



City of Bono  
<http://bonoar.com/>



City of Brookland  
<http://www.brooklandarkansas.org/>



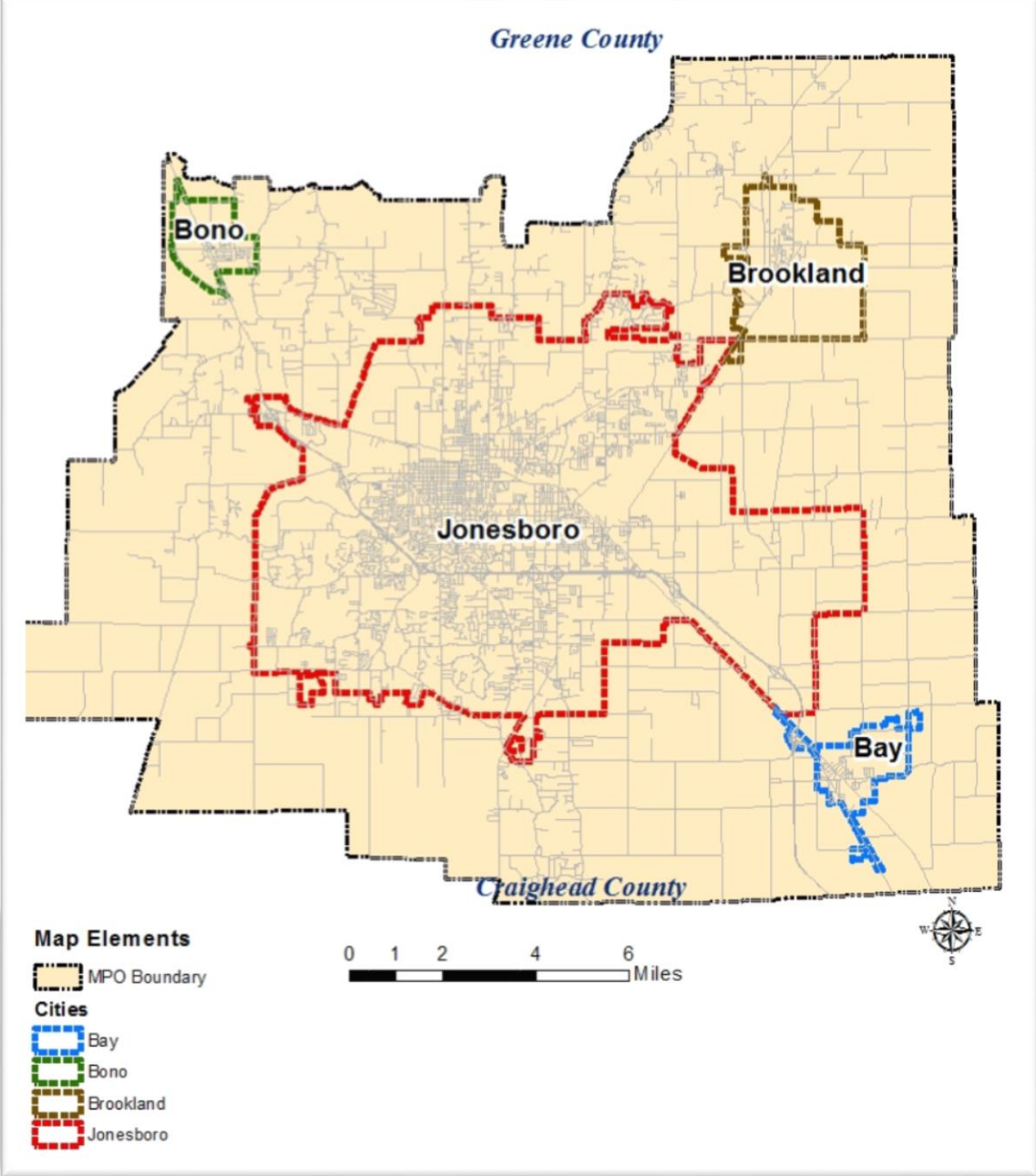
City of Jonesboro  
<http://www.jonesboro.org/>



Craighead County  
<http://www.craigheadcounty.org/>



# MPO AREA MAP



# FEDERAL LEGISLATION REQUIRING PUBLIC PARTICIPATION

## TRANSPORTATION LEGISLATION-FAST ACT

### “FAST Act”

- Signed into law on December 2015
- The first law enacted in over ten years that provides long-term funding for surface transportation
- Largely maintains current program structures and funding shares between highways and transit
- Includes a number of items that strengthen workforce training and improve regional planning

Source-<https://www.transportation.gov/fastact>

Fixing America’s Surface Transportation (FAST) Act  
The FAST Act was signed into law on December 4, 2015. The FAST Act maintains much of the programmatic and planning stipulations as previous acts (SAFTEA-LU and MAP-21), including the requirement for public participation in the planning process:

Each metropolitan planning organization shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, 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 a reasonable opportunity to comment on the transportation plan.

*U.S. Transportation Law 2015 (Annotated): USC Title 49 (23 CFR Part 450.316)*

When the word “public” is used throughout this document, the parties mentioned in the above paragraph are the intended audience.

Additionally, the public participation plan:

- Shall be developed in consultation with all interested parties; and
- Shall provide that all interested parties have reasonable opportunities to comment on the contents on the transportation plan.

To the maximum extent practicable, the MPO should:

- Hold any public meetings at convenient and accessible locations and times;
- Employ visualization techniques to describe plans; and
- Make public information available in electronically accessible format and means, such as the World Wide Web.



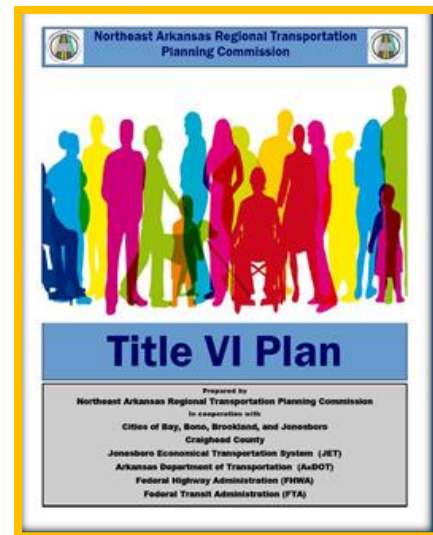
## TITLE VI

In addition to other federal requirements detailed in Attachment B, the MPO must consider Section 601 of Title VI of the Civil Rights Act of 1964, which states the following:

**“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.”**

The Civil Rights Restoration Act of 1987 clarified the broad, institution-wide application of Title VI, to include all the operations of covered entities without regard to whether specific portions of the program or activity are federally funded. The term “program or activity” means all of the operations of a department, agency, special purpose district, or government; or the entity of such State or local government that distributes such assistance and each such department or agency to which the assistance is extended, in the case of assistance to a State or local government.

Both the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA), from which the MPO receives funding, have separate guidelines that address public participation requirements under Title VI. A Public Participation Plan must be adopted that includes an outreach plan to engage minority, and limited English proficient populations. This plan may be part of efforts that extend more broadly to include other constituencies that are traditionally underserved, such as people with disabilities, low-income populations, and others. The MPO must ensure that members of minority communities are provided with full opportunities to engage in the transportation planning process. This includes actions to eliminate language, mobility, temporal, and other obstacles to allow these populations to participate fully in the process.



A key element for addressing Title VI at the planning phase is having an effective public involvement process. That process must be proactive and provide complete information, timely public notice, full public access to key decisions and an opportunity for early and continuing involvement. A public involvement process will also include a process for seeking out and considering the needs of those who are traditionally ignored or underserved by existing transportation systems.

Title VI guidance states that it is not enough to solicit input from minority groups/persons—

serious consideration should be given to their comments. The focus should not be on why the public comments cannot be implemented. Additionally, the Social, Economic, and Environmental effects and impacts of the transportation plan should be identified and described. In addition to Title VI guidance, Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency”, requires agencies that receive federal funding to improve or implement services to Limited English Proficient (LEP) individuals. FHWA recommends a systematic interdisciplinary approach and use of advisory committees of special populations to accomplish this.

# PLAN PURPOSE AND IMPLEMENTATION

The N.A.R.T.P.C. is committed to a comprehensive and inclusive approach by involving the public in developing transportation plans and programs that fit harmoniously within the community without sacrificing safety or mobility. The purpose of this Public Participation Plan is to document the methods by which a broad outreach will be made to include a wide variety of stakeholders in the transportation planning process.

## GOALS

The following goals have been established:

1. Offer opportunities for groups and individuals to participate in the development of the Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), and amendments to these two documents, as well as any other resulting plans or projects.
2. Provide open and continuous communication to inform the public about the transportation planning activities of the MPO.
3. Identify venues for public participation and provide adequate time for the public to participate.
4. Provide opportunities for the public to participate in the meetings of the Technical Advisory Committee and the Transportation Policy Committee.
5. Offer timely response to comments and concerns, with the aim of educating the public about transportation programs and issues.
6. Extend the MPO's outreach efforts by consulting with and encouraging comments from groups and individuals belonging to minority populations, low-income populations, and other groups with special needs.
7. Review the Public Participation Plan annually, and update the Plan as needed.
8. Produce reports and documents understandable to the public.

## OUTREACH TECHNIQUES

The Public Participation Plan of the MPO ensures that the public has the opportunity to participate by using a number of approaches for reaching out to organizations and individuals through media outlets, newspapers, the Internet, social media and flyers to raise awareness of issues, plans, and projects, to schedule meetings, and to provide opportunities and outlets for review and comments.

### **General**

The following methods will be used routinely to garner public participation:

#### ***1. Committee Meetings***

The Transportation Policy Committee and Technical Advisory Committee meet periodically to take action on various agenda items. The meetings of these committees are open to the public, and members of the public are encouraged to speak on any matter related to transportation planning according to the procedures contained in Attachment A of the *Bylaws and Operating Procedures* (also attached to this document).

“We must reinvent how we think about transportation. We need to aspire for more. We need a transportation system that connects people to opportunity while bringing opportunity to people.”

~Former U.S. Secretary of Transportation Anthony Foxx

Persons with disabilities or language interpretation needing auxiliary aids or services are requested to contact the MPO office 48 hours in advance of a meeting to make appropriate arrangements for their attendance at a meeting.

All meeting agendas are posted on the MPO website (<https://www.jonesboro.org/489/Archive>) no less than 72 hours before a scheduled meeting. The posting of agendas complies with the requirements of the Arkansas Freedom of Information Act of 1967 (Act 93 of 1967; as amended) and will contain the date, time, place, and purpose of the meeting.

#### ***2. Transportation Planning Forums***

When the Metropolitan Transportation Plan or Transportation Improvement Program is being updated, the MPO staff and other professionals may conduct transportation planning forums to obtain information from stakeholders at the time of updating or

revising the Plan. The forums will be held in locations that are dispersed throughout the MPO area and are accessible to a broad cross section of the community. The locations of these forums will be chosen for maximum accessibility for people with disabilities using principles contained in “Tips for Including People with Disabilities in Health Promotion Campaigns” developed by the University of Arkansas Medical Systems Partners for Inclusive Communities.

The forums will provide an opportunity for the public to provide input on the MTP or TIP process. To encourage optimum participation, meetings are held at times convenient to as many members of the public as possible and publicized through internal contact lists. The MPO may use media, direct mailing and the Internet when appropriate. Notices of such meetings may also be published in whatever media outlets are available at the time of the forum to reach special populations. For example, *La Ventana*, the weekly newsletter of Hispanic Community Services, Inc., may be used to reach the Hispanic population.

### ***3. Legal Notices***

Legal notices will be published in the local daily newspaper, *The Jonesboro Sun*, regarding amendments of the Transportation Improvement Program, the Metropolitan Transportation Plan, Public Participation Plan, and other key documents. Copies of documents for review will also be placed at the city halls or courthouses of member governments. Copies of documents for review may also be posted in public libraries or other public entities.

### ***4. Transportation Focus Groups***

Meetings with transportation focus groups may be scheduled to discuss transportation needs of special communities such as people with disabilities and other targeted groups.

### ***5. Pamphlets, Brochures and Flyers***

Pamphlets, brochures and flyers may be published by the MPO to provide information on the composition of the MPO, the transportation planning process, and the major documents and data produced by the MPO. Such material developed previously by the MPO include: N.A.R.T.P.C. Brochure (English), “MPO Handbook” (English), “ABCs of MPO” (English), “ABCs del MPO” (Spanish), “Transportation for tomorrow” (English), “Transportación para mañana”(Spanish), “Profile” (English), and “Perfil” (Spanish). In addition, the MPO has prepared PowerPoint presentations that include: “MPO 100”, “Get to Know Your MPO” and “Transportation Plan: Why and How?” This type of

material is mailed or emailed to individuals and groups upon request and distributed during MPO meetings and forums.

## ***6. MPO Website***

A website will be maintained for the MPO at all times, containing a variety of material about MPO products and activities. The website links to important MPO documents, such as legal notices and the current Metropolitan Transportation Plan, Transportation Improvement Program, Annual List of Obligated Projects, and Unified Planning Work Program, among others. The site also serves as the portal for participating in various survey efforts related to MPO activities.

<https://www.jonesboro.org/191/Metropolitan-Planning-Organization>

## ***7. Social Media***

The MPO will use whatever social media tools are available, such as Facebook and Twitter to communicate with stakeholders about transportation issues. The specific media to be used will vary according to the groups to be reached and the method currently being used by that segment of the population.

## ***8. MPO Speakers***

The MPO will provide speakers to civic organizations, clubs, schools, neighborhood associations, and other organizations that are interested in the transportation planning function of the MPO. The speakers provide information on the purpose, process, and products of the MPO and seek continued participation and comments from the public.

## ***9. Advisory Groups***

As needed, the MPO staff will meet with boards and commissions and advise participating local governments on matters relating to land use, zoning, transit, bicycle routes, and goods movement. In addition, the MPO staff may meet with associations representing different interest groups, such as the Downtown Jonesboro Association, the Jonesboro Regional Chamber of Commerce, the Northeast Arkansas Bicycle Coalition, the Jonesboro Transportation Committee and the Jonesboro Board of Realtors.

## ***10. News Releases***

As needed, the MPO will distribute news releases to *The Jonesboro Sun*. The MPO will distribute news releases to local radio stations, television stations when appropriate.

### ***11. Government Access Channel***

The MPO may post its activities on public or government access channels such as the City of Jonesboro Channel 24. MPO public meetings may be filmed and shown either taped or live on such channels.

### ***12. Meetings and Special Events in Individual Member Communities***

Many member governments have special means of outreach to the public, and the MPO will work cooperatively to use these ongoing opportunities as well. For example, the City of Jonesboro has ward meetings and National Night Out activities each year that can be utilized for this purpose. MPO staff will work to identify such opportunities and employ them as needed. Other special events such as Martin Luther King, Jr. Birthday celebrations, neighborhood clean-ups, the Northeast Arkansas Fair, sporting events, and festivals may be used as well.

### ***13. Paid or Un-paid Advertising***

Radio and television stations typically provide a certain number of public service announcements that can be utilized to reach certain audiences. Additionally, funding may be included in the Unified Planning Work Program to pay for advertising.

### ***14. Surveys***

Surveys may be used to obtain information from the public. Depending on the topic and finances available to produce the survey, they may be a convenience sample or true random sample. They may also be online, by telephone, or in person.

## **Targeted Activities for Traditionally Under-Served Communities**

Making and maintaining contacts with traditionally under-served communities is very important. A variety of methods must be used, depending on the population.

Recently, the representation of the Technical Advisory Committee has been broadened to include representatives of traditionally under-served groups. Additionally, any ad hoc committees to be developed to assist in the transportation planning process will be filled

with representatives from a number of special interest groups, including traditionally under-represented groups.

Research has shown that in many cases, the best way to reach these under-represented populations is to work with trusted individuals in each community, and use their influence to help gain participation; relationships will be developed with pastors, social workers, school teachers, etc., who will be placed on notification lists, and contacted when needed to assist with outreach efforts.



Image Source: CUInsight.com

The City of Jonesboro Community Development Department provides funding for a number of programs in low-income areas, particularly the North Jonesboro Neighborhood Initiative. The MPO will work with the department to identify opportunities for outreach and key individuals to help lead the effort.

With 48 hours' notice, reasonable accommodations for special needs may be provided at meetings. The public will be advised of this opportunity in legal notices advertising the event. Hearing impaired people may dial 711 to access information through the MPO.

If focus groups or surveys are used in a planning activity, a special effort will be made to seek out participation from traditionally underserved communities. A special effort will also be made to schedule public meetings, public hearings, and other public outreach activities within minority communities and always in an accessible location.

Arkansas State University has a fairly large population of international students. Because many of them live just north of the campus and walk or take JET buses to school and other locations, it will be important to engage them in transportation planning as well. The International Student Office at ASU, Student Union, student newspaper, student ministry groups, and other means may be used to assist with this effort.

## KEY DOCUMENTS AND PLANS

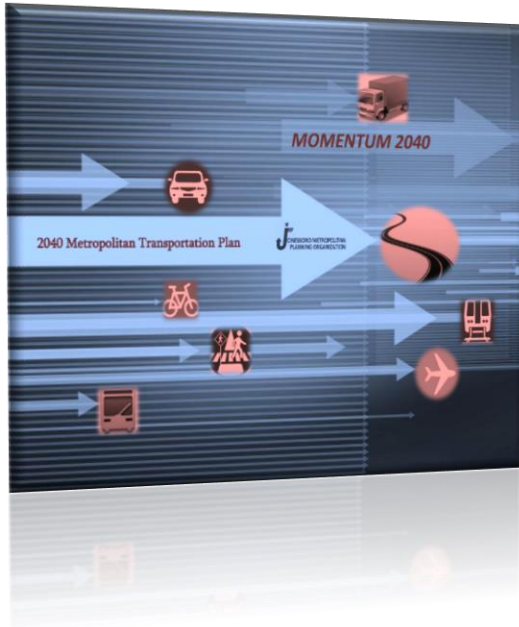
The policies and procedures contained in this plan apply to all plans and studies developed and/or undertaken by the MPO.



## *Metropolitan (Long-Range) Transportation Plan*

The general procedure for development of the Metropolitan Transportation Plan or amendments is as follows:

Current transportation legislation requires that the MPO develop a comprehensive long-term plan outlining the vision for and future projects related to the regional transportation system.



Once developed, the plan must be updated every five years. Throughout the process of plan development, public involvement is sought using a variety of methods, including those listed above.

Once a draft long-term plan has been developed (or updated), copies will be posted on the MPO website and placed at town halls, and the county court. Copies of documents for review may also be posted in public libraries or other public entities. The public will be given thirty days from the time when the legal notice is published in the newspaper of general circulation in the metropolitan area (*The Jonesboro Sun*) to review the draft plan and/or plan documents and submit comments.

After the public comment period, the draft documents along with a summary of comments will be presented to the Technical Advisory Committee for review and recommendation. The revised final drafts will be presented to the Transportation Policy Committee for approval and adoption.

An additional period of at least ten days for public review and comment on the Metropolitan Transportation Plan will be provided in the event that significant changes are made after the original comment period. Notice for the ten-day period will be provided through the publication of a notice in *The Jonesboro Sun*.

MPO staff may develop a customized communication and community engagement plan for individual metropolitan transportation plans in consultation with the Transportation Policy Committee, Technical Advisory Committee, and any ad hoc committees that may be formed for this purpose. Techniques to be used will include a variety of the general methods outlined above. Additionally, scenario planning and visualization tools may be included.

## ***Transportation Improvement Program***

The general procedure for development of the Transportation Improvement Program or amendments is as follows:

Transportation legislation also requires that the MPO develop a short-term planning document outlining the current projects that are scheduled to be funded within the plan period. The TIP is developed annually, and is updated throughout that time period as necessary. Throughout the process of plan development, public involvement is sought using a variety of methods, including those listed above.

The public will be informed through electronic and other media about the preparation of and amendments to the Transportation Improvement Program. Copies of draft documents will be posted on the MPO website and placed at town halls, and the county court. Copies of documents for review may also be posted in public libraries or other public entities. The public will be given fifteen days from the time when the legal notice is published in the newspaper of general circulation in the metropolitan area (*The Jonesboro Sun*) to review documents and call, mail, fax, or e-mail their comments.

After the public comment period, the draft documents along with a summary of comments will be presented to the Technical Advisory Committee for review and recommendation. The revised final drafts will be presented to the Transportation Policy Committee for approval.

An additional period of at least ten days for public review and comment on the Transportation Improvement Program will be provided in the event that significant changes are made after the original comment period. Notice for the ten-day period will be provided through the publication of a notice in *The Jonesboro Sun*.

## ***Annual Listing of Obligated Projects***

The Annual Listing of Obligated Projects (ALOP) is intended to be a companion to the Transportation Improvement Program. This document presents a list of projects in the Jonesboro Transportation Study Area for which federal funds were obligated during the previous fiscal year. The ALOP must be published by December 31 of each calendar year. The ALOP will be posted on the MPO's website.

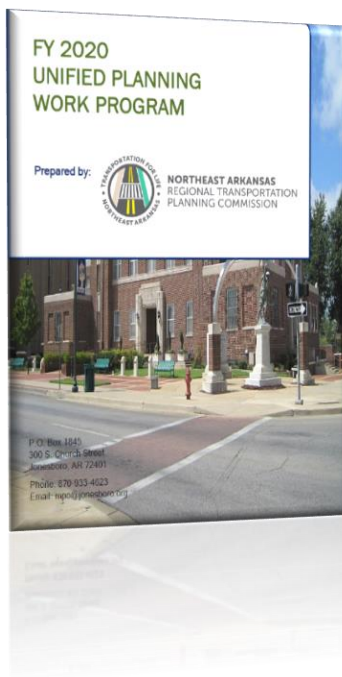


## ***Public Participation Plan Review and Updates***

The MPO will review the Public Participation Plan annually and revise the document periodically. The public will be given forty-five days from the time a legal notice is published in the newspaper of general circulation in the metropolitan area (*The Jonesboro Sun*) to review and comment on the draft Public Participation Plan. Any public comments will be communicated to the Transportation Policy Committee. If the Policy Committee deems that substantial changes are required as a result of the comments, the revised document will be made available for an additional 30 days of review before the Policy Committee meets to adopt it. Notice of the additional review period will be published in *The Jonesboro Sun*.

## ***Unified Planning Work Program***

The Unified Planning Work Program (UPWP) describes each task to be undertaken by the MPO during the upcoming state fiscal year (July 1 through June 30). The UPWP must be adopted no later than June 1 of each year and be published by July 1. The public will be given fifteen days from the time a legal notice is published in the newspaper of general circulation in the metropolitan area (*The Jonesboro Sun*) to review and comment on the proposed work program and associated budget. The UPWP will be approved by the Transportation Policy Committee.



A period of at least fifteen days will be provided for the public to review and comment upon any amendments that may be enacted to reflect the addition of tasks or changes in the task scope or budget. Notice for the fifteen-day period will be provided through the publication of a notice in *The Jonesboro Sun*.

## ***Other Plans or Projects***

The MPO may participate in the development of other plans or processes during the course of transportation planning, such as the Regional Intelligent Transportation System Plan, freight plan, safety plan, transit development plan, transit asset management plan, or transit safety plan. The general methods detailed previously will be used to encourage public

participation in the planning process. Final products will be approved by the Transportation Policy Committee.

The public will be informed through electronic and other media about the preparation of these plans or projects. Copies of draft documents will be posted on the MPO website and placed at specified town halls, the county courthouse and other public offices. Copies of documents for review may also be posted in public libraries or other public entities. The public will be given fifteen days from the time when the legal notice is published in the newspaper of general circulation in the metropolitan area (*The Jonesboro Sun*) to review documents and call, mail, fax or email their comments.

A table summarizing all the processes may be found in Appendix C.

# PUBLIC COMMENT

Appropriate consideration and address of public comments is a critical component of the public participation process. All comments during a public comment period received by the MPO will be processed and filed under the appropriate project, plan or policy. Full disclosure of all comments and responses will be made available to the public.

## Comments from the public fall into several categories:

- ✓ Signed, written requests for information regarding a specific project, plan or policy
- ✓ Conveyances of general support for or objection to a specific item or planning process
- ✓ Conveyances of general support for or objection to a specific item or planning process, but without a request for a change or action from the Transportation Policy Committee
- ✓ Signed, written requests for some change in a project, plan or policy.

All comments will be acknowledged, typically in the manner in which they are received (email or postal communication). Where a number of comments are received (for example, in the development of the metropolitan transportation plan or a contentious project), staff will tally and summarize the remarks on the MPO website.



Public comments are specifically solicited (for example, through legal notices) on a variety of projects and plans. When a number of such comments are received, the staff will summarize them and include them in appropriate project, plan, or policy meeting minutes.

## Some comments may require a more detailed response. In instances where a change, amendment or action is requested by the commenter, the following steps will be taken:

1. First, the person(s) requesting action is advised of the process and notified in advance of all pertinent committee and Board meetings. The person(s) requesting action is subsequently advised in writing of all recommendations and decisions arising from those meetings.
2. MPO staff will evaluate the comment(s) and may seek input from the Technical Advisory Committee. All relevant documentation will be forwarded to appropriate bodies, including the person or persons requesting the action.
3. A recommendation will be made to the MPO Transportation Policy Committee by the Technical Advisory Committee or MPO staff.
4. The MPO Transportation Policy Committee, as the policy-making body, will make the final determination.

# ADDITIONAL REQUIREMENTS

## FREEDOM OF INFORMATION ACT REQUIREMENTS

The MPO will adhere to the requirements of the State of Arkansas Freedom of Information Act (see Attachment D). The following procedures have been adopted to assist in implementation of the Arkansas Freedom of Information Act, a copy of which is attached to this document:

**Records:** Upon receiving a written request for a public record, the records will be provided in the appropriate format. Minimal copying (less than 25 pages) will be provided free of charge. Beyond that, a \$0.25 fee per page fee will be charged for photocopies. The fee for reproduction in other formats will be based on the actual cost.

**Meetings:** Notice of public meetings of the MPO will be given no less than 72 hours beforehand by posting it on the website and by e-mailing the agenda to the press and others who have requested to be on the notification list. Meetings may be conducted via teleconference and other electronic means if they otherwise meet all the conditions of the Freedom of Information Act.

**Minutes:** Minutes of all Transportation Policy Committee and Technical Advisory Committee meetings will be maintained, made available to the public upon request and posted to the website.

## EVALUATING EFFECTIVENESS

It is important to be able to evaluate the effectiveness of the methods used to garner public participation. Below are some ways in which we will be evaluating the effectiveness of the methods used in public participation:

- Number of people who attend workshops and meetings. Sign-up sheets will be used to ensure an unduplicated count.
- Number of comments received and/or surveys returned. It is important to note that some interest groups may organize and submit similar and/or numerous comments/surveys related to a particular issue or project. While this is certainly within the rights of interest groups, it should be taken into consideration when using this as a measure of public participation.
- Evaluation reports from meeting and workshop attendees.

*Other methods may be used to evaluate effectiveness.*



**Terms**

**Definition**

**Active Transportation**

"Active Transportation" is a means of getting around that is powered by human energy, primarily walking and biking. The term "active transportation" is used to express the key connection between healthy, active living and transportation choices. (Definition adapted from Rails to Trails-  
[www.railstotrails.org](http://www.railstotrails.org).)

**Active Transportation Committee**

MPO Committee designated to review the regional Active Transportation Plan implementation.

**Active Transportation Plan**

NARTPC adopted the region's first Active Transportation Plan in November 2017. The purpose of the regional active transportation plan is to create a regional vision and strategy for developing the bicycle and pedestrian network throughout the MPO area.

**American Association of State Highway and Transportation Officials**

AASHTO is a nonprofit, nonpartisan association representing highway and transportation departments in the 50 states, the District of Columbia, and Puerto Rico. It represents all five transportation modes: air, highways, public transportation, rail, and water. Its primary goal is to foster the development, operation, and maintenance of an integrated national transportation system.

**American Community Survey**

The American Community Survey (ACS) is an ongoing survey that provides vital information on a yearly basis about our nation and its people.

**Americans with Disabilities Act**

The Americans with Disabilities Act (ADA) prohibits discrimination against people with disabilities in employment, transportation, public accommodation, communications, and governmental activities.

**Annual List of Obligated Projects**

The Annual List of Obligated Projects (ALOP) is intended to be a companion to the Transportation Improvement Program. This document presents a list of projects in the Jonesboro Transportation Study Area for which federal funds were obligated during the previous fiscal year.



**Arkansas Department of Transportation**

Act 192 of 1977 created the Arkansas State Highway and Transportation Department (Department), adding responsibilities for coordinating public and private transportation activities and implementing a safe and efficient intermodal transportation system. In August 2017, Act 707 of 2017 changed the agency's name from Arkansas State Highway and Transportation Department to the Arkansas Department of Transportation.

**Arkansas State University**

Arkansas State University is a 4 year institution located in the heart of Northeast Arkansas, Jonesboro. Arkansas State educates leaders, enhances intellectual growth, and enriches lives.

**Bureau of Economic Analysis**

Federal agency within the Department of Commerce that provides economic data and projections

**Bureau of Labor Statistics**

Federal agency within the Department of Labor that tracks federal employment data

**Bureau of Transportation Statistics**

The Bureau of Transportation Statistics (BTS) was established as a statistical agency in 1992. The Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 created BTS to administer data collection, analysis, and reporting and to ensure the most cost-effective use of transportation-monitoring resources.

**Burlington Northern Santa Fe Railway**

BNSF Railway is one of North America's leading freight transportation companies, with a rail network of 32,500 route miles in 28 states and three Canadian provinces. BNSF is one of the top transporters of the products and materials that help feed, clothe, supply and power communities throughout America and the world.

**Bus and Bus Facilities < 200,000; Bus and Bus Facilities Rural Areas**

Provides funding through a competitive allocation process to States and transit agencies to replace, rehabilitate, and purchase buses and related equipment and to construct bus-related facilities.

**Capital Assistance for Transit for Elderly and Disabled**

This program (49 U.S.C. 5310) provides formula funding to States for the purpose of assisting private nonprofit groups in meeting the transportation needs of the elderly and persons with disabilities when the transportation service provided is unavailable, insufficient, or inappropriate to meeting these needs.

**Capital and Operating Assistance for Transit in Rural Areas**

The Formula Grants for Rural Areas program provides capital, planning, and operating assistance to states to support public transportation in rural areas with populations of less than 50,000, where many residents often rely on public transit to reach their destinations.

**Capital and Operating Assistance for Transit in Urbanized Areas**

The Urbanized Area Formula Funding program (49 U.S.C. 5307) makes Federal resources available to urbanized areas and to Governors for transit capital and operating assistance in urbanized areas and for transportation related planning.

**Census Transportation Planning Products**

The CTPP is a set of special tabulations designed by and for transportation planners using large sample surveys conducted by the Census Bureau.

**Citizen Advisory Committee**

At the July 2014 meeting of the MPO Transportation Policy Committee, the creation of a Citizen Advisory Committee (CAC) was approved. While originally commissioned solely for the MTP update, the CAC is now an ongoing committee that meets monthly to help garner public feedback and involvement in the planning process for the MPO.

**Clean Air Act as amended in 1990**

The original Clean Air Act was passed in 1963, but the national air pollution control program is actually based on the 1970 revision of the law. The Clean Air Act as amended in 1990 made major changes and contains the most far reaching revisions of the 1970 law.

**Code of Federal Regulations**

The codification of the rules published in the Federal Register by the executive departments and agencies of the Federal Government. These are the administrative rules and regulations that clarify the impact of the United States Code (USC) or the law.

**Community Values Survey**

In May of 2014 a contract was signed with ETC Institute of Olathe Kansas to develop a Community Values Survey (CVS) for the MPO. This document was sent to randomly selected residents of the study area in order to garner feedback from citizens regarding the transportation network, services, infrastructure, and other facilities.

**Complete Streets**

Complete streets are designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists and transit riders of all ages and abilities. (Definition taken from Smart Growth America-<https://smartgrowthamerica.org>).

**Congestion Management Process**

A systematic approach required in transportation management areas (TMAs) that provides for effective management and operation. Provides information on transportation system performance and finds alternative ways to alleviate congestion and enhance the mobility of people and goods, to levels that meet state and local needs.

**Congestion Mitigation and Air Quality Improvement Program**

The CMAQ program funds transportation projects and programs in air quality non-attainment and maintenance areas that reduce traffic congestion and transportation related emissions (ozone, carbon monoxide, particulate matter, etc.)

**Consolidated Planning Program (MPO)**

Obligated FHWA and FTA funding that is “consolidated” to support cooperative, continuous, and comprehensive planning for making transportation investment decisions in metropolitan areas and statewide.

**Continuing, Cooperative, and Comprehensive**

A Comprehensive, Cooperative, and Continuing (3-C) process is required for initiatives to be eligible for Federal transportation funding.

**Core Based  
Statistical  
Areas**

Consist of the county or counties or equivalent entities associated with at least one core (urbanized area or urban cluster) of at least 10,000 population, plus adjacent counties having a high degree of social and economic integration with the core as measured through commuting ties with the counties associated with the core.

**Department of  
Housing and  
Urban  
Development**

HUD's mission is to increase homeownership, support community development and increase access to affordable housing free from discrimination. HUD's Community Development Block Grant Program (CDBG) is a program with many resources that are used to help address a wide array of community development needs, including sidewalks and other transportation infrastructure.

**Department of  
Transportation**

When used alone, indicates the U.S. Department of Transportation. In conjunction with a place name, indicates state, city, or county transportation agency.

**East Arkansas  
Planning and  
Development  
District**

EAPDD is a non-profit regional planning and development agency serving a 12-county area of eastern Arkansas.

**Environmental  
Impact  
Statement**

Report developed as part of the National Environmental Policy Act requirements, which details any adverse economic, social, and environmental effects of a proposed transportation project for which Federal funding is being sought.

**Environmental  
Protection  
Agency**

The federal regulatory agency responsible for administering and enforcing federal environmental laws, including the Clean Air Act, the Clean Water Act, the Endangered Species Act, and others.

**Federal  
Aviation  
Administration**

FAA provides a safe, secure, and efficient global aerospace system that contributes to national security and the promotion of US aerospace safety.

**Federal Highway Administration**

A branch of the U.S. Department of Transportation that administers the federal-aid highway program, providing financial assistance to states to construct and improve highways, urban and rural roads, and bridges.

**Federal Transit Administration**

A branch of the U.S. Department of Transportation that administers federal funding to transportation authorities, local governments, and states to support a variety of locally planned, constructed, and operated public transportation systems throughout the U.S., including buses, subways, light rail, commuter rail, streetcars, monorail, passenger ferry boats, inclined railways, and people movers.

**Fiscal Year/Federal Fiscal Year**

The MPO's Fiscal Year is from July 1-June 30. The Federal Fiscal Year is from Oct 1-Sept 30.

**Fixing America's Surface Transportation Act**

The Fixing America's Surface Transportation (FAST) Act is five-year legislation that was enacted into law on December 4, 2015. The main focus of the legislation is to improve the Nation's surface transportation infrastructure, including our roads, bridges, transit systems, and rail transportation network.

**Geographic Information System**

Computerized data management system designed to capture, store, retrieve, analyze, and display geographically referenced information.

**High-Occupancy Vehicle**

Vehicles carrying two or more people

**Highway Safety Improvement Program**

The goal of the program is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads, including non-State-owned public roads and roads on tribal lands.

**Inspection and Maintenance**

An emissions testing and inspection program implemented by States in nonattainment areas to ensure that the catalytic or other emissions control devices on in-use vehicles are properly maintained.

**Intermodal Surface Transportation Efficiency Act of 1991**

Legislative initiative by the U.S. Congress that restructured and authorized federal funding for transportation programs; provided for an increased role for regional planning commissions/MPOs in funding decisions; and required comprehensive regional and statewide long term transportation plans.

**Interstate Highway System**

The specially designated system of highways, begun in 1956, which connects the principal metropolitan areas, cities, and industrial centers of the United States.

**Intelligent Transportation Systems**

Electronics, photonics, communications, or information processing used singly or in combination to improve the efficiency or safety of a surface transportation system.

**Jonesboro Area Transportation Study**

The Governor of the state of Arkansas designated the Jonesboro Area Transportation Study (JATS) Policy Committee to be the MPO for the Jonesboro Metropolitan Planning Area (MPA). On April 16, 2003, AHTD, Bay, Bono, Brookland, Jonesboro and some unincorporated portions of Craighead County, signed an Agreement of Understanding to participate in a comprehensive, cooperative, and continuing (3-C) transportation planning process.

**Jonesboro Economical Transportation System**

The city of Jonesboro is served by Jonesboro Economical Transportation System (JET), which has been in operation since 2006. JET provides fixed-route and demand-response services to residents and visitors of the city of Jonesboro, including students, the elderly and the disabled.

**Level of Service**

Level of Service (LOS) is a term that describes the operating conditions a driver, transit users, bicyclist, or pedestrian will experience while traveling on a particular street, highway or transit vehicle. LOS is used in transportation planning as a data friendly tool to help aid in the decision making process regarding road capacity. LOS data allows planners to make more informed decisions regarding transportation projects.

**Long-Range  
Statewide  
Transportation  
Plan**

The official, statewide, multimodal transportation plan covering no less than 20 years developed through the statewide transportation planning processes.

**Long-Range  
Transportation  
Plan  
(synonymous  
with MTP)**

A document resulting from regional or statewide collaboration and consensus on a region's or state's transportation system, and serving as the defining vision for the region's or state's transportation systems and services.

**Metropolitan  
Planning Area**

The geographic area determined by agreement between the metropolitan planning organization (MPO) for the area and the Governor, in which the metropolitan transportation planning process is carried out.

**Metropolitan  
Planning  
Organization**

An MPO is a forum for cooperative transportation decision-making for metropolitan planning areas. To be designated, an MPO an urban area must have a population of at least 50,000 as defined by the US Census Bureau.

**Metropolitan  
Statistical  
Areas**

Are Core Based Statistical Areas (CBSAs) associated with at least one urbanized area that has a population of at least 50,000. The metropolitan statistical area comprises the central county or counties or equivalent entities containing the core, plus adjacent outlying counties having a high degree of social and economic integration with the central county or counties as measured through commuting.

**Metropolitan  
Transportation  
Plan**

The official multimodal transportation plan addressing no less than a 20-year planning horizon that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process. The most recent MTP, "Momentum 2040," was adopted January 19, 2016. The plan can be viewed on the MPO website at: <http://www.jonesboro.org/191/Metropolitan-Planning-Organization>

**Moving Ahead for Progress in the 21st Century**

The Moving Ahead for Progress in the 21<sup>st</sup> Century Act (P.L. 112-141), was signed into law by President Obama on July 6, 2012. Funding surface transportation programs at over 105 billion for fiscal years (FY) 2013 and 2014, MAP-21 is the first long-term highway authorization enacted since 2005. MAP-21 creates a streamlined and performance-based surface transportation program and builds on many of the highway, transit, bike, and pedestrian programs and policies established in 1991.

**Manual of Uniform Traffic Control Devices**

The Manual on Uniform Traffic Control Devices for Streets and Highways, or MUTCD defines the standards used by road managers nationwide to install and maintain traffic control devices on all public streets, highways, bikeways, and private roads open to public travel. The MUTCD is published by the Federal Highway Administration (FHWA) under 23 Code of Federal Regulations (CFR), Part 655, Subpart F

**National Ambient Air Quality Standards**

Federal standards that set allowable concentrations and exposure limits for various pollutants.

**National Environmental Policy Act of 1969**

Established requirements that any project using federal funding or requiring federal approval, including transportation projects, examine the effects of proposed and alternative choices on the environment before a federal decision is made.

**National Freight Program (policy)**

Establishes a policy to improve the condition and performance of the national freight network to provide the foundation for the United States to compete in the global economy and achieve goals related to economic competitiveness and efficiency.

**National Highway Performance Program**

The NHPP provides support for the condition and performance of the National Highway System (NHS), for the construction of new facilities on the NHS.



**National Highway Performance Program (Bridge)** Reconstruction, resurfacing, restoration, rehabilitation, or preservation of a bridge on a non-NHS Federal-aid highway (if Interstate System and NHS Bridge Condition provision requirements are satisfied) [23 U.S.C. 119(i)]

**National Highway System** This system of highways designated and approved in accordance with the provisions of 23 U.S.C. 103b). (23CFR500)

**Nonattainment Area** A geographic region of the United States that has been designated by the EPA as a nonattainment area under section 107 of the CAA for any pollutants for which an NAAQS exists, meaning that federal air quality standards are not being met.

**Northeast Arkansas Regional Transportation Planning Commission** The Northeast Arkansas Regional Transportation Planning Commission (N.A.R.T.P.C.) is the designated MPO for the Jonesboro Metropolitan Planning Area. Formerly the Jonesboro MPO, the organization was renamed the Northeast Arkansas Regional Transportation Planning Commission in November 2017.

**Northeast Arkansas Transit** Northeast Arkansas Transit (NEAT) has been providing affordable, rural transportation since October of 2012 in Northeast Arkansas. NEAT can transport for the following needs: shopping, medical, employment, education as well as many others.

**Planning and Research** FTA funding categories targeted to state and national planning and research

**Public Participation Plan** The Public Participation Plan of the MPO was adopted February 18, 2014 and it ensures that the public has the opportunity to participate by using a number of approaches for reaching out to organizations and individuals through media outlets, newspapers, the Internet, social media and flyers to raise awareness of issues, to schedule meetings, and to provide opportunities and outlets for review and comments.

**Safe, Efficient, Transportation Equity Act: A Legacy for Users**

SAFETEA-LU authorized the federal surface transportation programs for highways, highway safety, and transit for the 5-year period 2005-2009.

**Single-Occupancy Vehicle**

Any motor vehicle not meeting the established occupancy requirement of a HOV lane.

**Strategic Highway Safety Plan**

This is a statewide-coordinated safety plan that provides a comprehensive framework for reducing highway fatalities and serious injuries on all public roads.

**Statewide Transportation Improvement Program**

The STIP is a statewide prioritized listing/program of transportation projects covering a period of four years that is consistent with the long-range statewide transportation plan, metropolitan transportation plans, and TIPS, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53

**Surface Transportation Block Grant Program**

The STBG promotes flexibility in State and local transportation decisions and provides flexible funding to best address State and local transportation needs.

**Surface Transportation Program**

Federal-aid highway funding program that supports a broad range of surface transportation capital needs, including many roads, transit, sea and airport access, vanpool, bike, and pedestrian facilities.

**Technical Advisory Committee**

The Technical Advisory Committee provides technical expertise to the Transportation Policy Committee by reviewing and recommending revisions to the planning process, data collection activities, forecasts, the intergovernmental agreement, the UPWP, the TIP and the MTP.

**TIGER**

The Transportation Investment Generating Economic Recovery, or TIGER Discretionary Grant program, provides a unique opportunity for the DOT to invest in road, rail, transit and port projects that promise to

achieve national objectives. (Definition taken from USDOT-  
[www.transportation.gov/tiger/about](http://www.transportation.gov/tiger/about))

**Title VI of the Civil Rights Act of 1964**

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, sex, color, age, national origin, religion or disability from any program receiving federal assistance.

**Transit Oriented Development**

Transit-oriented development, or TOD, is a type of community development that includes a mixture of housing, office, retail and/or other amenities integrated into a walkable neighborhood and located within a half-mile of quality public transportation. (Definition taken from Reconnecting America-  
[www.reconnectingamerica.org](http://www.reconnectingamerica.org).)

**Transportation Alternatives Program**

The Moving Ahead for Progress in the 21st Century Act (MAP-21) authorized the Transportation Alternatives Program (TAP) to provide funding for programs and projects defined as **transportation alternatives**, including on- and off-road pedestrian and bicycle facilities, infrastructure projects for improving non-driver access to public transportation and enhanced mobility, community improvement activities, and environmental mitigation.

**Transportation Demand Management**

Programs designed to reduce demand for transportation through various means, such as the use of public transit and of alternative work hours.

**Transportation Equity Act for 21st Century**

Legislated in 1998, TEA-21 authorized approximately \$217 billion in federal funding for transportation investment for FYs 1998-2003. Used for highway, transit, and other surface transportation programs.

**Transportation Improvement Program**

A TIP is a prioritized listing/program of transportation projects covering a period of four years that is developed and formally adopted by an MPO as part of the metropolitan transportation planning process, consistent with the metropolitan transportation plan, and required for projects to be eligible for funding under title 23 U.S.C. and title 49 U.S.C. Chapter 53.

**Transportation Management Area**

An urbanized area with a population over 200,000 (as determined by the latest decennial census) or other area when TMA designation is requested by the Governor and the MPO (or affected local officials), and officially designated by the Administrators of the FHWA and FTA. The TMA designation applies to the entire metropolitan planning area.

**Transportation Performance Management**

FHWA defines Transportation Performance Management as a strategic approach that uses system information to make investment and policy decisions to achieve national performance goals.

**Transportation Policy Committee**

The Transportation Policy Committee provides policy direction for the MPO by approving the Unified Planning Work Program (UPWP), the Transportation Improvement Program (TIP), the Metropolitan Transportation Plan (MTP), and local transportation projects that receive federal funding.

**Transportation Research Board**

The mission of the Transportation Research Board (TRB) is to promote innovation and progress in transportation through research.

**Travel Model Improvement Program**

TMIP supports and empowers planning agencies through leadership, innovation and support of planning analysis improvements to provide better information to support transportation and planning decisions.

**Unified  
Planning Work  
Program**

UPWP means a Scope of Services identifying the planning priorities and activities to be carried out within a metropolitan planning area. At a minimum, a UPWP includes a description of planning work and resulting products, who will perform the work, time frames for completing the work, the cost of the work, and the source(s) of funds.

**Union Pacific  
Railroad**

Union Pacific Corporation (NYSE:UNP) is one of America's leading transportation companies. Its principal operating company, Union Pacific Railroad, is North America's premier railroad franchise, covering 23 states across the western two-thirds of the United States.

**United States  
Code**

The codification by subject matter of the general and permanent laws of the United States.

**Urbanized Area**

A statistical geographic entity delineated by the Census Bureau, consisting of densely settled census tracts and blocks and adjacent densely settled territory that together contain at least 50,000 people.

**Vehicle Miles  
Traveled**

Vehicle miles of travel or vehicle miles traveled (VMT) is defined by the U.S. government as a measurement of miles traveled by vehicles within a specified region for a specified time period. (Definition taken from Wikipedia)

## List of Acronyms

3-C	Continuing, Cooperative, and Comprehensive Planning Process
AASHTO	American Association of State Highway and Transportation Officials
ACS	American Community Survey
ADA	Americans with Disabilities Act
ALOP	Annual Listing of Obligated Projects
ARDOT	Arkansas Department of Transportation
A-STATE	Arkansas State University
ATC	Active Transportation Committee
ATP	Active Transportation Plan
BEA	Bureau of Economic Analysis
BLS	Bureau of Labor Statistics
BNSF	Burlington Northern Santa Fe Railway
BTS	Bureau of Transportation Statistics
CAA	Clean Air Act as amended in 1990
CAC	Citizen Advisory Committee
CBSA	Core Based Statistical Areas
CFR	Code of Federal Regulations
CMAQ	Congestion Mitigation and Air Quality Improvement Program
CMP	Congestion Management Process
CTPP	Census Transportation Planning Products
CS	Complete Streets
CVS	Community Values Survey
DOT	Department of Transportation
EAPDD	East Arkansas Planning and Development District
EIS	Environmental Impact Statement
EPA	Environmental Protection Agency
FAA	Federal Aviation Administration
FAST	Fixing America's Surface Transportation Act
FHWA	Federal Highway Administration
FTA	Federal Transit Administration
FTA-5305	Consolidated Planning Program (MPO)
FTA-5307	Capital and Operating Assistance for Transit in Urbanized Areas
FTA-5310	Capital Assistance for Transit for Elderly and Disabled
FTA-5311	Capital and Operating Assistance for transit in Rural Area
FTA-5339	Bus and Bus Facilities < 200,000; Bus and Bus Facilities Rural Areas
FY	Fiscal Year
FFY	Federal Fiscal Year
GIS	Geographic Information System
HOV	High-Occupancy Vehicle
HSIP	Highway Safety Improvement Program
HUD	Department of Housing and Urban Development
IHS	Interstate Highway System
I/M	Inspection and Maintenance
ISTEA	Intermodal Surface Transportation Efficiency Act of 1991
ITS	Intelligent Transportation Systems
JATS	Jonesboro Area Transportation Study

JET	Jonesboro Economical Transportation System
LRTP	Long-Range Transportation Plan (synonymous with MTP)
LRSTP	Long-Range Statewide Transportation Plan
LOS	Level of Service
MAP-21	Moving Ahead for Progress in the 21st Century
MPA	Metropolitan Planning Area
MPO	Metropolitan Planning Organization
MSA	Metropolitan Statistical Area
MTP	Metropolitan Transportation Plan
MUTCD	Manual of Uniform Traffic Control Devices
NAA	Nonattainment Area
NAAQS	National Ambient Air Quality Standards
NARTPC	Northeast Arkansas Regional Transportation Planning Commission
NEAT	Northeast Arkansas Transit
NEPA	National Environmental Policy Act of 1969
NFP	National Freight Program
NHPP	National Highway Performance Program
NHPP (BR)	National Highway Performance Program (Bridge)
NHS	National Highway System
PPP	Public Participation Plan
SAFETEAU	Safe, Efficient, Transportation Equity Act: A Legacy for Users
SHSP	Strategic Highway Safety Plan
SOV	Single-Occupancy Vehicle
STBGP	Surface Transportation Block Grant Program
STIP	Statewide Transportation Improvement Program
STP	Surface Transportation Program
TAC	Technical Advisory Committee
TAP	Transportation Alternatives Program
TDM	Transportation Demand Management
TEA-21	Transportation Equity Act for 21st Century
TIGER	Transportation Investment Generating Economic Recovery Discretionary Grant
TIP	Transportation Improvement Program
TITLE VI	Title VI of the Civil Rights Act of 1964
TMA	Transportation Management Area
TMIP	Travel Model Improvement Program
TOD	Transit Oriented Development
TPC	Transportation Policy Committee
TPM	Transportation Performance Management
TRB	Transportation Research Board
UA	Urbanized Area
UPRR	Union Pacific Railroad
UPWP	Unified Planning Work Program
U.S.C.	United States Code
US DOT	United States Department of Transportation
VMT	Vehicle Miles Traveled

## APPENDIX A

### Procedures for Public Comment at Meetings

The Northeast Arkansas Regional Transportation Planning Commission encourages public comments on any and all matters relevant to metropolitan transportation planning. To assure fair and equitable opportunities for all stakeholders desiring to address the MPO Committee meetings, the following public comment procedures have been established:

#### Public Comments on Agenda Items:

Public comments related to agenda items will be allowed at the end of each meeting. Comments may be limited to three (3) minutes based on the number of agenda items being addressed. Persons wishing to address more than one agenda item may do so during their allotted time.

An agenda and sign-up sheet will be made available at the meeting place at least ten (10) minutes prior to the start of the meeting.

#### Other Public Presentations:

Groups or individuals desiring to make presentations to the Transportation Policy Committee will be advised by the MPO Director to make their presentation first to the Technical Advisory Committee. With the approval of the Technical Advisory Committee, the group or individual can make their presentation to the Transportation Policy Committee. The Transportation Policy Committee, after hearing the presentation, will direct the MPO Staff for any further action.

Requests for public presentations not related to business indicated on the agenda must be submitted to the MPO Staff three (3) weeks in advance of the regular meeting with the assurance that the Staff will forward the request to the Chairperson two (2) weeks in advance of the regular meeting. The presentation will be added to the agenda at the Chairperson's discretion. If approved as an agenda item, presenter(s) will be notified via email. The presentation will be limited to ten (10) minutes.

Requests to deliver such a presentation should be submitted in writing or via email to:

Chairperson  
Transportation Policy Committee  
C/o MPO Director  
Northeast Arkansas Regional Transportation Planning Commission  
300 South Church Street  
P.O. Box 1845  
Jonesboro, Arkansas 72403-1845



The following E-mail address, Fax, or Phone numbers may be used for submitting material for presentation.

E-mail: [mpo@jonesboro.org](mailto:mpo@jonesboro.org)

Fax: (870) 336-7171

Phone: (870) 933-4623

#### Written Comments:

The Northeast Arkansas Regional Transportation Planning Commission welcomes written comments relating to agenda items or other metropolitan transportation concerns. For written comments exceeding three (3) standard 8 ½" X 11" pages, twenty-five (25) copies must be provided. Written comments should be sent to the Transportation Policy Committee Chairperson at the above address.

#### Invited Comments:

The Chairperson may at any time during the meeting invite comments from the audience.

#### Information Required:

The following information may be required of all persons making either oral or written comments:

1. Full Name
2. Affiliation (if applicable)
3. Mailing Address
4. Agenda Item(s) or Topic to be addressed

## APPENDIX B

### Federal Public Participation Requirements

#### Fixing America's Surface Transportation (FAST) Act:

The current federal transportation law, Fixing America's Surface Transportation (FAST) Act, emphasizes participation by interested parties in 23 CFR Part 450.316:

- A. In General: Each metropolitan planning organization shall provide citizens, affected public agencies, representatives of public transportation employees, freight shippers, providers of freight transportation services, private providers of transportation, representatives of users of public transportation, representatives of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with a reasonable opportunity to comment on the transportation plan.
- B. Contents of the Public Participation Plan:
  - shall be developed in consultation with all interested parties
  - shall provide that all interested parties have reasonable opportunities to comment on the contents on the transportation plan
- C. In carrying out subparagraph A, the metropolitan planning organization shall, to the maximum extent practicable:
  - hold any public meetings at convenient and accessible locations and times
  - employ visualization techniques to describe plans
  - make public information available in electronically accessible format and means, such as the World Wide Web or MPO webpage, as appropriate to afford reasonable opportunity for consideration of public information under subparagraph A

#### National Environmental Protection Act (NEPA):

The Federal Highway Administration and Federal Transit Administration regulations implementing the National Environmental Policy Act (NEPA) of 1969 (Pub. L. 91-190, 83 Stat. 852; as amended) outline an environmental review process for implementing projects from a Transportation Improvement Program. NEPA has its own set of public participation requirements pertaining to review periods and the notification of interested parties on a project basis. These requirements are not a substitute for early participation at the planning and programming stages.

**Americans with Disabilities Act (ADA):**

The Americans with Disabilities Act (ADA) of 1990 (Pub. L. 101-336, 104 Stat. 327; as amended) encourages the participation of people with disabilities in the development and improvement of transportation and paratransit plans and services. In accordance with ADA guidelines, all meetings conducted by the MPO will take place at accessible facilities so as to accommodate persons with mobility limitations.

**Clean Air Act Amendments (CAAA):**

The Clean Air Act Amendments (CAAA) of 1990 (Pub. L. 101-549, 104 Stat. 2399) require the transportation community to improve air quality while, at the same time, sustaining adequate mobility for transportation users. CAAA and the transportation planning provisions of MAP-21 are intended to ensure that integrated transportation and air quality planning occurs in the areas designated by the U.S. Environmental Protection Agency (EPA) as nonattainment or maintenance areas. CAAA calls for reasonable notice and public hearing concerning State Implementation Plans to manage pollution in designated areas, and for local compliance with those plans.

**Title VI – Environmental Justice:**

Title VI of the Civil Rights Act of 1974 (Pub. L. 88-352, 78 Stat. 241; as amended) sets standards that authoritatively outlaw discrimination in the conduct of all federal activities. Environmental Justice refers to the right of all people to fair treatment and meaningful involvement in the development, implementation and enforcement of environmental policy, including the right to equal protection from the environmental and public health hazards.

The Presidential Executive Order 12898 of February 11, 1994, directs every federal agency to make Environmental Justice part of its mission by identifying and addressing the effects of all programs, policies, and activities on “minority populations and low-income populations.” The U.S. Department of Transportation (DOT) issued its Order to Address Environmental Justice in Minority Populations and Low-income Populations in 1997. That DOT Order accomplishes this goal by involving the potentially affected public in developing transportation projects that fit harmoniously within their communities without sacrificing safety or mobility.

**Limited English Proficiency-LEP**

Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency” requires agencies that receive federal funding to improve or implement services to Limited English Proficient (LEP) individuals.

**APPENDIX C**  
**Summary of Development, Amendment and Approval Procedures**

Document	Frequency	Public Meetings	Public Comment Period*	Committee Action
Metropolitan Transportation Plan (MTP)	Development: Every 5 years Amendment: As needed	Technical Advisory Committee; Transportation Policy Committee; Planning Forums	Initial: 30 days (Additional: 10 days)	Technical Advisory Committee: Recommend Transportation Policy Committee: Approve
Transportation Improvement Program (TIP)	Development: Annually Amendment: As needed	Technical Advisory Committee; Transportation Policy Committee	Initial: 15 days (Additional: 10 days)	Technical Advisory Committee: Recommend Transportation Policy Committee: Approve
Unified Planning Work Program (UPWP)	Development: Every year Amendment: As needed	Technical Advisory Committee; Transportation Policy Committee	Initial: 15 days (Additional: 10 days)	Technical Advisory Committee: Recommend Transportation Policy Committee: Approve
Public Participation Plan (PPP)	Review: Every year Amendment: As needed	Technical Advisory Committee; Transportation Policy Committee	Initial: 45 days (Additional: 30 days)	Technical Advisory Committee: Recommend Transportation Policy Committee: Approve
Regional ITS Architecture and Deployment Plan	Development: As needed Review: As needed Amendment: As needed	Technical Advisory Committee; Transportation Policy Committee	-	Technical Advisory Committee: Recommend Transportation Policy Committee: Approve
Annual Listing of Federally-Obligated Projects (ALOP)	Development: Every year	Technical Advisory Committee; Transportation Policy Committee	Posted on Website	None
Annual Performance and Expenditure Report	Development: Every year	Technical Advisory Committee; Transportation Policy Committee	-	Technical Advisory Committee: Comment Transportation Policy Committee: Comment
Other Plans and Projects	Development: As needed	Technical Advisory Committee; Transportation Policy Committee	Initial: 15 days (Additional: 10 days)	Technical Advisory Committee: Recommend Transportation Policy Committee: Approve

\*Public comment periods begin with the publication of a notice in *The Jonesboro Sun*. A second notice is published and additional time is provided for public comments if significant changes are made to a document after the initial public comment period.

# The Arkansas Freedom of Information Act (FOIA)

## **Act 93 of 1967**

As amended by Act 1201 of 1976; Act 652 of 1977; Act 608 of 1981; Acts 468 and 843 of 1985; Acts 1001 and 49 of 1987; Act 8 of the 3rd Extr. Session of 1989; Act 895 of 1993; Acts 873 and 1335 of 1997; Acts 1093 and 1589 of 1999; Acts 1259, 1336, and 1653 of 2001; Acts 213, 275, 763, and 1214 of 2003, Acts 259, 1994 and 2003 of 2005; Acts 268, 726 and 998 of 2007; and Acts 184, 440, 631 and 1291 of 2009; Acts 99, 168, and 210 of 2011; Acts 145, 235, and 411 of 2013; Acts 186, 881, 1015, and 1102 of 2015. These acts are codified at Ark. Code Ann. §§ 25-19-101 through -110 (Repl. 2014 & Supp. 2015).

## **25-19-101. Title.**

This chapter shall be known and cited as the “Freedom of Information Act of 1967.”

## **25-19-102. Legislative intent.**

It is vital in a democratic society that public business be performed in an open and public manner so that the electors shall be advised of the performance of public officials and of the decisions that are reached in public activity and in making public policy. Toward this end, this chapter is adopted, making it possible for them or their representatives to learn and to report fully the activities of their public officials.

## **25-19-103. Definitions.**

As used in this chapter, unless the context otherwise requires:

(1) (A) “Custodian,” with respect to any public record, means the person having administrative control of that record.

(B) “Custodian” does not mean a person who holds public records solely for the purposes of storage, safekeeping, or data processing for others;

(2) “Format” means the organization, arrangement, and form of electronic information for use, viewing, or storage;

(3) “Medium” means the physical form or material on which records and information may be stored or represented and may include, but is not limited to, paper, microfilm, microform, computer disks and diskettes, optical disks, and magnetic tapes;

(4) (A) “Municipally owned utility system” means a utility system owned or operated by a municipality that provides:

- (i) Electricity;
- (ii) Water;

- (iii) Wastewater;
- (iv) Cable television; or
- (v) Broadband service.

(B) “Municipally owned utility system” includes without limitation a:

(i) Consolidated waterworks system under the Consolidated Waterworks Authorization Act, § 25-20-301 et seq.;

(ii) Utility system managed or operated by a nonprofit corporation under § 14-199-701 et seq.; and

(iii) Utility system owned or operated by a municipality or by a consolidated utility district under the General Consolidated public Utility System Improvement District Law, § 14-217-101 et seq.;

(5) “Public meetings” means the meetings of any bureau, commission, or agency of the state or any political subdivision of the state, including municipalities and counties boards of education, and all other boards, bureaus, commissions, or organizations in the State of Arkansas, except grand juries, supported wholly or in part by public funds or expending public funds; and

(6) (A) “Public records” means writings, recorded sounds, films, tapes, electronic or computer based information, or data compilations in any medium, required by law to be kept or otherwise kept, and that constitute a record of the performance or lack of performance of official functions that are or should be carried out by a public official or employee, a governmental agency, or any other agency or improvement district that is wholly or partially supported by public funds or expending public funds. All records maintained in public offices or by public employees within the scope of their employment shall be presumed to be public records.

(B) “Public records” does not mean software acquired by purchase, lease, or license.

(7) “Public water system” means all facilities composing a system for the collection, treatment, and delivery of drinking water to the general public, including, without limitation, to reservoirs, pipelines, reclamation facilities, processing facilities, distribution facilities, and regional water distribution districts under the Regional Water Distribution District Act, § 14-116-101 et seq.

(8) “Vulnerability assessment” means an assessment of the vulnerability of a public water system to a terrorist attack or other intentional acts intended to substantially disrupt the ability of the public water system to provide a safe and reliable supply of drinking water as required by the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, Pub.L. No. 107-188.

(9) “Disaster recovery system” means an electronic data storage system implemented and maintained solely for the

purpose of allowing a governmental unit or agency to recover operational systems and datasets following the occurrence of a catastrophe, including without limitation an act of war, an equipment failure, a cyber-attack, or a natural disaster such as a tornado, earthquake, or fire.

**25-19-104. Penalty.**

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Any person who negligently violates any of the provisions of this chapter shall be guilty of a Class C misdemeanor.

**25-19-105. Examination and copying of public records.**

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(a)(1)(A) Except as otherwise specifically provided by this section or by laws specifically enacted to provide otherwise, all public records shall be open to inspection and copying by any citizen of the State of Arkansas during the regular business hours of the custodian of the records.

(B) However, access to inspect and copy public records shall be denied to:

(i) A person who, at the time of the request, has pleaded guilty to or been found guilty of a felony and is incarcerated in a correctional facility; and

(ii) The representative of a person under subdivision (a)(1)(B)(i) of this section unless the representative is the person's attorney who is requesting information that is subject to disclosure under this section.

(2) (A) A citizen may make a request to the custodian to inspect, copy, or receive copies of public records.

(B) The request may be made in person, by telephone, by mail, by facsimile transmission, by electronic mail, or by other electronic means provided by the custodian.

(C) The request shall be sufficiently specific to enable the custodian to locate the records with reasonable effort.

(3) If the person to whom the request is directed is not the custodian of the records, the person shall so notify the requester and identify the custodian, if known to or readily ascertainable by the person.

**Exemptions:**

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(b) It is the specific intent of this section that the following shall not be deemed to be made open to the public under the provisions of this chapter:

(1) State income tax records;

(2) Medical records, adoption records, and education records as defined in the Family Educational Rights and Privacy Act of 1974, 20 U.S.C. § 1232g, unless their disclosure is consistent with the provisions of that act;

(3) The site files and records maintained by the Arkansas Historic Preservation Program of the Department

of Arkansas Heritage and the Arkansas Archeological Survey;

(4) Grand jury minutes;

(5) Unpublished drafts of judicial or quasi-judicial opinions and decisions;

(6) Undisclosed investigations by law enforcement agencies of suspected criminal activity;

(7) Unpublished memoranda, working papers, and correspondence of the Governor, members of the General Assembly, Supreme Court Justices, Court of Appeals Judges, and the Attorney General;

(8) Documents that are protected from disclosure by order or rule of court;

(9) (A) Files that, if disclosed would give advantage to competitors or bidders and records maintained by the Arkansas Economic Development Commission related to any business entity's planning, site location, expansion, operations, or product development and marketing, unless approval for release of such records is granted by the business entity.

(B) However, this exemption shall not be applicable to any records of expenditures or grants made or administered by the commission and otherwise disclosable under the provisions of this chapter;

(10)(A) The identities of law enforcement officers currently working undercover with their agencies and identified in the Arkansas Minimum Standards Office as undercover officers;

(B) Records of the number of undercover officers and agency lists are not exempt from this chapter;

(11) Records containing measures, procedures, instructions, or related data used to cause a computer or a computer system or network, including telecommunication networks or applications thereon, to perform security functions, including, but not limited to, passwords, personal identification numbers, transaction authorization mechanisms, and other means of preventing access to computers, computer systems or networks, or any data residing therein;

(12) Personnel records to the extent that disclosure would constitute a clearly unwarranted invasion of personal privacy;

(13) Personal contact information including without limitation home or mobile telephone numbers, personal email addresses, and home addresses of nonelected state employees, nonelected municipal employees, nonelected school employees, and nonelected county employees contained in employer records, except that the custodian of the records shall verify an employee's city or county of residence or address on record upon request;

(14) Materials, information, examinations, and answers



to examinations utilized by boards and commissions for purposes of testing applicants for licensure by state boards or commissions;

(15) Military service discharge records or DD Form 214, the Certificate of Release from Active Duty of the United States Department of Defense, filed with the county recorder as provided under § 14-2-102, for veterans discharged from service less than seventy (70) years from the current date;

(16) Vulnerability assessments submitted by a public water system on or before June 30, 2004, to the Administrator of the United States Environmental Protection Agency for a period of ten (10) years from the date of submission;

(17) (A) Records, including analyses, investigations, studies, reports, or recommendations, containing information relating to any Department of Human Services risk or security assessment, known or suspected security vulnerability, or safeguard related to compliance with the Health Insurance Portability and Accountability Act of 1996 or protection of other confidential department information.

(B) The records shall include:

(i) Risk and security assessments;

(ii) Plans and proposals for preventing and mitigating privacy and security risks;

(iii) Emergency response and recovery records;

(iv) Privacy and security plans and procedures;

and

(v) Any other records containing information that if disclosed might jeopardize or compromise efforts to secure and protect personal health information or other protected department information.

**(C) This subdivision (b)(17) expires on July 1, 2009;**

(18) (A) Records, including analyses, investigations, studies, reports, recommendations, requests for proposals, drawings, diagrams, blueprints, and plans, containing information relating to security for any public water system or municipally owned utility system.

(B) The records under subdivision (b)(18)(A) shall include:

(i) Risk and vulnerability assessments;

(ii) Plans and proposals for preventing and mitigating security risks;

(iii) Emergency response and recovery records;

(iv) Security plans and procedures;

(v) Plans and related information for generation, transmission, and distribution systems; and

(vi) Other records containing information that if disclosed might jeopardize or compromise efforts to secure

and protect the public water system or municipally owned utility system.

(19) Records pertaining to the issuance, renewal, expiration, suspension, or revocation of a license to carry a concealed handgun, or a present or past licensure under Section 5-73-301 et seq., including without limitation all records provided to or obtained by any local, state, or federal government or their officials, agents, or employees in the investigation of an applicant, licensee, or past licensee and all records pertaining to a criminal or health history check conducted on the applicant, licensee, or past licensee except that:

(A) Information or other records regarding an applicant, licensee, or past licensee may be released to a law enforcement agency to assist in a criminal investigation or prosecution, or to determine the validity of or eligibility for a license; and

(B) The name of an applicant, licensee, or past licensee may be released as contained in investigative or arrest reports of law enforcement that are subject to release as public records; and the name and the corresponding zip code of an applicant, licensee, or past licensee may be released upon request by a citizen of Arkansas.

(20) Personal information of current and former public water system customers and municipally owned utility system customers, including without limitation:

(A) Home and mobile telephone numbers;

(B) Personal email addresses;

(C) Home and business addressees; and

(D) Customer usage data.

(21) Electronic data information maintained by a disaster recovery system.

(22) The date of birth, home address, email address, phone number, and other contact information from county or municipal parks and recreation department records of a person who was under eighteen (18) years of age at the time of the request made under this section.

(23) (A) Information related to taxes collected by particular entities under § 26-74-501 et seq.; the Advertising and Promotion Commission Act, § 26-75-601 et seq.; and § 26-75-701 et seq.

(B) However, this exemption does not apply to information or other records regarding the total taxes collected under § 26-74-501 et seq.; the Advertising and Promotion Commission Act, § 26-75-601 et seq.; and § 26-75-701 et seq. in the county or municipality as a whole.

(c) (1) Notwithstanding subdivision (b)(12) of this section, all employee evaluation or job performance records, including preliminary notes and other materials, shall be open to

public inspection only upon final administrative resolution of any suspension or termination proceeding at which the records form a basis for the decision to suspend or terminate the employee and if there is a compelling public interest in their disclosure.

(2) Any personnel or evaluation records exempt from disclosure under this chapter shall nonetheless be made available to the person about whom the records are maintained or to that person's designated representative.

(3) (A) Upon receiving a request for the examination or copying of personnel or evaluation records, the custodian of the records shall determine within twenty four (24) hours of the receipt of the request whether the records are exempt from disclosure and make efforts to the fullest extent possible to notify the person making the request and the subject of the records of that decision.

(B) (i) If the subject of the records cannot be contacted in person or by telephone within the twenty-four hour period, the custodian shall send written notice via overnight mail to the subject of the records at his or her last known address. Either the custodian, requester, or the subject of the records may immediately seek an opinion from the Attorney General who, within three (3) working days of receipt of the request, shall issue an opinion stating whether the decision is consistent with this chapter.

(ii) In the event of a review by the Attorney General, the custodian shall not disclose the records until the Attorney General has issued his or her opinion.

(C) However, nothing in this subsection shall be construed to prevent the requester or the subject of the records from seeking judicial review of the custodian's decision or the decision of the Attorney General.

(d) (1) Reasonable access to public records and reasonable comforts and facilities for the full exercise of the right to inspect and copy those records shall not be denied to any citizen.

(2) (A) Upon request and payment of a fee as provided in subdivision (d)(3) of this section, the custodian shall furnish copies of public records if the custodian has the necessary duplicating equipment.

(B) A citizen may request a copy of a public record in any medium in which the record is readily available or in any format to which it is readily convertible with the custodian's existing software.

(C) A custodian is not required to compile information or create a record in response to a request made under this section.

(3) (A) (i) Except as provided in § 25-19-109 or by law, any fee for copies shall not exceed the actual costs of

reproduction, including the costs of the medium of reproduction, supplies, equipment, and maintenance, but not including existing agency personnel time associated with searching for, retrieving, reviewing, or copying the records.

(ii) The custodian may also charge the actual costs of mailing or transmitting the record by facsimile or other electronic means.

(iii) If the estimated fee exceeds twenty five dollars (\$25.00), the custodian may require the requester to pay that fee in advance.

(iv) Copies may be furnished without charge or at a reduced charge if the custodian determines that the records have been requested primarily for noncommercial purposes and that waiver or reduction of the fee is in the public interest.

(B) The custodian shall provide an itemized breakdown of charges under subdivision (d)(3)(A) of this section.

(e) If a public record is in active use or storage and, therefore, not available at the time a citizen asks to examine it, the custodian shall certify this fact in writing to the applicant and set a date and hour within three (3) working days at which time the record will be available for the exercise of the right given by this chapter.

(f) (1) No request to inspect, copy, or obtain copies of public records shall be denied on the ground that information exempt from disclosure is commingled with nonexempt information.

(2) Any reasonably segregable portion of a record shall be provided after deletion of the exempt information.

(3) The amount of information deleted shall be indicated on the released portion of the record and, if technically feasible, at the place in the record where the deletion was made.

(4) If it is necessary to separate exempt from nonexempt information in order to permit a citizen to inspect, copy, or obtain copies of public records, the custodian shall bear the cost of the separation.

(g) Any computer hardware or software acquired by an entity subject to § 25-19-103(5)(A) after July 1, 2001, shall be in full compliance with the requirements of this section and shall not impede public access to records in electronic form.

(h) Notwithstanding any Arkansas law to the contrary, at the conclusion of any investigation conducted by a state agency in pursuit of civil penalties against the subject of the investigation, any settlement agreement entered into by a state agency shall be deemed a public document for the purposes of this chapter. However, the provisions of this subsection

shall not apply to any investigation or settlement agreement involving any state tax covered by the Arkansas Tax Procedure Act, § 26-18-101 et seq.

### **25-19-106. Open public meetings.**

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(a) Except as otherwise specifically provided by law, all meetings, formal or informal, special or regular, of the governing bodies of all municipalities, counties, townships, and school districts and all boards, bureaus, commissions, or organizations of the State of Arkansas, except grand juries, supported wholly or in part by public funds or expending public funds, shall be public meetings.

(b) (1) The time and place of each regular meeting shall be furnished to anyone who requests the information.

(2) In the event of emergency or special meetings, the person calling the meeting shall notify the representatives of the newspapers, radio stations, and television stations, if any, located in the county in which the meeting is to be held and any news media located elsewhere that cover regular meetings of the governing body and that have requested to be so notified of emergency or special meetings of the time, place, and date of the meeting. Notification shall be made at least two (2) hours before the meeting takes place in order that the public shall have representatives at the meeting.

(c) (1) Executive sessions will be permitted only for the purpose of considering employment, appointment, promotion, demotion, disciplining, or resignation of any public officer or employee. The specific purpose of the executive session shall be announced in public before going into executive session.

(2) (A) Only the person holding the top administrative position in the public agency, department, or office involved, the immediate supervisor of the employee involved, and the employee may be present at the executive session when so requested by the governing body, board, commission, or other public body holding the executive session.

(B) Any person being interviewed for the top administrative position in the public agency, department, or office involved may be present at the executive session when so requested by the governing board, commission, or other public body holding the executive session.

(3) Executive sessions must never be called for the purpose of defeating the reason or the spirit of this chapter.

(4) No resolution, ordinance, rule, contract, regulation, or motion considered or arrived at in executive session will be legal unless, following the executive session, the public body reconvenes in public session and presents and votes on

the resolution, ordinance, rule, contract, regulation, or motion.

(5) (A) Boards and commissions of this state may meet in executive session for purposes of preparing examination materials and answers to examination materials which are administered to applicants for licensure from state agencies.

(B) Boards and commissions are excluded from this chapter for the administering of examinations to applicants for licensure.

(6) Subject to the provisions of subdivision (c)(4) of this section, a public agency may meet in executive session for the purpose of considering, evaluating, or discussing matters pertaining to public water system security or municipally owned utility system security as described in § 25-19-105(b)(18).

### **25-19-107. Appeal from denial of rights — Attorney's fees.**

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(a) Any citizen denied the rights granted to him or her by this chapter may appeal immediately from the denial to the Pulaski County Circuit Court or to the circuit court of the residence of the aggrieved party, if the State of Arkansas or a department, agency, or institution of the state is involved, or to any of the circuit courts of the appropriate judicial districts when an agency of a county, municipality, township, or school district, or a private organization supported by or expending public funds, is involved.

(b) Upon written application of the person denied the rights provided for in this chapter, or any interested party, it shall be mandatory upon the circuit court having jurisdiction to fix and assess a day the petition is to be heard within seven (7) days of the date of the application of the petitioner, and to hear and determine the case.

(c) Those who refuse to comply with the orders of the court shall be found guilty of contempt of court.

(d) (1) In any action to enforce the rights granted by this chapter, or in any appeal therefrom, the court shall assess against the defendant reasonable attorney's fees and other litigation expenses reasonably incurred by a plaintiff who has substantially prevailed unless the court finds that the position of the defendant was substantially justified.

(2) If the defendant has substantially prevailed in the action, the court may assess expenses against the plaintiff only upon a finding that the action was initiated primarily for frivolous or dilatory purposes.

(e) (1) Notwithstanding subsection (d)(1) of this section, the court shall not assess reasonable attorney's fees or other

litigation expenses reasonably incurred by a plaintiff against the State of Arkansas or a department, agency, or institution of the state.

(2) (A) A plaintiff who substantially prevailed in an action under this section against the State of Arkansas or a department, agency, or institution of the state may file a claim with the Arkansas Claims Commission to recover reasonable attorney's fees and other litigation expenses reasonably incurred.

(B) A claim for reasonable attorney's fees and litigation expenses reasonably incurred in an action against the State of Arkansas or a department, agency, or institution of the state shall be filed with the commission pursuant to Section 19-10-201 et seq. within sixty (60) days of the final disposition of the appeal under subsection (a) of this section.

### **25-19-108. Information for public guidance.**

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(a) Each state agency, board, and commission shall prepare and make available:

(1) A description of its organization, including central and field offices, the general course and method of its operations, and the established locations, including, but not limited to, telephone numbers and street, mailing, electronic mail, and Internet addresses and the methods by which the public may obtain access to public records;

(2) A list and general description of its records, including computer databases;

(3) (A) Its regulations, rules of procedure, any formally proposed changes, and all other written statements of policy or interpretations formulated, adopted, or used by the agency, board, or commission in the discharge of its functions.

(B) (i) Rules, regulations, and opinions used in this section shall refer only to substantive and material items that directly affect procedure and decision-making.

(ii) Personnel policies, procedures, and internal policies shall not be subject to the provisions of this section.

(iii) Surveys, polls, and fact-gathering for decision making shall not be subject to the provisions of this section.

(iv) Statistical data furnished to a state agency shall be posted only after the agency has concluded its final compilation and result.

(4) All documents composing an administrative adjudication decision in a contested matter, except the parts of the decision that are expressly confidential under state or federal law; and

(5) Copies of all records, regardless of medium or format, released under § 25-190-105 which, because of the nature of their subject matter, the agency, board, or commis-

sion determines have become or are likely to become the subject of frequent requests for substantially the same records.

(b)(1) All materials made available by a state agency, board, or commission pursuant to subsection (a) of this section and created after July 1, 2003, shall be made publicly accessible, without charge, in electronic form via the Internet.

(2) It shall be a sufficient response to a request to inspect or copy the materials that they are available on the Internet at a specified location, unless the requester specifies another medium or format under § 25-19-105(d)(2)(B).

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**25-19-109. Special requests for electronic information.**

(a) (1) At his or her discretion, a custodian may agree to summarize, compile, or tailor electronic data in a particular manner or medium and may agree to provide the data in an electronic format to which it is not readily convertible.

(2) Where the cost and time involved in complying with the requests are relatively minimal, custodians should agree to provide the data as requested.

(b) (1) If the custodian agrees to a request, the custodian may charge the actual, verifiable costs of personnel time exceeding two (2) hours associated with the tasks, in addition to copying costs authorized by § 25-19-105(d)(3).

(2) The charge for personnel time shall not exceed the salary of the lowest paid employee or contractor who, in the discretion of the custodian, has the necessary skill and training to respond to the request

(c) The custodian shall provide an itemized breakdown of charges under subsection (b) of this section.

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**25-19-110. Exemptions.**

(a) Beginning July 1, 2009, in order to be effective, a law that enacts a new exemption to the requirements of this chapter or that substantially amends an existing exemption to the requirements of this chapter shall state that the record or meeting is exempt from the Freedom of Information Act of 1967, § 25-19-101 et seq.

(b) For purposes of this section:

(1) An exemption from the requirements of this chapter is substantially amended if the amendment expands the scope of the exemption to include more records or information or to include meetings as well as records; and

(2) An exemption from the requirements of this chapter is not substantially amended if the amendment narrows the scope of the exemption.



## Plan Revision History

Adopted by Resolution 14-05 on February 18<sup>th</sup>, 2014 in order to improve the MPO's efforts in engaging the public.

Revised by Resolution 14-07 on July 29<sup>th</sup>, 2014 in order to clarify the MPO's role in the development of the Jonesboro Economical Transportation System's Program of Projects.

Revised by Resolution 14-14 on May 4<sup>th</sup>, 2015 in order to clarify language in the document to align more precisely with standards set by the Arkansas State Highway and Transportation Department.

Revised by Resolution 17-07 on May 16<sup>th</sup>, 2017 in order to include most recent Federal Legislation (FAST Act of December 2016), Title VI and Civil Rights details, and the revised MPO Notice of Nondiscrimination.

Revised in order to update the existing MPO name to reflect the newly adopted name of "Northeast Regional Transportation Planning Commission (N.A.R.T.P.C.)" and accompanying logo. The name and logo changes were adopted by the Transportation Policy Committee via Resolution 18-03 on November 21<sup>st</sup>, 2017

Revised in order to reflect recent changes in MPO staff (Director) as well as updated electronic links and depictions of MPO plans/documents, text formatting, cover page and document aesthetics. These changes were adopted by the Transportation Policy Committee via Resolution 20-02 on February 18, 2020.



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