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Greenhouse Gas Emissions Measurement/National Highway System: U.S. Department of Transportation Final Rule Requiring State DOTs Performance Assessment

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The United States Department of Transportation/Federal Highway Administration (“DOT”) promulgated a final rule that is described as providing the following governmental organizations a national framework to track transportation-related greenhouse gas emissions (“GHG”):

- State Departments of Transportation (“DOTs”)
- Metropolitan Planning Organizations (“MPOs”)

The final rule is a component of the National Highway Performance Program (“NHPP”) which will assess the percentage change in carbon dioxide (CO₂) emissions of the National Highway System relative to 2022 levels. These activities will fit within the framework of DOT’s Transportation Performance Management.

State DOTs are required to establish 2-4-year statewide emissions reduction targets.

MPOs are required to establish 4-year emissions reduction targets for their metropolitan areas.

Both state DOTs and MPOs will have their own GHG targets and adopt strategies of their choice to obtain them. They are required to regularly provide updates on their progress.

DOTs initially establish targets and report such targets by February 1, 2024. Subsequent targets are required to be established and reported no later than October 1, 2026. This is intended to coordinate with other Transportation Performance Management measures.

The transportation sector of the United States economy is generally described as being the largest contributor of GHGs.

24 states and Washington D.C. already track GHGs.

A link to the final rule can be found [here](#).