



# 2025 Public Involvement Plan

**Approved**

October 15, 2025 by the Indianapolis MPO  
Transportation Policy Committee

**Prepared in Cooperation with**

State of Indiana  
Indiana Department of Transportation  
Federal Highway Administration

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# Glossary of Terms

## CENTRAL INDIANA REGIONAL TRANSPORTATION AUTHORITY (CIRTA)

A regional governmental organization to expand and improve mass transit in the region.

## FEDERAL HIGHWAY ADMINISTRATION (FHWA)

An agency of the U.S. Department of Transportation with jurisdiction over highways and roadways.

## FEDERAL TRANSIT ADMINISTRATION (FTA)

An agency of the U.S. Department of Transportation with jurisdiction over transit.

## INDOT

Indiana Department of Transportation

## LANGUAGE ACCESS PLAN (LAP)

Plan outlining how the IMPO will provide language interpretation and translation of important documents.

## LIMITED ENGLISH PROFICIENCY (LEP)

LEP persons are individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand the English language

## LOCAL PUBLIC AGENCY (LPA)

Such as city, town, county, or transit agency

## METROPOLITAN PLANNING AREA (MPA)

The geographic area in which the metropolitan transportation planning process as required by 23 USC 134 and section 8 of the Federal Transit Act must be carried out. The urbanized area includes the current urbanized area and the area expected to be urban in 20 years.

## METROPOLITAN PLANNING ORGANIZATION (MPO)

A Metropolitan Planning Organization (MPO) is an agency created by federal law to provide local elected officials input into the planning and implementation of federal transportation funds to metropolitan areas with populations of greater than 50,000.

## METROPOLITAN STATISTICAL AREA (MSA)

A Core Based Statistical Area is 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 (MTP)

The official intermodal transportation plan that is developed and adopted through the metropolitan transportation planning process for the metropolitan planning area. It is the guiding or foundational document for the future of the region including spending goals for different project

types, overall objectives, and a list of projects approved for construction that will impact air quality.

## METROPOLITAN INDIANAPOLIS TRANSPORTATION IMPROVEMENT PROGRAM (MITIP)

An online database that provides up-to-date project information.

## PUBLIC INVOLVEMENT PLAN (PIP)

A documented participation plan, as required by 23 CFR 450.316 of the Code of Federal Regulations, that defines a process for providing individuals, units of government, transportation partners, representatives for active transportation, people with disabilities, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

## TRANSPORTATION IMPROVEMENT PROGRAM (TIP)

A staged, prioritized, multi-year intermodal program of transportation projects, prepared in each metropolitan area, which is consistent with that area's metropolitan transportation plan. Each metropolitan TIP is incorporated in its entirety into the STIP.

## TIP AMENDMENT

Formal amendments are significant changes to the TIP that require an opportunity for public review and comment and require approval by the IMPO's Transportation Policy Committee at a public hearing. This often includes adding new projects, deleting projects, or significant cost changes.

## TIP MODIFICATION

Modifications are minor changes to projects or the TIP that do not require the IMPO's Transportation Policy Committee's approval or public review. These include but are not limited to general editorial corrections; changes to projects that do not involve a significant change in the use of IMPO funds such as minor cost increases, moving fiscal years within the active years of the current TIP, minor scope changes that do not change the overall project impact or transportation conformity.

Transportation Policy Committee - An IMPO committee of elected officials and town managers who vote to approve all federally required IMPO transportation actions.

## TRANSPORTATION TECHNICAL COMMITTEE

An IMPO committee of planners and engineers who provide expertise on proposed transportation policies and plans.

## USDOT

United States Department of Transportation

## 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.

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## Introduction

Every Urbanized Area with a population of 50,000 or more (as defined by the US Census Bureau) is required by federal regulations to have a designated metropolitan planning organization. The Indianapolis Metropolitan Planning Organization (IMPO) serves 1,500 square miles of Central Indiana and approximately 1.74M people. The Metropolitan Planning Area map shows the IMPO's coverage area.

The IMPO and the Transportation Policy Committee (TPC) create transportation plans, establish regional policies, provide guidance documents, and conduct a competitive federal grant program that helps fund many of Central Indiana's largest transportation projects including transit, active transportation, and roadway improvements.

The IMPO has developed this Public Involvement Plan (PIP) to ensure all segments of the public have an opportunity to be involved in regional transportation planning and programming at all stages of the processes. Specifically, as the federal guidance specifies, the following groups must be given an opportunity to be engaged in these processes:

- individuals
- affected public agencies
- representatives of public transportation employees
- public ports
- freight shippers
- providers of freight transportation services
- private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program)
- representatives of users of public transportation
- representatives of users of pedestrian walkways and bicycle transportation facilities
- representatives of the disability community
- other interested parties

This PIP is used by the IMPO to ensure early and continuing public involvement as part of its planning and programming processes. It also ensures that the public has access to adequate and timely public notice of public participation activities, time for public review and comment at key decision points, a reasonable opportunity to comment on the IMPO's products, and reasonable access to information about transportation issues and processes.

This PIP establishes a minimum threshold for public involvement for IMPO directed planning. In practice, the IMPO often goes above and beyond these minimum requirements.

The IMPO's planning and programming products include:

- the **Public Involvement Plan (PIP)** – refer to page 11 for information on plan update and input
- the **Metropolitan Transportation Plan (MTP)** – refer to page 11 for information on plan development and input
- the **Indianapolis Regional Transportation Improvement Program (IRTIP)** – refer to page 12 for information on program development and input
- other transportation planning products such as regional freight network planning, pedestrian and bikeways planning, transit route and transit-oriented development planning, etc.

## The Planning Process

### **MPO The Planning Process**

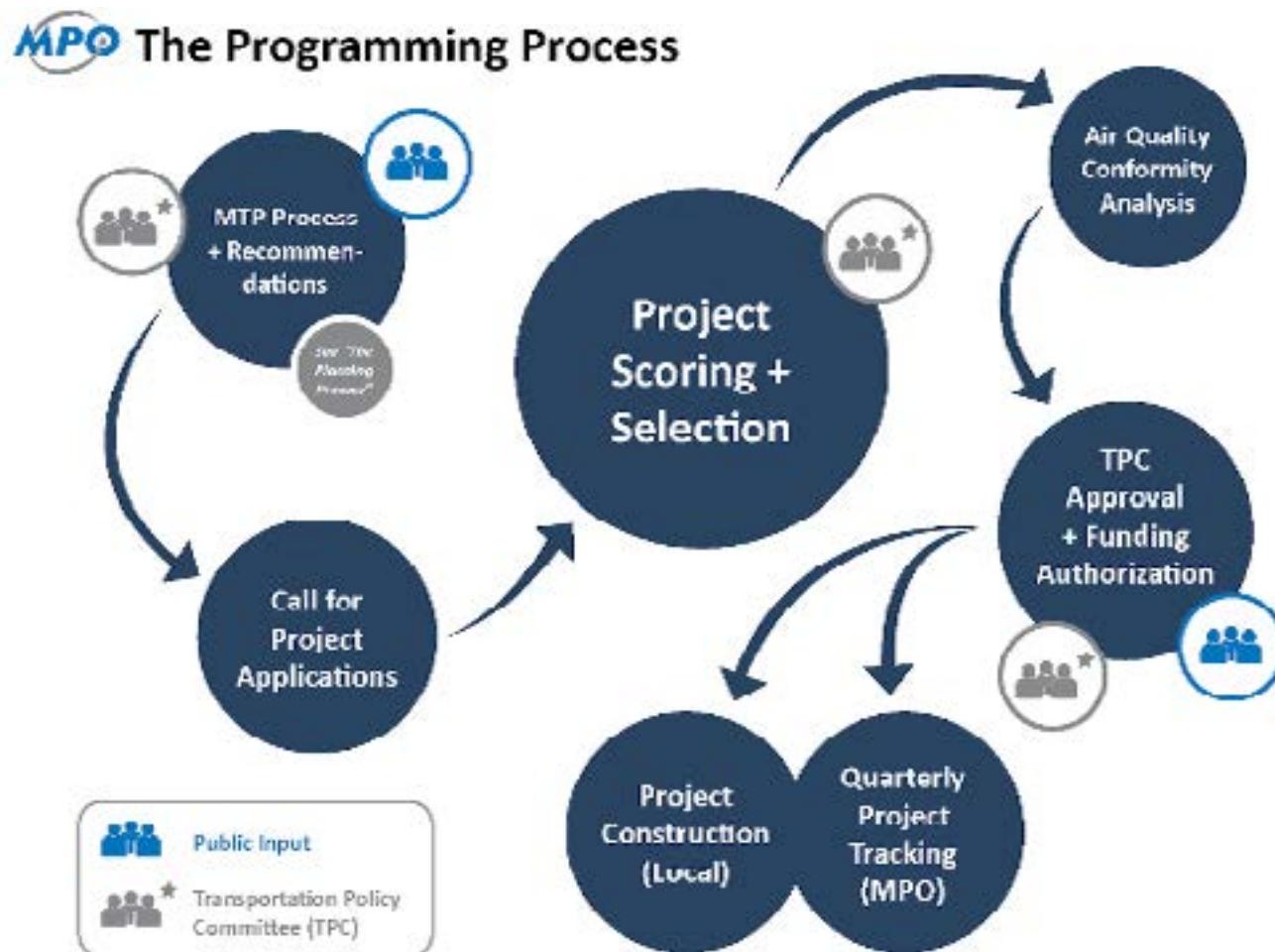


The IMPO creates plans and policies for transportation at the regional level. These plans and policies generally build on the plans created by Central Indiana's local communities, but also consider the benefits and impacts of transportation improvements at the regional level. These plans include the IMPO's Metropolitan Transportation Plan, the Regional Active Transportation Plan, the Central Indiana Transit Plan, and others. The IMPO's planning process generally consist of:

- Gathering background information to get a feel for the current conditions of an area and to see how it's changed over time
- Getting public input and feedback on goals and objectives for the project and the project's outcomes
- Technical analysis that helps to form the plan's recommendations
- Public input and feedback on the plan's recommendations
- Adoption of the plan by the Transportation Policy Committee during a public hearing

Most planning work at the IMPO also involves a steering committee for each project. These are residents and people from various agencies and organizations in the affected communities, who help guide the project's goals and recommendations.

## The Programming Process



The Indianapolis MPO receives an annual allocation of federal funds and operates a program to select which projects to fund with federal money. Using existing plans, direction from the TPC, and public input, the IMPO helps fund the projects that provide Central Indiana with the highest regional transportation benefit. The MPO's programming process generally consists of:

- **Creating Scorecards.** We use best practices, federal guidelines, and TPC input to determine the best selection criteria for each funding category.
- **Issuing a Call for Projects.** We announce a call for projects to TPC members, provide an outline of money available for the funding call, and a deadline.
- **Reviewing submitted projects.** Towns, cities, and counties all submit projects for funding; they self-score their projects. We double-check the scoring and rank/recommend projects based on their score.
- **Asking for Public Comment.** The TPC and public provide input on the list of recommended projects.<sup>1</sup>
- **Seeking Approval.** We put a final list together and submit to the TPC for final approval.
- **Tracking Projects.** Every project is tracked to ensure the project meets its deadlines and will be able to spend its allocated money. Check out MiTIP for the current list of projects.

<sup>1</sup> It is worth noting that this should not be the first opportunity for public input. Before the local communities (TPC Members) submit applications to the MPO's Call for Projects, the project in question should have been included as part of a community's thoroughfare plan, comprehensive plan, capital improvement program, or other publicly vetted, approved community plan.

## Goals of the PIP

The Public Involvement Plan is intended to provide all interested parties, including local public agencies and planning partners, with information on how the IMPO actively engages the public in the transportation planning and programming processes. An effective public involvement plan requires IMPO staff to both provide information to and gather information from the public. This exchange should occur for all IMPO plans and programming activities, including special planning projects.

Goals for planning and programming processes are to:

- Obtain understanding of transportation needs through public engagement.
- Engage the public in transportation decision-making early and often.
- Provide to the public reasonable access at key decision points during the development of IMPO plans and programs.
- Ensure full and fair participation in the transportation decision making process.
- Provide timely and adequate notice to the public about meetings and plans.
- Seek out and consider the needs of those traditionally underserved by existing transportation systems, who may also face challenges accessing employment and other services, including:
  - Low-income (households below the poverty line)
  - Underrepresented populations (population reporting a race and ethnicity other than White, Non-Hispanic)
  - Limited-English proficiency (households reporting low English proficiency for all members over age 14)
  - Senior population (population age 65 or over)
  - Zero-car households (occupied housing units with no vehicle available)
  - Persons with disabilities (population aged 16-64 reporting a disability)
  - Low educational attainment (population over age 25 with no high school diploma or GED)
- Seek out and consider the needs of those who are geographically nearest to the project and therefore a higher potential for direct impact from the project.

All IMPO plans and processes will track the type and amount of public involvement methods used, and feedback received.

## Public Involvement Procedures

The following are some of the procedures and techniques that the IMPO uses for gathering public input.

### Scheduling and Noticing Procedures

The IMPO develops and updates its planning and programming documents on a regular basis. There are various minimum public input and public noticing periods based on the type of planning document. The table in Appendix A summarizes the minimum input and noticing periods for the IMPO's planning and programming core products (MTP, TIP, PIP). Other projects also often issue public notices on schedules specific to the project.

### IMPO Committee Meetings

Core products of the IMPO (like the MTP, TIP, PIP) as well as other significant regional planning products, will be reviewed and approved by the TPC. This board includes representatives of all counties and municipalities in Central Indiana's Metropolitan Planning Area (MPA), who are dues-paying members of the IMPO in good standing. The public may submit comments about IMPO products that impact or affect their local jurisdiction to their TPC representative, or directly to IMPO staff. A current list of TPC members can be found at <https://www.indympo.gov/about-us/mpo-leadership-committees/members>.

## Open Meetings

Notifications, cancellations, and any special announcements for regular meetings conducted by the IMPO (such as meetings of the TPC, TTC, and Executive Committee) will be listed on the IMPO website, the IMPO's social media pages, at the IMPO office, and an email will be sent to subscribers of the IMPO's teMPO newsletter. All meetings posted on the IMPO website are open for the public to attend. Transportation Committee meetings are live streamed on YouTube. Exceptions to this policy are only permitted as allowed by the Open Door Law (IC 5-14-1.5 – Appendix D).

## Meeting Accessibility

The transportation needs and opinions of persons with disabilities shall be included in the transportation planning process. The planning process will be made accessible to such persons by ensuring that all public meetings are held at convenient and accessible locations and times. When possible, public meetings are held at facilities accessible by transit. All in-person, pre-scheduled TPC, TTC, and Executive Committee meetings will be accessible by transit.

The IMPO may choose, as fitting a project, situation, or request, to hold meetings, presentations, and other engagement opportunities online, by phone, or in-person, or a combination of the three. Meeting information and access details will be shared with the appropriate meeting audience. If the engagement opportunity is for the general public, information will be shared at minimum in the teMPO newsletter, social media accounts, and at <https://www.indympo.gov>.

Individuals needing special accommodations to participate in meetings beyond those advertised or individuals with limited English proficiency should contact IMPO staff at least three (3) working days prior to the scheduled meeting in order to accommodate their needs. Please call 317-327-8601 to notify IMPO staff. Individuals can also contact Relay Indiana for special accommodations (dial 711 or email [info@relayindiana.com](mailto:info@relayindiana.com)).

## Coordination with Statewide Transportation Planning

The Indianapolis MPO consistently engages the Indiana Department of Transportation (INDOT) in its planning processes. As part of this coordination effort, IMPO staff reaches out to INDOT for participation in planning processes and updates on INDOT plans and programs. INDOT is apprised of IMPO activities through participation on the Transportation Technical and Policy Committees. INDOT is a voting member of the Transportation Technical and Policy Committees.

## Methods of Public Outreach & Advertisement

Public outreach is essential to the planning and transportation programming process. A variety of engagement techniques and tools should be used to ensure transparency and increase opportunities for the public to participate. All IMPO plans and processes will track the type and amount of public involvement methods used, and feedback received. The IMPO has developed an [Engagement Toolkit](#) with different options of outreach methods and advertising. What follows are some of the best practice techniques for generating meaningful public input into planning and transportation programming processes:

### Public Hearings

Federal law requires the provision of public hearings for the creation of and amendments to specific IMPO documents. These public hearings provide the general public and other interested parties with an opportunity to have their position heard. Public hearing procedures will be in accordance with Appendix B of this Public Involvement Plan.

### Public Pre-Hearings

To accommodate individuals who may be unable to attend the official public hearing during the Transportation Policy Committee meeting, two virtual Pre-Hearings will be held prior to the official public hearing. Individuals will be able to ask questions or provide comments on agenda items, and may issue a statement to be read into the record during the official public hearing.

### Advanced Comments

To accommodate individuals who may be unable to attend the official public hearing during the Transportation Policy Committee meeting, a form is provided on the website that allows individuals to submit a statement to be read into the record during the official public hearing.

### Public Notices

Public notices, issued to major news publications, will be issued for meetings or documents available for public com-

ment in accordance with the minimum advertising periods as set forth in this Public Involvement Plan. (See Appendix A)

- The Indianapolis Star shall be the IMPO's Newspaper of Record. The IMPO will advertise in other publications as needed, on a case-by-case basis.
- For projects and services potentially affecting identified areas of concern with limited English proficiency, the IMPO will include information about requesting language services written in Spanish as well as in English.

### The Indianapolis MPO Website

Advertisements for public hearings, public review periods, public forums, review draft availability, and other occurrences will be posted to the IMPO's website (<http://www.indympo.gov/comment>). Documents identified in the Language Access Plan will be posted to the Spanish language page on the IMPO webpage. Comments about any IMPO products can also be submitted to the IMPO by emailing [info@indympo.gov](mailto:info@indympo.gov). IMPO policies, procedures, and approved products can be found at:

- <https://www.indympo.gov/planning/project-library>
- <https://www.indympo.gov/funding/irtip>
- <https://www.indympo.gov/planning/mtp>
- <https://www.indympo.gov/about-us/mpo-policies-procedures>

### Email Newsletter

The Indianapolis MPO utilizes its email newsletter, teMPO, to distribute news stories, public meeting notices, and other important information to its members and interested residents and agencies.

### Social Media

The Indianapolis MPO social media pages share information on current planning activities and distribute news and information about our member agencies, many of whom have an active presence on social media.

- The IMPO, on a project-by-project basis, may decide to employ paid promotion for social media posts. Location data can be applied to promoted posts to ensure that people who live in certain areas (such as where a particular project or meeting is taking place) have the best chance at seeing the message via social media. Additional audience targeting can be made based on interests.
- When posting messages about documents available for public comment, it will be noted that, though the IMPO reads and considers all comments made on its social media posts, only comments that are submitted to the IMPO's social media accounts in direct messages will be part of the official public comment record for a product that is out for public review and feedback.

### Visualization Techniques

Attempts will be made to employ visualization techniques to describe locations and/or design of proposed planning or construction projects. These may include the following formats: project location maps, photographs, narrative project descriptions, charts, illustrations, graphics, diagrams, and sketches. In particular, the Metropolitan Indianapolis Transportation Improvement Program (MiTIP) website (<https://mitip.indympo.org>) represents the current IRTIP. This website is immediately and automatically populated with updated information whenever a change is made. This website provides the user with the most up to date information available and provides project specific search capabilities.

Staff will continue to monitor and investigate developing technologies to improve the IMPO's visualization process.

### Public Forums

Public forums are used to engage the public for specific planning activities. They may be in the form of advertised meetings or open houses, or may take place at regularly scheduled community meetings for neighborhoods, community development groups, or other interested / affected organizations. The intent of public forums is to disseminate and gather information in an informal setting. These forums may be conducted in a specific planning area for a location-based project, or may be spread throughout the region, depending on the geographic scale of the project.

#### [Advisory Groups](#)

As necessary for planning processes, the IMPO will use an advisory group (aka steering committee, stakeholder, etc.) to guide staff during key decision points and in forming recommendations. An advisory group would not replace public input but would provide an additional resource during the process. Advisory groups will include representatives key to the process (residents, employers, social welfare organizations, etc.).

#### [Presentations](#)

Presentations will be given by staff at appropriately scheduled public meetings or to organizations or agencies with specific interest in particular projects, either as preliminary outreach or as requested by the organizations. Whenever possible, the IMPO will plan to post online a recording of a given presentation so that those who cannot participate in person can stay informed and provide feedback via survey, email, phone, or mail.

#### [Surveys](#)

One helpful tool for gathering public input is surveys. Surveys can take many shapes, sizes, and methods of deployment: online, paper, by telephone, and in-person. The IMPO uses surveys to gather information from the public on specific planning activities and uses the information to inform the planning process. Another use is to survey the members of the TPC at key points in a planning process. Survey results are shared with the TPC and are considered integral parts of a successful planning process. When requested or as appropriate, a survey may be translated for people with limited English proficiency.

#### [Street Teams](#)

The IMPO may choose to hire or organize street teams on a project-by-project basis. These teams can visit well-traveled establishments (such as grocery stores, salons, places of worship, community centers, public fairs/festivals, etc.) to share information about a current project or a public engagement opportunity.

#### [Interested Citizens/Agencies](#)

The IMPO uses its email newsletter, the teMPO, as the main form of communication with interested citizens and agencies. The IMPO uses the teMPO to disseminate information about transportation plans, policies, and activities. The IMPO strives to include organizations that represent low-income, minority, and other traditionally underserved populations as subscribers of the teMPO. Subscribers of the teMPO will be continually examined for inclusiveness and usefulness, and opportunities to subscribe to the email newsletter will be offered to all individuals who take an interest in participating in the IMPO's transportation planning and programming processes. Anyone who wishes to subscribe to the teMPO newsletter can sign up at <https://www.indympo.gov/about-us/get-involved>.

The IMPO attempts to ensure that teMPO subscribers include representatives of the following:

- Traffic agencies
- Private providers of transportation services
- Ridesharing agencies
- Parking agencies
- Transportation safety agencies
- Traffic enforcement agencies
- Commuter rail operators
- Airport and port authorities
- Freight companies
- Railroad companies
- Environmental organizations
- Neighborhood associations
- Local Health Departments
- Other City, County, and Municipal departments
- Advocacy groups
- Interested citizens
- Public/Private/Parochial/Charter Schools
- Employers
- Organizations representing the interests of:
  - Older Adults
  - Minority populations
  - Transportation agency employees
  - Users of various modes of transportation
  - Persons with disabilities
  - Economically disadvantaged persons
  - Others underserved by the transportation system

#### [Availability of Information](#)

All documents seeking public comment will be posted the IMPO website at <https://www.indympo.gov/comment> and advertised via the teMPO email newsletter and social media. IMPO staff will make printed materials available to the public upon request. When appropriate, a charge may be levied for copies of publications. The charge will cover the cost of production

and, if applicable, the cost of mailing the materials. All such materials are available for viewing at the IMPO office at no cost.

## [Public Involvement Plan \(PIP\)](#)

A minimum public comment period of forty-five (45) calendar days will be provided before an initial or revised PIP is adopted by the TPC. Meetings during which the TPC will consider adoption of a PIP will include a public hearing in accordance with Appendix B of this Public Involvement Plan. Copies of the approved PIP will be provided to the Federal Highway Administration (FHWA) and Federal Transit Administration (FTA) for informational purposes and will be posted to the IMPO's website. The IMPO will review the PIP generally every four years generally and initiate a process to amend the existing or adopt a new PIP as necessary.

## [Metropolitan Transportation Plan \(MTP\) Public Involvement](#)

The MTP for the Indianapolis MPA serves as the comprehensive plan for transportation investment to support the safe and efficient movement of people and goods within the Indianapolis region through the plan's 30-year horizon. The MTP is the IMPO's primary transportation policy document. It establishes the purpose and need for major projects, identifies activities to address major transportation issues, and prioritizes investments in the transportation system.

The MTP must be fiscally constrained (activities are prioritized relative to realistic projections of available financial resources through at least the next 25 years); it identifies policies, strategies, and projects for the future; it focuses at the systems level, including roadways, transit, non-motorized transportation, and intermodal connections; it must be consistent with the statewide long-range transportation plan; and it must be reviewed and updated every four years.

Simply put, the MTP analyzes proposed transportation investments, specifically those that expand capacity, within the next 20+ years, considers the impact of these projects on regional travel patterns, and congestion, and assigns them a priority for funding.

#### [New MTP](#)

The development of a new MTP can take several months, if not longer, depending on the scope. Throughout the planning process, the public will be engaged at key stages of development.

Once the new MTP is in final draft form, a comment period of thirty (30) calendar days will be provided for public review, including the associated air quality conformity analyses. If the final draft MTP differs significantly from the version that was made available for public comment, a second public comment period of at least fifteen (15) calendar days will be held before final approval by the TPC.

#### [MTP Amendments](#)

Between the approval of each new MTP, there are occasions that require amending the MTP. This could be due to new planning requirements, new transportation conformity regulations, project schedule changes, or similar reasons. Amendments will be limited to twice yearly. A comment period of ten (10) calendar days will be provided for public review of any amendment to the MTP, including the associated transportation conformity analysis. Per guidance, the 10-day public review period for amendments and the 30-day review period for the Interagency Consultation Group may overlap.

#### [Approval of the MTP](#)

The TPC is the approval body of the Indianapolis MPO. The TPC reviews and approves new MTPs or MTP amendments at its regularly scheduled meetings only after 1) all reviewing agencies have reviewed the MTP and Transportation Conformity Analysis, 2) the public has reviewed and provided comments, and 3) the Transportation Technical Committee has reviewed and approved the document. The final document will be available on the IMPO's website. Meetings during which the TPC will consider adoption of a new MTP or MTP amendment will include a public hearing in accordance with Appendix B of this PIP.

#### [MTP Public Comments](#)

For every public input opportunity for the MTP, IMPO staff will provide specific instructions on how to provide public

comment. Copies of the draft new or amended MTP will be available in the IMPO's office and on the IMPO's website.

For a new MTP, flyers announcing the public review and comment period and the availability of the draft new MTP will be posted at selected public libraries and local government offices within the Indianapolis MPA.

Comment periods for both new and amended MTPs will be announced in the public notice section of the Indianapolis Star, on the IMPO's website, on IMPO social media accounts, and in the IMPO's email newsletter, the teMPO.

Those members of the public wishing to address comments to the TPC or any committee thereof will be given the opportunity to comment at the noticed public hearings.

All significant public comments, or a summary of similar comments, will be discussed with both the TTC and TPC prior to approval. When significant comments of a substantive nature are received during the designated comment period, they will be included in the appendix of the final document.

## Transportation Improvement Program (TIP) Public Involvement

Among other tasks, the IMPO tracks and distributes funds through a program known as the Indianapolis Regional Transportation Improvement Program (IRTIP), or "TIP" for short. The TIP is a four-year plan for Central Indiana infrastructure. Depending on the type of project, the TIP tracks, schedules, and funds projects in Central Indiana based on regional priorities and cooperative input from communities throughout the area.

The current TIP outlines federal transportation investments in Central Indiana. It also includes projects deemed "regionally significant" for air quality during this period regardless of funding source as well as projects funded with any MPO-managed funds. The TIP is fiscally constrained, meaning it only includes projects with funding that is reasonably expected to be available.

Each year, the IMPO is allocated federal transportation funding from the Federal Highway Administration (FHWA) passed through the Indiana Department of Transportation (INDOT). This funding is distributed to local public agencies (typically cities, towns, counties, and transit organizations) by the IMPO to support transportation improvement projects (roads, bridges, trails, transit, etc.) in the IMPO's planning area. Working with local public agencies, the IMPO prioritizes, selects, and awards funding to projects that address needed transportation improvements.

Because project schedules and costs can change over time, the TIP is updated regularly. Significant changes require a formal TIP amendment, which occurs up to six times a year. Minor changes to existing projects can be approved administratively.

### New TIP

A 30-day public review and comment period is advertised before finalizing a new 4-year TIP for approval. If significant comments are received that may affect the draft TIP, a second public comment period of at least fifteen (15) calendar days will be held before final approval by the TPC.

### TIP Amendment

A 10-day public review and comment period is advertised for a formal TIP amendment such as adding a new project, project phase, changing the project scope, or significantly changing the project costs.

### TIP Administrative Modification

Administrative modifications are minor changes to projects or the TIP that do not require TPC approval and do not require public review. These modifications do not significantly impact the overall program. A modification is approved only if a project is consistent with the current Metropolitan Transportation Plan, is not considered controversial in nature, and has not received significant negative public comment. Modifications may include editorial or data entry corrections, minor schedule changes, or minor cost changes.

All modifications are posted quarterly on the IMPO's website at <https://www.indympo.gov/funding/irtip>.

### TIP Emergency Amendment

A comment period of at least seven (7) calendar days will be provided for public review of proposed emergency amendments to the TIP. Upon confirmation of the meeting details (location, time, etc.), the draft emergency amendments will be emailed to members of the TTC and TPC, posted to the IMPO website, and shared on the IMPO's social media accounts and via the teMPO email newsletter. Final action will be taken by the TPC at a special meeting called by the board chair. The public notice of the seven (7) day comment period concluding in a public hearing at the TPC meeting will be made in accordance with Appendix A of this PIP.

These are amendments that require approval by the TPC and must include public review outside of the regular formal amendment process. Emergency amendments must be made available during an advertised seven (7) day public comment period, concluding in a public hearing.

### TIP Public Comments

For every public input opportunity for the TIP, IMPO staff will provide specific instructions on how to provide public comment. Copies of the new draft TIP or amendments to the TIP will be available in the IMPO's office and on the IMPO's website. Comment periods will be announced in the public notice section of the Indianapolis Star, on the IMPO's website, on IMPO social media accounts, and as part of the IMPO's email newsletter, the teMPO. Those members of the public wishing to address comments to the TPC, or any committee thereof will be given the opportunity to comment at the noticed public hearings. All significant public comments, or a summary of similar comments, will be discussed with both the TTC and TPC prior to approval. All comments received during the designated comment period will be included in the appendix of the final document. For further information on TIP amendments and modifications, please visit <https://www.indympo.gov/funding/irtip>.

### Approval of the TIP

The TPC is the approval body of the Indianapolis MPO. The TPC reviews and approves the new and amended project lists at its regularly scheduled meetings only after all reviewing agencies have approved the TIP and Transportation Conformity Analysis, the public has reviewed and provided comments, and the TTC has reviewed and recommended approval of the document. Meetings during which the TPC will consider adoption of the TIP will include a public hearing in accordance with Appendix B of this PIP. The final document will be available on the IMPO's website.

## Public Involvement in Special Planning Studies

As planning or programming projects arise (other than the PIP, TIP, and MTP), a project may use this PIP or develop a specific public involvement process that is appropriate for the project. Public comment periods and notices of public hearing for project-specific processes will be advertised in the Indianapolis Star, on the IMPO's website, on IMPO social media accounts, and as part of the IMPO's email newsletter, the teMPO. Draft documents will be posted on the IMPO's website for review by the public.

## Contact

Those seeking more information about our planning activities can contact the Indianapolis Metropolitan Planning Organization, 200 East Washington Street, City-County Building, Suite 2322; Indianapolis, IN 46204

**Phone:** 317.327.8601; or call 711 for Relay Indiana

**Fax:** 317.327.5950

**Website:** [www.IndyMPO.gov](http://www.IndyMPO.gov)

## Appendix A: Reference for Minimum Noticing

The following table was created to provide clarity on the required notice for meetings or public hearings for each of the IMPO's planning activities. All notices for public meetings and public hearings will be posted to the IMPO's website.

REGULAR COMMITTEE MEETINGS	DATES	NOTICE FOR MEETING OR PUBLIC HEARING	NOTES
<b>INDIANAPOLIS MPO COMMITTEE MEETINGS</b>			
Transportation Technical and Policy Committees' Meetings	These committees meet in February, April, June, August, October, and December	Minimum 7 calendar days' notice of meetings and agendas posted on IMPO website	
Executive Committee	The Executive Committee meets each month	Minimum 7 calendar days' notice of meetings; Emergency Meetings require only two (2) working days' notice <sup>3</sup>	

*\*\* NOTE: Individuals needing special accommodations to participate in meetings or individuals with limited English proficiency should contact IMPO staff at least three (3) working days prior to the scheduled meeting in order to accommodate their needs. Call 317-327-8601 or 711 for Relay Indiana.*

<sup>3</sup> In Accordance with the Indiana Open Door Law (IC 5-14-1.5 – Appendix D)

PLAN OR PROCESS	MINIMUM OFFICIAL PUBLIC COMMENT PERIOD	MINIMUM NOTICE FOR MEETING OR PUBLIC HEARING	NOTES
<b>PUBLIC INVOLVEMENT PLAN (PIP)</b>			
New or Updated PIP	45 calendar days	Public Hearing held at regularly scheduled TPC meetings	A written response to public comments received will be included in the appendix
<b>METROPOLITAN TRANSPORTATION PLAN (MTP)</b>			
New MTP	30 calendar days -- Second review period of 15 calendar days if draft changes greatly based on public comment	Public Hearing held at a regularly scheduled TPC meeting	A written response to public comments received will be included in the appendix
MTP Amendment	10 calendar days	Public Hearing held at a regularly scheduled TPC meeting	A summary of public comments will be provided to the TPC

PLAN OR PROCESS	MINIMUM OFFICIAL PUBLIC COMMENT PERIOD	MINIMUM NOTICE FOR MEETING OR PUBLIC HEARING	NOTES
<b>METROPOLITAN TRANSPORTATION PLAN (MTP)</b>			
New MTP	30 calendar days -- Second review period of 15 calendar days if draft changes greatly based on public comment	Public Hearing held at a regularly scheduled TPC meeting	A written response to public comments received will be included in the appendix
MTP Amendment	10 calendar days	Public Hearing held at a regularly scheduled TPC meeting	A summary of public comments will be provided to the TPC
<b>INDIANAPOLIS REGIONAL TRANSPORTATION IMPROVEMENT PROGRAM (TIP)</b>			
New TIP	30 calendar days -- Second review period of 15 calendar days if draft changes greatly based on public comment	Public Hearing held at a regularly scheduled TPC meeting	A written response to public comments received will be included in the appendix
TIP Amendment	10 calendar days	Public Hearing held at a regularly scheduled TPC meeting	A summary of public comments will be provided to the TPC
TIP Amendment (Illustrative projects list)	10 calendar days	Public Hearing held at a regularly scheduled TPC meeting	A summary of public comments will be provided to the TPC
TIP Administrative Modifications	No public review required	No public hearing required	
TIP Emergency Amendment	7 calendar days	Consideration and final decision to take place during an emergency meeting of the TPC	A summary of public comments will be provided to the TPC
<b>OTHER PLANS AND ACTIVITIES</b>			
Other Plans & Activities	Specified within the specific PIP's for Other Plans and Activities		

*\*\* NOTE: Individuals needing special accommodations to participate in meetings or individuals with limited English proficiency should contact IMPO staff at least three (3) working days prior to the scheduled meeting in order to accommodate their needs. Call 317-327-8601 or 711 for Relay Indiana.*

## Appendix B: Public Hearing Procedures

### Scheduled Public Hearings

Public hearings are held by the IMPO prior to a decision point. They may occur at a regularly scheduled meeting of the TPC, a special meeting that may be called according to the IMPO By-Laws, or at an advance public hearing. Advance public hearings may be held in cases where a large amount of public comment is anticipated to allow for proper recording and dissemination of comments to TPC members prior to a voting meeting. A public hearing gathers community comments and positions from all interested parties for public record and input into decisions. Public hearings shall be open to the public and persons desiring to be heard shall have the right to give testimony, in accordance with these rules. The IMPO may also hold public pre-hearings to allow people to ask questions and comment in a less formal setting before the public hearing.

IMPO staff or the project sponsor shall be allowed time to introduce the resolution and explain the relevant details of the proposal to the TPC and those present.

A maximum of 20 minutes for supporters and 20 minutes for remonstrators shall be allotted for a total of no more than 40 minutes of testimony per resolution that requires a public hearing. That time will be used for the presentation of evidence, statements, and argument. Testimony may alternate between support and opposition. Individuals wishing to speak must sign-in at the meeting. Each individual speaker may have a maximum of two (2) minutes to speak to allow for multiple people to comment within the allotted time. The IMPO encourages groups with similar views to appoint a single presenter to speak on behalf of the group. If this presenter wishes to speak for longer than two minutes, they should make prior arrangements with the IMPO to do so.

After testimony is given as specified above, supporters and remonstrators, respectively, shall be permitted five minutes each (for a total of no more than 10 minutes per resolution) for rebuttal that shall include only evidence, statements, or arguments in rebuttal of previously presented testimony.

The Chair of the TPC shall have the authority to cut off repetitious and irrelevant testimony, and also shall have authority to extend the periods of time specified above when it is in the interest of affording a fair hearing to all interested parties. Every person appearing at the hearings shall abide by the order and directives of the TPC Chair. Discourteous, disorderly, or contemptuous conduct shall be regarded as a breach of privileges extended by the TPC and shall be dealt with by the Chair as deemed fair and proper.

Individuals who cannot attend but wish to submit their comments to be read during the meeting, must submit them to IMPO staff at least two days prior to the meeting via the comment form at <https://www.indympo.gov/comment>. Comments submitted during an official public comment period will be included as an appendix to the draft document being considered for approval at a public hearing. Draft documents for consideration are distributed to TPC members one week prior to each meeting.

### Advance Public Hearing Procedure

Advance public hearings may be offered to organize proceedings in situations where the public would benefit from additional opportunities to comment on IMPO Resolutions.

#### Location:

Consideration for the location of the advance public hearing may be based on the following factors:

- Availability of Location
- Ability of Location to hold the anticipated number of persons attending
- Accessibility by public transit
- Access by and/or coordination with security personnel
- Buildings where firearms are prohibited
- ADA Accessibility

#### Physical Set-up:

The facility shall have adequate equipment for those speaking to be heard and/or recorded. There should be adequate provision for visual displays such as a computer projector, transparency projector or display boards as necessary. Dual podiums are encouraged but not required. Dual podiums allow for public comment to effectively alternate from each podium to afford equal opportunity to both those in support and those in opposition to a resolution.

#### Organization:

Persons wishing to speak during the advance public hearing should sign in with the following information: first name, last name, address, contact (email and/or phone) and whether they are in support or opposition to the resolution. The IMPO will call a list of names, in the order that they signed in, to form a line at the podium(s) for public comment. Members of the public will be given between 2 and 5 minutes of time to speak based on the number of people present and wishing to speak.

Individuals who cannot attend but wish to submit their comments to be read during the meeting, must submit them to IMPO staff at least two days prior to the meeting via the comment form at <https://www.indympo.gov/comment>.

#### Posting of procedure:

To provide the public with adequate instruction on how the meeting will be organized, the IMPO will post the hearing procedure where appropriate at the hearing location and shall prepare a statement to be read at the beginning of the hearing that covers this information as well.

#### Decision:

Final decisions will not be made at Advance Public Hearings. Comments will be recorded and included with packet information to the TPC for their consideration at the final public hearing, at which public comment will also be allowed and either a final approval decision will be made or the consideration will be continued to a future TPC meeting.

### Public Pre-Hearings

To accommodate individuals who may be unable to attend the official public hearing during the Transportation Policy Committee meeting, two virtual Pre-Hearings will be held prior to the official public hearing. Individuals will be able to ask questions or provide comments on agenda items and may issue a statement to be read into the record during the official public hearing.

## Appendix C: Shared Public Involvement Process for the Program of Projects (POP)

With regard to the region's Federal Transit Administration (FTA) Program of Projects (POP), the IMPO's procedures for public involvement for Transportation Improvement Program (TIP) development and amendments will be used to fulfill public noticing requirements for the agencies listed here. These agencies will be responsible for ensuring that the projects in the POP are included in the TIP.

- Indianapolis Public Transportation Corporation (IndyGo)
- Central Indiana Regional Transportation Authority (CIRTA)

As necessary, either agency may go beyond the minimum TIP requirements of this PIP to execute their specific agency's duties.

#### Special Note for IndyGo & CIRTA

The following note will be included in all Transportation Improvement Program (TIP) publications produced by the IMPO: *"The public involvement process for the IMPO Transportation Improvement Program (TIP) is used to satisfy the public involvement process for the Program of Projects (POP) for the following Federal Transit Administration (FTA) grantees: Indianapolis Public Transportation Corporation (IndyGo) and Central Indiana Regional Transportation Authority (CIRTA). This publication complies with the IMPO Public Involvement Procedures (PIP)."*

## Appendix D: Federal Code

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

[www.ecfr.gov/current/title-23/section-450.316](http://www.ecfr.gov/current/title-23/section-450.316)

a. The MPO shall develop and use a documented participation plan that defines a process for providing individuals, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or telework program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, and other interested parties with reasonable opportunities to be involved in the metropolitan transportation planning process.

1. The MPO shall develop the participation plan in consultation with all interested parties and shall, at a minimum, describe explicit procedures, strategies, and desired outcomes for:

- i. Providing adequate public notice of public participation activities and time for public review and comment at key decision points, including a reasonable opportunity to comment on the proposed metropolitan transportation plan and the TIP;
- ii. Providing timely notice and reasonable access to information about transportation issues and processes;
- iii. Employing visualization techniques to describe metropolitan transportation plans and TIPs;
- iv. Making public information (technical information and meeting notices) available in electronically accessible formats and means, such as the World Wide Web;
- v. Holding any public meetings at convenient and accessible locations and times;
- vi. Demonstrating explicit consideration and response to public input received during the development of the metropolitan transportation plan and the TIP;
- vii. Seeking out and considering the needs of those traditionally underserved by existing transportation systems, such as low-income and minority households, who may face challenges accessing employment and other services;
- viii. Providing an additional opportunity for public comment, if the final metropolitan transportation plan or TIP differs significantly from the version that was made available for public comment by the MPO and raises new material issues that interested parties could not reasonably have foreseen from the public involvement efforts;
- ix. Coordinating with the statewide transportation planning public involvement and consultation processes under subpart B of this part; and
- x. Periodically reviewing the effectiveness of the procedures and strategies contained in the participation plan to ensure a full and open participation process.

2. When significant written and oral comments are received on the draft metropolitan transportation plan and TIP (including the financial plans) as a result of the participation process in this section or the interagency consultation process required under the EPA transportation conformity regulations ([40 CFR part 93, subpart A](#)), a summary, analysis, and report on the disposition of comments shall be made as part of the final metropolitan transportation plan and TIP.

3. A minimum public comment period of 45 calendar days shall be provided before the initial or revised par-

ticipation plan is adopted by the MPO. Copies of the approved participation plan shall be provided to the FHWA and the FTA for informational purposes and shall be posted on the World Wide Web, to the maximum extent practicable.

b. In developing metropolitan transportation plans and TIPs, the MPO should consult with agencies and officials responsible for other planning activities within the MPA that are affected by transportation (including State and local planned growth, economic development, tourism, natural disaster risk reduction, environmental protection, airport operations, or freight movements) or coordinate its planning process (to the maximum extent practicable) with such planning activities. In addition, the MPO shall develop the metropolitan transportation plans and TIPs with due consideration of other related planning activities within the metropolitan area, and the process shall provide for the design and delivery of transportation services within the area that are provided by:

1. Recipients of assistance under title 49 U.S.C. Chapter 53;
2. Governmental agencies and non-profit organizations (including representatives of the agencies and organizations) that receive Federal assistance from a source other than the U.S. Department of Transportation to provide non-emergency transportation services; and
3. Recipients of assistance under 23 U.S.C. 204.

c. When the MPA includes Indian Tribal lands, the MPO shall appropriately involve the Indian Tribal government(s) in the development of the metropolitan transportation plan and the TIP.

d. When the MPA includes Federal public lands, the MPO shall appropriately involve the Federal land management agencies in the development of the metropolitan transportation plan and the TIP.

e. MPOs shall, to the extent practicable, develop a documented process(es) that outlines roles, responsibilities, and key decision points for consulting with other governments and agencies, as defined in paragraphs (b), (c), and (d) of this section, which may be included in the agreement(s) developed under [§ 450.314](#).

### 23 CFR 450.316 Checklist

SECTION	ADDRESS WHERE/HOW
(a)(1)(i)	<a href="#">page 11</a>
(a)(1)(ii)	<a href="#">page 11</a>
(a)(1)(iii)	<a href="#">page 9 Visualization Techniques</a>
(a)(1)(iv)	<a href="#">page 10 Availability of Information</a>
(a)(1)(v)	<a href="#">page 8 Meeting Accessibility</a>
(a)(1)(vi)	<a href="#">page 11-12 MTP Public Comment</a>
(a)(1)(vii)	<a href="#">Page 8 Meeting Accessibility and Methods of Public Outreach and advertisement</a>
(a)(1)(viii)	<a href="#">page 11 New MTP</a>
(a)(1)(ix)	<a href="#">page 8 Coordinating with Statewide Transportation Planning</a>
(a)(1)(x)	<a href="#">page 11 PIP</a>
(a)(2)	<a href="#">Page 11-12 MTP Public Comments</a>
(a)(3)	<a href="#">Page 11 PIP (Uses specific EJ language)</a>
(b)	<a href="#">Page 8 Meeting Accessibility and Methods of Public Outreach and advertisement</a>
(b)(1)	<a href="#">Page 8 Meeting Accessibility and Methods of Public Outreach and advertisement</a>
(b)(2)	<a href="#">Page 8 Meeting Accessibility and Methods of Public Outreach and advertisement</a>
(b)(3)	<a href="#">Page 8 Meeting Accessibility and Methods of Public Outreach and advertisement</a>
(c)	
(d)	
(e)	

**23 USC 134 – Metropolitan transportation planning**

<https://uscode.house.gov/view.xhtml?req=granuleId:USC-prelim-title23-section134&num=0&edition=prelim>

## (5) Consultation.-

(A) In general.-In each metropolitan area, the metropolitan planning organization shall consult, as appropriate, with State and local agencies responsible for land use management, natural resources, environmental protection, conservation, and historic preservation concerning the development of a long-range transportation plan.

## (B) Issues.-The consultation shall involve, as appropriate-

- (i) comparison of transportation plans with State conservation plans or maps, if available; or
- (ii) comparison of transportation plans to inventories of natural or historic resources, if available.

## (6) Participation by interested parties.-

(A) In general.-Each metropolitan planning organization shall provide citizens, affected public agencies, representatives of public transportation employees, public ports, freight shippers, providers of freight transportation services, private providers of transportation (including intercity bus operators, employer-based commuting programs, such as a carpool program, vanpool program, transit benefit program, parking cash-out program, shuttle program, or tele-work program), representatives of users of public transportation, representatives of users of pedestrian walkways and bicycle transportation facilities, representatives of the disabled, affordable housing organizations, and other interested parties with a reasonable opportunity to comment on the transportation plan.

## (B) Contents of participation plan.-A participation plan-

- (i) shall be developed in consultation with all interested parties; and
- (ii) shall provide that all interested parties have reasonable opportunities to comment on the contents of the transportation plan.

(C) Methods.-In carrying out subparagraph (A), the metropolitan planning organization shall, to the maximum extent practicable-

- (i) hold any public meetings at convenient and accessible locations and times;
- (ii) employ visualization techniques to describe plans; and
- (iii) make public information available in electronically accessible format and means, such as the World Wide Web, as appropriate to afford reasonable opportunity for consideration of public information under subparagraph (A).

(D) Use of technology.-A metropolitan planning organization may use social media and other web-based tools-

- (i) to further encourage public participation; and
- (ii) to solicit public feedback during the transportation planning process.

(7) Publication.-A transportation plan involving Federal participation shall be published or otherwise made readily available by the metropolitan planning organization for public review, including (to the maximum extent practicable) in electronically accessible formats and means, such as the World Wide Web, approved by the metropolitan planning organization and submitted for information purposes to the Governor at such times and in such manner as the Secretary shall establish.

(8) Selection of projects from illustrative list.-Notwithstanding paragraph (2)(E), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(E).

## (j) Metropolitan TIP.-

## (1) Development.-

(A) In general.-In cooperation with the State and any affected public transportation operator, the metropolitan planning organization designated for a metropolitan area shall develop a TIP for the metropolitan planning area that-

- (i) contains projects consistent with the current metropolitan transportation plan;
- (ii) reflects the investment priorities established in the current metropolitan transportation plan; and
- (iii) once implemented, is designed to make progress toward achieving the performance targets established under subsection (h)(2).

(B) Opportunity for comment.-In developing the TIP, the metropolitan planning organization, in cooperation with the State and any affected public transportation operator, shall provide an opportunity for participation by interested parties in the development of the program, in accordance with subsection (i)(5).

(C) Funding estimates.-For the purpose of developing the TIP, the metropolitan planning organization, public transportation agency, and State shall cooperatively develop estimates of funds that are reasonably expected to be available to support program implementation.

## (D) Updating and approval.-The TIP shall be-

- (i) updated at least once every 4 years; and
- (ii) approved by the metropolitan planning organization and the Governor.

## (2) Contents.-

(A) Priority list.-The TIP shall include a priority list of proposed Federally supported projects and strategies to be carried out within each 4-year period after the initial adoption of the TIP.

(B) Financial plan.-The TIP shall include a financial plan that-

- (i) demonstrates how the TIP can be implemented;
- (ii) indicates resources from public and private sources that are reasonably expected to be available to carry out the program;
- (iii) identifies innovative financing techniques to finance projects, programs, and strategies; and
- (iv) may include, for illustrative purposes, additional projects that would be included in the approved TIP if reasonable additional resources beyond those identified in the financial plan were available.

(C) Descriptions.-Each project in the TIP shall include sufficient descriptive material (such as type of work, termini, length, and other similar factors) to identify the project or phase of the project.

(D) Performance target achievement.-The transportation improvement program shall include, to the maximum extent practicable, a description of the anticipated effect of the transportation improvement program toward achieving the performance targets established in the metropolitan transportation plan, linking investment priorities to those performance targets.

## (3) Included projects.-

(A) Projects under this title and chapter 53 of title 49 .-A TIP developed under this subsection for a metropolitan area shall include the projects within the area that are proposed for funding under chapter 1 of this title and chapter 53 of title 49.

(B) Projects under chapter 2.-

- (i) Regionally significant projects.-Regionally significant projects proposed for funding under chapter 2 shall be identified individually in the transportation improvement program.
- (ii) Other projects.-Projects proposed for funding under chapter 2 that are not determined to be regionally significant shall be grouped in 1 line item or identified individually in the transportation improvement program.

(C) Consistency with long-range transportation plan.-Each project shall be consistent with the long-range transportation plan developed under subsection (i) for the area.

(D) Requirement of anticipated full funding.-The program shall include a project, or an identified phase of a project, only if full funding can reasonably be anticipated to be available for the project or the identified phase within the time period contemplated for completion of the project or the identified phase.

(4) Notice and comment.-Before approving a TIP, a metropolitan planning organization, in cooperation with the State and any affected public transportation operator, shall provide an opportunity for participation by interested parties in the development of the program, in accordance with subsection (i)(5).

## (5) Selection of projects.-

(A) In general.-Except as otherwise provided in subsection (k)(4) and in addition to the TIP development required under paragraph (1), the selection of Federally funded projects in metropolitan areas shall be carried out, from the approved TIP-

- (i) by-
- (ii) in the case of projects under this title, the State; and
- (ii) in the case of projects under chapter 53 of title 49, the designated recipients of public transportation funding; and
- (ii) in cooperation with the metropolitan planning organization.

(B) Modifications to project priority.-Notwithstanding any other provision of law, action by the Secretary shall not be required to advance a project included in the approved TIP in place of another project in the program.

(6) Selection of projects from illustrative list.-

(A) No required selection.-Notwithstanding paragraph (2)(B)(iv), a State or metropolitan planning organization shall not be required to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(B)(iv).

(B) Required action by the secretary.-Action by the Secretary shall be required for a State or metropolitan planning organization to select any project from the illustrative list of additional projects included in the financial plan under paragraph (2)(B)(iv) for inclusion in an approved TIP.

(7) Publication.-

(A) Publication of tips.-A TIP involving Federal participation shall be published or otherwise made readily available by the metropolitan planning organization for public review.

(B) Publication of annual listings of projects.-

(i) In general.-An annual listing of projects, including investments in pedestrian walkways and bicycle transportation facilities, for which Federal funds have been obligated in the preceding year shall be published or otherwise made available by the cooperative effort of the State, transit operator, and metropolitan planning organization for public review.

(ii) Requirement.-The listing shall be consistent with the categories identified in the TIP.

## Appendix E: Indiana Open Door Law

### Indiana Code Title 5, Article 14, Chapter 1.5

IC 5-14-1.5

Chapter 1.5. Public Meetings (Open Door Law)

IC 5-14-1.5-1

Purpose

Sec. 1. In enacting this chapter, the general assembly finds and declares that this state and its political subdivisions exist only to aid in the conduct of the business of the people of this state. It is the intent of this chapter that the official action of public agencies be conducted and taken openly, unless otherwise expressly provided by statute, in order that the people may be fully informed. The purposes of this chapter are remedial, and its provisions are to be liberally construed with the view of carrying out its policy. As added by Acts 1977, P.L.57, SEC.1. Amended by P.L.67-1987.

SEC.1. IC 5-14-1.5-2

Definitions

Sec. 2. For the purposes of this chapter:

(a) "Public agency", except as provided in section 2.1 of this chapter, means the following:

(1) Any board, commission, department, agency, authority, or other entity, by whatever name designated, exercising a portion of the executive, administrative, or legislative power of the state.

(2) Any county, township, school corporation, city, town, political subdivision, or other entity, by whatever name designated, exercising in a limited geographical area the executive, administrative, or legislative power of the state or a delegated local governmental power.

(3) Any entity which is subject to either:

(A) budget review by either the department of local government finance or the governing body of a county, city, town, township, or school corporation; or

(B) audit by the state board of accounts that is required by statute, rule, or regulation.

(4) Any building corporation of a political subdivision of the

state of Indiana that issues bonds for the purpose of constructing public facilities.

(5) Any advisory commission, committee, or body created by statute, ordinance, or executive order to advise the governing body of a public agency, except medical staffs or the committees of any such staff.

(6) The Indiana gaming commission established by IC 4-33, including any department, division, or office of the commission.

(7) The Indiana horse racing commission established by IC 4-31, including any department, division, or office of the commission.

(b) "Governing body" means two (2) or more individuals who are:

(1) A public agency that:

(A) is a board, a commission, an authority, a council, a committee, a body, or other entity; and  
(B) takes official action on public business.

(2) The board, commission, council, or other body of a public agency which takes official action upon public business.

(3) Any committee appointed directly by the governing body or its presiding officer to which authority to take official action upon public business has been delegated. An agent or agents appointed by the governing body to conduct collective bargaining on behalf of the governing body does not constitute a governing body for purposes of this chapter.

(c) "Meeting" means a gathering of a majority of the governing body of a public agency for the purpose of taking official action upon public business. It does not include any of the following:

(1) Any social or chance gathering not intended to avoid this chapter.

(2) Any on-site inspection of any:

(A) project;

(B) program; or

(C) facilities of applicants for incentives or assistance from the governing body.

(3) Traveling to and attending meetings of organizations devoted to betterment of government.

(4) A caucus.

(5) A gathering to discuss an industrial or a commercial prospect that does not include a conclusion as to recommendations, policy, decisions, or final action on the terms of a request or an offer of public financial resources.

(6) An orientation of members of the governing body on their role and responsibilities as public officials, but not for any other official action.

(7) A gathering for the sole purpose of administering an oath of office to an individual.

(8) Collective bargaining discussions that the governing body of a school corporation engages in directly with bargaining adversaries. This subdivision only applies to a governing body that has not appointed an agent or agents to conduct collective bargaining on behalf of the governing body as described in subsection (b)(3).

(d) "Official action" means to:

(1) receive information;

(2) deliberate;

(3) make recommendations;

(4) establish policy;

(5) make decisions; or

(6) take final action.

(e) "Public business" means any function upon which the public agency is empowered or authorized to take official action.

(f) "Executive session" means a meeting from which the public is excluded, except the governing body may admit those persons necessary to carry out its purpose.

(g) "Final action" means a vote by the governing body on any motion, proposal, resolution, rule, regulation, ordinance, or order.

(h) "Caucus" means a gathering of members of a political party or coalition which is held for purposes of planning political strategy and holding discussions designed to prepare the members for taking official action.

(i) "Deliberate" means a discussion which may reasonably be expected to result in official action (defined under subsection (d)(3), (d)(4), (d)(5), or (d)(6)).

(j) "News media" means all newspapers qualified to receive legal advertisements under IC 5-3-1, all news services (as defined in IC 34-6-2-87), and all licensed commercial or public radio or television stations.

(k) "Person" means an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a governmental entity. As added by Acts 1977, P.L.57, SEC.1. Amended by Acts 1979, P.L.39, SEC.1; P.L.33-1984, SEC.1; P.L.67-1987, SEC.2; P.L.8-1993, SEC.56; P.L.277-1993(ss), SEC.127; P.L.1-1994, SEC.20; P.L.50-1995, SEC.14; P.L.1-1998, SEC.71; P.L.90-2002, SEC.16; P.L.35-2003, SEC.1; P.L.179-2007, SEC.1; P.L.103-2013, SEC.1. IC 5-14-1.5-2.1

"Public agency"; certain providers exempted

Sec. 2.1. "Public agency", for purposes of this chapter, does not mean a provider of goods, services, or other benefits that meets the following requirements:

(1) The provider receives public funds through an agreement with the state, a county, or a municipality that meets the following requirements:

- (A) The agreement provides for the payment of fees to the entity in exchange for services, goods, or other benefits.
- (B) The amount of fees received by the entity under the agreement is not based upon or does not involve a consideration of the tax revenues or receipts of the state, county, or municipality.
- (C) The amount of the fees are negotiated by the entity and the state, county, or municipality.
- (D) The state, county, or municipality is billed for fees by the entity for the services, goods, or other benefits actually provided by the entity.

(2) The provider is not required by statute, rule, or regulation to be audited by the state board of accounts. As added by P.L.179-2007, SEC.2.

IC 5-14-1.5-3

Open meetings; secret ballot votes; member participating by electronic means of communication Sec. 3.

(a) Except as provided in section 6.1 of this chapter, all meetings of the governing bodies of public agencies must be open at all times for the purpose of permitting members of the public to observe and record them.

(b) A secret ballot vote may not be taken at a meeting.

(c) A meeting conducted in compliance with section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication does not violate this section.

As added by Acts 1977, P.L.57, SEC.1. Amended by P.L.38-1988, SEC.6; P.L.1-1991, SEC.35; P.L.179-2007, SEC.3; P.L.134-2012, SEC.10.

IC 5-14-1.5-3.1

Serial meetings

Sec. 3.1.

(a) Except as provided in subsection (b), the governing body of a public agency violates this chapter if members of the governing body participate in a series of at least two (2) gatherings of members of the governing body and the series of gatherings meets all of the following criteria:

(1) One (1) of the gatherings is attended by at least three (3) members but less than a quorum of the members of the governing body and the other gatherings include at least two (2) members of the governing body.

(2) The sum of the number of different members of the governing body attending any of the gatherings at least equals a quorum of the governing body.

(3) All the gatherings concern the same subject matter and are held within a period of not more than seven (7) consecutive days.

(4) The gatherings are held to take official action on public business. For purposes of this subsection, a member of a governing body attends a gathering if the member is present at the gathering in person or if the member participates in the gathering by telephone or other electronic means, excluding electronic mail.

(b) This subsection applies only to the city-county council of a consolidated city or county having a consolidated city. The city-county council violates this chapter if its members participate in a series of at least two (2) gatherings of members of the city-county council and the series of gatherings meets all of the following criteria:

(1) One (1) of the gatherings is attended by at least five (5) members of the city-county council and the other gatherings include at least three (3) members of the city-county council.

(2) The sum of the number of different members of the city-county council attending any of the gatherings at least equals a quorum of the city-county council.

(3) All the gatherings concern the same subject matter and are held within a period of not more than seven (7) consecutive days.

(4) The gatherings are held to take official action on public business.

For purposes of this subsection, a member of the city-county council attends a gathering if the member is present at the gathering in person or if the member participates in the gathering by telephone or other electronic means, excluding electronic mail.

(c) A gathering under subsection (a) or (b) does not include:

- (1) a social or chance gathering not intended by any member of the governing body to avoid the requirements of this chapter;
- (2) an onsite inspection of any:

(A) project;

(B) program; or

(C) facilities of applicants for incentives or assistance from the governing body;

(3) traveling to and attending meetings of organizations devoted to the betterment of government;

(4) a caucus;

(5) a gathering to discuss an industrial or a commercial prospect that does not include a conclusion as to recommendations, policy, decisions, or final action on the terms of a request or an offer of public financial resources;

(6) an orientation of members of the governing body on their role and responsibilities as public officials, but not for any other official action;

(7) a gathering for the sole purpose of administering an oath of office to an individual; or

(8) a gathering between less than a quorum of the members of the governing body intended solely for members to receive information and deliberate on whether a member or members may be inclined to support a member's proposal or a particular piece of legislation and at which no other official action will occur.

(d) A violation described in subsection (a) or (b) is subject to section 7 of this chapter.

As added by P.L.179-2007, SEC.4.

IC 5-14-1.5-3.5

Electronic meetings of political subdivisions; statutory authorization required

Sec. 3.5.

(a) This section applies only to a governing body of a public agency of a political subdivision, other than a governing body of an airport authority, a department of aviation, or a conservancy district as set forth in section 3.6 of this chapter.

(b) Subject to subsection (i), a member of the governing body of a public agency who is not physically present at a meeting of the governing body may participate in a meeting by any electronic means of communication that does the following:

(1) Allows all participating members of the governing body to simultaneously communicate with each other.

(2) Allows the public to simultaneously attend and observe the meeting. However, this subdivision does not apply to a meeting held in executive session. Subject to subsection (i), a governing body member who participates in the meeting by an electronic means of communication shall be considered present for purposes of establishing a quorum but may participate in any final action taken at the meeting only if the member can be seen and heard.

(c) A technological failure in an electronic means of communication that disrupts or prevents:

(1) the simultaneous communication between a member who is not physically present at the meeting and the governing body; or

(2) a member of the public who is not present at the meeting from attending and observing the meeting; does not prevent the governing body from conducting the meeting or affect the validity of an action taken by the governing body at the meeting if the sum of the governing body members physically present at the meeting and the governing body members participating by electronic communication without technological failure satisfy the quorum and (if a final action is taken) the voting requirements of the governing body.

(d) The governing body shall adopt a written policy establishing the procedures that apply to a member's participation in a meeting by an electronic means of communication. The governing body may establish procedures that are more restrictive than the procedures established by this section. The policy adopted under this section may include:

(1) limiting the number of members who may participate by electronic communication in any one (1) meeting;

(2) limiting the total number of meetings that the governing body may conduct in a calendar year by electronic communication; and

(3) requiring a member, except in the case of a meeting called to deal with an emergency under section 5(d) of this chapter, who plans to attend a meeting by any Indiana Code 2022 electronic means of communication to notify the presiding officer within a certain period of time before the meeting, as specified by the governing body, so that arrangements may be made for the member's participation by electronic communication.

(e) The memoranda prepared under section 4 of this chapter for a meeting in which a member participates by an electronic means of communication must:

(1) state the name of each member of the governing body who:

(A) was physically present at the place where the meeting was conducted;  
 (B) participated in the meeting by using any electronic means of communication; and  
 (C) was absent; and

(2) identify the electronic means of communication by which:

(A) members of the governing body participated in the meeting; and  
 (B) the public attended and observed the meeting, if the meeting was not held in executive session. (f) All votes taken during a meeting under this section must be taken by roll call vote.

(g) At least fifty percent (50%) of the members of the governing body must be physically present at a meeting.

(h) A member of the governing body may not attend more than fifty percent (50%) of the governing body's meetings in a calendar year by means of electronic communication, unless the member's electronic participation is due to:

- (1) military service;
- (2) illness or other medical condition;
- (3) death of a relative; or
- (4) an emergency involving actual or threatened injury to persons or property.

(i) A member of a governing body may not participate in a meeting of the governing body by electronic communication if the governing body is attempting to take final action to:

- (1) adopt a budget;
- (2) make a reduction in personnel;
- (3) initiate a referendum;
- (4) establish or increase a fee;
- (5) establish or increase a penalty;
- (6) use the governing body's eminent domain authority; or
- (7) establish, raise, or renew a tax.

(j) A governing body may not prohibit a member of the governing body from attending consecutive meetings by electronic communication. A member may attend two (2) consecutive meetings (a set of meetings) by electronic communication. A member shall physically attend at least one (1) meeting between sets of meetings that the member attends by electronic communication, unless the member's absence is due to:

- (1) military service;
- (2) illness or other medical condition;
- (3) death of a relative; or (4) an emergency involving actual or threatened injury to persons or property.

As added by PL.134-2012, SEC.11. Amended by PL.154-2016, SEC.1; PL.88-2021, SEC.5; PL.107-2021, SEC.1; PL.137-2021, SEC.22.

#### IC 5-14-1.5-3.6

Electronic communications by certain governing bodies Sec. 3.6.

(a) This section applies only to a governing body of the following:

- (1) A charter school.
- (2) A public agency of the state, including a body corporate and politic established as an instrumentality of the state.
- (3) An airport authority or a department of aviation under IC 8-22.
- (4) A conservancy district under IC 14-33.

(b) A member of a governing body who is not physically present at a meeting of the Indiana Code 2022 governing body may participate in a meeting of the governing body by electronic communication only if the member uses a means of communication that permits:

- (1) the member;
- (2) all other members participating in the meeting;
- (3) all members of the public physically present at the place where the meeting is conducted; and
- (4) if the meeting is conducted under a policy adopted under subsection (g)(7), all members of the public physically present at a public location at which a member participates by means of electronic communication; to simultaneously communicate with each other during the meeting.

(c) The governing body must fulfill both of the following requirements for a member of the governing body to participate in a meeting by electronic communication:

- (1) This subdivision does not apply to committees appointed by a board of trustees of a state educational institution, by the commission for higher education, by the board of the Indiana economic development corporation, or by the board of directors of the Indiana secondary market for education loans, as established, incorporated, and

designated under IC 21-16-5-1. This subdivision does not apply to a governing body if at least fifty-one percent (51%) of the governing body membership consists of individuals with a disability (as described in IC 12-12-8-3.4) or individuals with a significant disability (as described in IC 12-12-8-3.6), or both. The minimum number of members who must be physically present at the place where the meeting is conducted must be the greater of:

- (A) two (2) of the members; or
- (B) one-third (1/3) of the members.

(2) All votes of the governing body during the electronic meeting must be taken by roll call vote. Nothing in this section affects the public's right under this chapter to attend a meeting of the governing body at the place where the meeting is conducted and the minimum number of members is physically present as provided for in subdivision (1).

(d) Each member of the governing body is required to physically attend at least one (1) meeting of the governing body annually. This subsection does not apply to a governing body if at least fifty-one percent (51%) of the governing body membership consists of individuals with a disability (as described in IC 12-12-8-3.4) or individuals with a significant disability (as described in IC 12-12-8-3.6), or both.

(e) Unless a policy adopted by a governing body under subsection (g) provides otherwise, a member who participates in a meeting by electronic communication:

- (1) is considered to be present at the meeting;
- (2) shall be counted for purposes of establishing a quorum; and
- (3) may vote at the meeting.

(f) A governing body may not conduct meetings using a means of electronic communication until the governing body:

- (1) meets all requirements of this chapter; and

(2) by a favorable vote of a majority of the members of the governing body, adopts a policy under subsection (g) governing participation in meetings of the governing body by electronic communication. (g) A policy adopted by a governing body to govern participation in the governing body's meetings by electronic communication may do any of the following:

(1) Require a member to request authorization to participate in a meeting of the governing body by electronic communication within a certain number of days before the meeting to allow for arrangements to be made for the member's participation by electronic communication.

(2) Subject to subsection (e), limit the number of members who may participate in any one (1) meeting by electronic communication. Indiana Code 2022

(3) Limit the total number of meetings that the governing body may conduct in a calendar year by electronic communication.

(4) Limit the number of meetings in a calendar year in which any one (1) member of the governing body may participate by electronic communication.

(5) Provide that a member who participates in a meeting by electronic communication may not cast the deciding vote on any official action. For purposes of this subdivision, a member casts the deciding vote on an official action if, regardless of the order in which the votes are cast:

- (A) the member votes with the majority; and
- (B) the official action is adopted or defeated by one (1) vote.

(6) Require a member participating in a meeting by electronic communication to confirm in writing the votes cast by the member during the meeting within a certain number of days after the date of the meeting.

(7) Provide that in addition to the location where a meeting is conducted, the public may also attend some or all meetings of the governing body, excluding executive sessions, at a public place or public places at which a member is physically present and participates by electronic communication. If the governing body's policy includes this provision, a meeting notice must provide the following information:

(A) The identity of each member who will be physically present at a public place and participate in the meeting by electronic communication.

(B) The address and telephone number of each public place where a member will be physically present and participate by electronic communication.

(C) Unless the meeting is an executive session, a statement that a location described in clause (B) will be open and accessible to the public.

(8) Require at least a quorum of members to be physically present at the location where the meeting is conducted.

(9) Provide that a member participating by electronic communication may vote on official action only if, subject to subsection (e), a specified number of members:

- (A) are physically present at the location where the meeting is conducted; and
- (B) concur in the official action.

(10) Establish any other procedures, limitations, or conditions that govern participation in meetings of the governing body by electronic communication and are not in conflict with this chapter.

(h) The policy adopted by the governing body must be posted on the Internet web site of the governing body, the charter school, the airport, the conservancy district, or the public agency.

(i) Nothing in this section affects a public agency's or charter school's right to exclude the public from an executive session in which a member participates by electronic communication. As added by P.L.134-2012, SEC.12. Amended by P.L.62-2013, SEC.1; P.L.132-2013, SEC.1; P.L.280-2013, SEC.4; P.L.30-2015, SEC.1; P.L.154-2016, SEC.2; P.L.237-2017, SEC.13; P.L.88-2021, SEC.6; P.L.107-2021, SEC.2; P.L.137-2021, SEC.23; P.L.124-2022, SEC.4.

#### IC 5-14-1.5-3.7

Electronic meetings during disaster emergency Sec. 3.7.

(a) As used in this section, "disaster emergency" means:

(1) a disaster emergency declared by the governor under IC 10-14-3-12; or

(2) a local disaster emergency declared by the executive (as defined in IC 36-1-2-5) of a political subdivision under IC 10-14-3-29.

(b) Notwithstanding section 3.5 or 3.6 of this chapter, if a disaster emergency is in effect for all or part of the area within the governing body's jurisdiction, the members of a governing body are not required to be physically present at a meeting:

(1) if meeting in person would present an imminent risk to the health or safety of the Indiana Code 2022 members of the public and the governing body who attend the meeting because of the particular danger, threat, or emergency conditions that are the basis for the declaration of the disaster emergency; and

(2) if the members are of the governing body of a school corporation or charter school, one (1) or more schools within the jurisdiction of the governing body of the school corporation or the charter school are closed at the time of the meeting because of the particular danger, threat, or emergency conditions that are the basis for the declaration of the disaster emergency.

(c) The members of a governing body may meet by any means of electronic communication, if the following are satisfied:

(1) At least a quorum of the members of the governing body participate in the meeting by means of electronic communication or in person.

(2) The public is able to simultaneously attend and observe the meeting. However, this subdivision does not apply to a meeting held in executive session.

(d) The memoranda for a meeting prepared under section 4 of this chapter for a meeting held under this section must:

(1) state the name of each member of the governing body who:

(A) participated in the meeting by using any electronic means of communication; and  
(B) was absent; and

(2) identify the electronic means of communication by which:

(A) members of the governing body participated in the meeting; and

(B) the public attended and observed the meeting, if the meeting was not held in executive session. (e) All votes taken during a meeting under this section must be taken by roll call vote. As added by P.L.88-2021, SEC.7. Amended by P.L.116-2022, SEC.2; P.L.124-2022, SEC.5.

#### IC 5-14-1.5-4

Posting agenda; memoranda of meetings; public inspection of minutes

#### Sec. 4.

(a) A governing body of a public agency utilizing an agenda shall post a copy of the agenda at the entrance to the location of the meeting prior to the meeting. A rule, regulation, ordinance, or other final action adopted by reference to agenda number or item alone is void.

(b) As the meeting progresses, the following memoranda shall be kept:

(1) The date, time, and place of the meeting.

(2) The members of the governing body recorded as either present or absent.

(3) The general substance of all matters proposed, discussed, or decided.

(4) A record of all votes taken by individual members if there is a roll call.

(5) Any additional information required under section 3.5 or 3.6 of this chapter or any other statute that authorizes a governing body to conduct a meeting using an electronic means of communication.

(c) The memoranda are to be available within a reasonable period of time after the meeting for the purpose of informing the public of the governing body's proceedings. The minutes, if any, are to be open for public inspection and copying. As added by Acts 1977, P.L.57, SEC.1. Amended by P.L.38-1988, SEC.7; P.L.76-1995, SEC.1; P.L.2-2007, SEC.99; P.L.134-2012, SEC.13.

#### IC 5-14-1.5-5

Public notice of meetings

#### Sec. 5.

(a) Public notice of the date, time, and place of any meetings, executive sessions, or of any rescheduled or reconvened meeting, shall be given at least forty-eight (48) hours (excluding Saturdays, Sundays, and legal holidays) before the meeting. This requirement does not apply to reconvened meetings (not including executive sessions) where announcement of the date, time, and place of the reconvened meeting is made at the original meeting and recorded in the memoranda and minutes thereof, and there is no change in the agenda.

(b) Public notice shall be given by the governing body of a public agency as follows:

(1) The governing body of a public agency shall give public notice by posting a copy of the notice at the principal office of the public agency holding the meeting or, if no such office exists, at the building where the meeting is to be held.

(2) The governing body of a public agency shall give public notice by delivering notice to all news media which deliver an annual written request for the notices not later than December 31 for the next succeeding calendar year to the governing body of the public agency. The governing body shall give notice by one (1) of the following methods, which shall be determined by the governing body:

(A) Depositing the notice in the United States mail with postage prepaid.

(B) Transmitting the notice by electronic mail, if the public agency has the capacity to transmit electronic mail.

(C) Transmitting the notice by facsimile (fax).

(3) This subdivision applies only to the governing body of a public agency of a political subdivision described in section 2(a)(2), 2(a)(4), or 2(a)(5) of this chapter that adopts a policy to provide notice under this subdivision. Notice under this subsection is in addition to providing notice under subdivisions (1) and (2). If the governing body adopts a policy under this subdivision, the governing body of a public agency shall give public notice by delivering notice to any person (other than news media) who delivers to the governing body of the public agency an annual written request for the notices not later than December 31 for the next succeeding calendar year. The governing body shall give notice by one (1) of the following methods, which shall be determined by the governing body:

(A) Transmitting the notice by electronic mail, if the public agency has the capacity to send electronic mail.

(B) Publishing the notice on the public agency's Internet web site at least forty-eight (48) hours in advance of the meeting, if the public agency has an Internet web site. A court may not declare void any policy, decision, or final action under section 7 of this chapter based on a failure to give a person notice under subdivision (3) if the public agency made a good faith effort to comply with subdivision (3). If a governing body comes into existence after December 31, it shall comply with this subsection upon receipt of a written request for notice. In addition, a state agency (as defined in IC 4-13-1-1) shall provide electronic access to the notice through the computer gateway administered by the office of technology established by IC 4-13.1-2-1.

(c) Notice of regular meetings need be given only once each year, except that an additional notice shall be given where the date, time, or place of a regular meeting or meetings is changed. This subsection does not apply to executive sessions.

(d) If a meeting is called to deal with an emergency involving actual or threatened injury to person or property, or actual or threatened disruption of the governmental activity under the jurisdiction of the public agency by any event, then the time requirements of notice under this section shall not apply, but:

(1) news media which have requested notice of meetings under subsection (b)(2) must be given the same notice as is given to the members of the governing body; and

(2) the public must be notified by posting a copy of the notice according to subsection (b)(1).

(e) This section shall not apply where notice by publication is required by statute, ordinance, rule, or regulation.

(f) This section shall not apply to:

(1) the department of local government finance, the Indiana board of tax review, or any other governing body which meets in continuous session, except that this section applies to meetings of these governing bodies which are required by or held pursuant to statute, ordinance, rule, or regulation; or

(2) the executive of a county or the legislative body of a town if the meetings are held solely to receive information or recommendations in order to carry out administrative functions, to carry out administrative functions, or confer

with staff members on matters relating to the internal management of the unit. "Administrative functions" do not include the awarding of contracts, the entering into contracts, or any other action creating an obligation or otherwise binding a county or town.

(g) This section does not apply to the general assembly.

(h) Notice has not been given in accordance with this section if a governing body of a public agency convenes a meeting at a time so unreasonably departing from the time stated in its public notice that the public is misled or substantially deprived of the opportunity to attend, observe, and record the meeting.

As added by Acts 1977, P.L.57, SEC.1. Amended by Acts 1979, P.L.39, SEC.2; P.L.67-1987, SEC.3; P.L.8-1989, SEC.22; P.L.3-1989, SEC.29; P.L.46-1990, SEC.1; P.L.251-1999, SEC.4; P.L.90-2002, SEC.17; P.L.200-2003, SEC.1; P.L.177-2005, SEC.14; P.L.134-2012, SEC.14.

IC 5-14-1.5-6

Repealed

(Repealed by P.L.1-1991, SEC.36 and P.L.10-1991, SEC.10.)

IC 5-14-1.5-6.1

Executive sessions

Sec. 6.1.

(a) As used in this section, "public official" means a person:

- (1) who is a member of a governing body of a public agency; or
- (2) whose tenure and compensation are fixed by law and who executes an oath.

(b) Executive sessions may be held only in the following instances:

- (1) Where authorized by federal or state statute.
- (2) For discussion of strategy with respect to any of the following:

(A) Collective bargaining.

(B) Initiation of litigation or litigation that is either pending or has been threatened specifically in writing. As used in this clause, "litigation" includes any judicial action or administrative law proceeding under federal or state law.

(C) The implementation of security systems.

(D) The purchase or lease of real property by the governing body up to the time a contract or option to purchase or lease is executed by the parties.

(E) School consolidation.

However, all such strategy discussions must be necessary for competitive or bargaining reasons and may not include competitive or bargaining adversaries.

(3) For discussion of the assessment, design, and implementation of school safety and security measures, plans, and systems.

(4) Interviews and negotiations with industrial or commercial prospects or agents of industrial or commercial prospects by the Indiana economic development corporation, the office of tourism development, the Indiana finance authority, the ports of Indiana, an economic development commission, the Indiana state department of agriculture, a local economic development organization (as defined in IC 5-28-11-2(3)), or a governing body of a political subdivision.

(5) To receive information about and interview prospective employees.

(6) With respect to any individual over whom the governing body has jurisdiction:

(A) to receive information concerning the individual's alleged misconduct; and (B) to discuss, before a determination, the individual's status as an employee, a student, or an independent contractor who is:

- (i) a physician; or
- (ii) a school bus driver.

(7) For discussion of records classified as confidential by state or federal statute.

(8) To discuss before a placement decision an individual student's abilities, past performance, behavior, and needs.

(9) To discuss a job performance evaluation of individual employees. This subdivision does not apply to a discussion of the salary, compensation, or benefits of employees during a budget process.

(10) When considering the appointment of a public official, to do the following:

(A) Develop a list of prospective appointees.

(B) Consider applications.

(C) Make one (1) initial exclusion of prospective appointees from further consideration.

Notwithstanding IC 5-14-3-4(b)(12), a governing body may release and shall make available for inspection and copying in accordance with IC 5-14-3-3 identifying information concerning prospective appointees not initially excluded from further consideration. An initial exclusion of prospective appointees from further consideration may not reduce the number of prospective appointees to fewer than three (3) unless there are fewer than three (3) prospective appointees. Interviews of prospective appointees must be conducted at a meeting that is open to the public.

(11) To train school board members with an outside consultant about the performance of the role of the members as public officials.

(12) To prepare or score examinations used in issuing licenses, certificates, permits, or registrations under IC 25.

(13) To discuss information and intelligence intended to prevent, mitigate, or respond to the threat of terrorism.

(14) To train members of a board of aviation commissioners appointed under IC 8-22-2 or members of an airport authority board appointed under IC 8-22-3 with an outside consultant about the performance of the role of the members as public officials. A board may hold not more than one (1) executive session per calendar year under this subdivision.

(c) A final action must be taken at a meeting open to the public.

(d) Public notice of executive sessions must state the subject matter by specific reference to the enumerated instance or instances for which executive sessions may be held under subsection (b). The requirements stated in section 4 of this chapter for memoranda and minutes being made available to the public is modified as to executive sessions in that the memoranda and minutes must identify the subject matter considered by specific reference to the enumerated instance or instances for which public notice was given. The governing body shall certify by a statement in the memoranda and minutes of the governing body that no subject matter was discussed in the executive session other than the subject matter specified in the public notice.

(e) A governing body may not conduct an executive session during a meeting, except as otherwise permitted by applicable statute. A meeting may not be recessed and reconvened with the intent of circumventing this subsection.

As added by P.L.1-1991, SEC.37 and P.L.10-1991, SEC.8. Amended by P.L.48-1991, SEC.1; P.L.37-2000, SEC.1; P.L.200-2003, SEC.2; P.L.4-2005, SEC.28; P.L.229-2005, SEC.2; P.L.235-2005, SEC.84; P.L.101-2006, SEC.3; P.L.179-2007, SEC.5; P.L.2-2008, SEC.20; P.L.98-2008, SEC.3; P.L.120-2008, SEC.1; P.L.139-2011, SEC.1; P.L.24-2012, SEC.1; P.L.103-2013, SEC.2.

## Appendix F: Public Comments on the PIP

### Public Comment Period

The document was shared for an official public comment period between August 22, 2025 and October 6, 2025. No comments were submitted.

### Public Hearing

The document was presented during a public hearing on October 15, 2025.

## Appendix G: Language Access Plan

Courts have interpreted Title VI's prohibition of discrimination on the basis of national origin to include discrimination based on limited English proficiency (LEP). Under Title VI (and the Safe Streets Act), federal funding recipients (in this case the IMPO) are required to provide LEP individuals with meaningful access to their programs and services. Providing "meaningful access" will generally involve some combination of services for oral interpretation and written translation of vital documents.

Sub-recipients (entities hired by the IMPO) likewise are covered when Federal funds are passed through from one recipient to a sub-recipient. Coverage extends to a recipient's entire program or activity, i.e., to all parts of a recipient's operations. This is true even if only one part of the recipient receives the Federal assistance.

Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or

understand English can be limited English proficient, or "LEP," entitled to language assistance with respect to a particular type of service, benefit, or encounter.

The federal guidance outlines four factors recipients should apply to the various kinds of contacts they have with the public to assess language needs and decide what reasonable steps they should take to ensure meaningful access for LEP persons:

- The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.
- The frequency with which LEP individuals come in contact with the program.
- The nature and importance of the program, activity, or service provided by the recipient to people's lives.
- The resources available to the recipient and costs.

After conducting a Four-Factor Analysis, recipients of federal funds adopt a Language Access Plan (LAP) that presents the recipient's (the IMPO's) responsibilities, policies, and strategies for providing language assistance services to LEP persons.

#### **Indianapolis Metropolitan Planning Area (MPA) Four-Factor Analysis**

The Indianapolis MPA includes 8 counties with 12 cities and 22 towns. The four-factor analysis is conducted at a county level to determine if there are particular areas where providing language assistance is important, even if the LEP population in the entire MPA is limited.

#### **Factor 1: The number or proportion of LEP persons eligible to be served or likely to be encountered by a program, activity, or service of the recipient or grantee.**

Based on the 2023 5-Year American Community Survey (ACS) estimates, the Indianapolis MPA comprises 9 counties. The analysis considers household-level, individual-level, and language-specific LEP data for a more complete picture of need and service delivery implications.

#### *Household-Level Data*

There are approximately 816,080 households in the MPA. Of these, 20,800 are Limited English Speaking Households, meaning no household member age 14 or older speaks English "very well."

COUNTY	TOTAL HOUSEHOLDS	LEP HOUSEHOLDS	% LEP HOUSEHOLDS
<b>Boone</b>	<b>27,948</b>	<b>205</b>	<b>0.7%</b>
<b>Hamilton</b>	<b>133,171</b>	<b>2,834</b>	<b>2.1%</b>
<b>Hancock</b>	<b>32,246</b>	<b>260</b>	<b>0.8%</b>
<b>Hendricks</b>	<b>65,839</b>	<b>437</b>	<b>0.7%</b>
<b>Johnson</b>	<b>61,513</b>	<b>667</b>	<b>1.1%</b>
<b>Madison</b>	<b>52,843</b>	<b>213</b>	<b>0.4%</b>
<b>Marion</b>	<b>396,662</b>	<b>15,811</b>	<b>4.0%</b>
<b>Morgan</b>	<b>27,713</b>	<b>83</b>	<b>0.3%</b>
<b>Shelby</b>	<b>18,145</b>	<b>290</b>	<b>1.6%</b>
<b>Total</b>	<b>816,080</b>	<b>20,800</b>	<b>2.5%</b>

#### *Individual-Level Data (Population Age 5+)*

COUNTY	POPULATION 5+	LEP INDIVIDUALS	% LEP INDIVIDUALS
<b>Boone</b>	<b>68,336</b>	<b>1,214</b>	<b>1.8%</b>
<b>Hamilton</b>	<b>335,780</b>	<b>14,035</b>	<b>4.2%</b>
<b>Hancock</b>	<b>77,390</b>	<b>1,084</b>	<b>1.4%</b>
<b>Hendricks</b>	<b>169,498</b>	<b>4,605</b>	<b>2.7%</b>
<b>Johnson</b>	<b>154,055</b>	<b>4,243</b>	<b>2.8%</b>
<b>Madison</b>	<b>123,853</b>	<b>1,839</b>	<b>1.5%</b>
<b>Marion</b>	<b>903,491</b>	<b>70,684</b>	<b>7.8%</b>
<b>Morgan</b>	<b>68,436</b>	<b>560</b>	<b>0.8%</b>
<b>Shelby</b>	<b>42,415</b>	<b>975</b>	<b>2.3%</b>
<b>Total</b>	<b>1,943,254</b>	<b>99,239</b>	<b>5.1%</b>

#### *Language-Specific LEP Data – Households*

The most spoken non-English languages in LEP households are:

- **Spanish:** 34,318 households (15,811 in Marion alone)
- **Asian & Pacific Island languages:** 5,074 in Marion; ~2,239 in Hamilton
- **Chinese:** 1,733 in Hamilton; 1,154 in Marion
- **Arabic:** 1,222 in Marion
- **Tagalog (Filipino):** 1,220 in Marion
- **Vietnamese:** ~400 in Marion

#### *Language-Specific LEP Data – Individuals 5+*

This dataset reinforces both language prevalence and variation by geography:

- **Marion County:** Spanish (43,123), Chinese (2,926), Arabic (1,299), Tagalog (1,232), Other Asian (9,194)
- **Hamilton County:** Spanish (4,345), Chinese (2,307), Arabic (1,440), Other Asian (2,307)
- **Hendricks, Johnson, and Madison Counties** each show more than 1,000 LEP individuals speaking Asian or Indo-European languages
- **Boone and Shelby Counties** show smaller but concentrated LEP communities, primarily Spanish-speaking

The USDOT does not provide a threshold for the percentage of a county that is LEP before providing language access services is needed, but LEP guidance from the US Department of Justice references "safe harbors", which recommends that written translations of vital documents be created by the recipient (IMPO) for LEP language groups that make up 5% or 1,000 people of a defined area likely to be served, affected, or encountered. If the LEP language group is under this threshold or less than 50 people, the recipient (IMPO) does not need to translate the materials but must provide written notice in the primary language of the LEP group of their right to oral interpretation free of cost.

#### **Factor 2: The frequency with which LEP individuals come in contact with the program.**

##### *Planning*

The IMPOs planning activities include public engagement as a component of the decision-making process. During

this process, LEP persons may come into contact with public notices, invitations to participate (online and in person), and draft plans for review and comment. Plans affecting Marion, Shelby, Hamilton, Boone, and Hendricks counties are most likely to engage Spanish-speaking LEP persons.

These plans include the Metropolitan Transportation Plan (MTP), Transportation Improvement Program (TIP), Public Involvement Plan (PIP), Title VI Policy, Regional Active Transportation Plan, transit planning efforts, and Local Public Agency (LPA) planning projects. Historically, the IMPO has provided the following services to LEP individuals:

- provided a voicemail number on all public notices and meeting announcements that has a greeting spoken in both English and Spanish,
- directed phone calls from Spanish speaking people to a Spanish-speaking member of staff who reviewed the message and returned the calls,
- hired a translation service provider to translate during virtual, phone, or in-person conversations, and to translate written materials as requested,
- offered and supplied language translators at public meetings,
- converted a large text document into an audio file for the visually impaired, and
- translated some of the more heavily used or core document written materials into Spanish.

#### *Programs*

Programming includes funding transportation projects like sidewalks, multi-use paths, travel lanes, bridges, roundabouts, road construction. Funding for these projects is awarded to LPAs, who work with their staff and consultants to design and construct the project. It is unlikely that the IMPO would come directly into contact with a LEP person in the course of project work, but the LPA and/or their consultant may during any public outreach component of a project or if a project involves acquiring temporary or permanent easements or right-of-way from a LEP property owner.

#### *Partnerships*

The IMPO relationships with IndyGo and the Central Indiana Regional Transportation Authority (CIRTA) can create instances where LEP persons may encounter programs funded, in part, with IMPO allocated resources. As a separate federal funding recipient, IndyGo maintains its own Title VI policy and Language Access Plan (LAP) as part of its Public Engagement Plan (PEP) and has resources available online and at the Julia M. Carson Transit Center in Spanish. As a federal funding sub-recipient, CIRTA has its Title VI notice online in four languages other than English, including Spanish.

Educational campaigns for transit, bicycle, and pedestrian planning, Safe Routes to School, Knozone Action Days, and similar topics are other opportunities for LEP populations to encounter the IMPO, directly or indirectly.

#### **Factor 3: The nature and importance of the program, activity, or service provided by the recipient to people's lives.**

IMPO programs, activities, and services may have a positive or negative impact on the lives of LEP persons in central Indiana, and the impact may range from minimal to significant depending on the program, activity, or service.

The IMPO often creates or participates in planning activities that intent to alter the long-term course of transportation and land use in the region. This includes plans like the Active Transportation Plan, which consolidates the various pedestrian and bicycling efforts of LPAs in the region and adds recommended regional priorities to project implementation, or funding local area planning activities, like comprehensive plans, thoroughfare plans, corridor studies, and other activities that can affect the LEP population's access to jobs, healthcare, housing, etc. The potential impact of these activities on people's lives are often long-term and could change over time, making these impacts important, but somewhat indirect.

However, through funding projects, the impacts of the IMPO may be more significant and have an immediate financial impact on LEP persons, either positive or negative. These could include:

- Changing (adding or decreasing) bus routes, frequency, or stops.
- Adding bike lanes or sidewalks, multi-use paths or trails.
- Removing parking or travel lanes to accommodate shared transportation or multi-modal infrastructure.
- Adding travel or auxiliary lanes.
- Property acquisition (temporary or permanent easements, purchasing ROW, or fee-simple property acquisition) to accommodate transportation system changes.
- Installing sound walls.
- Changing interchange/intersection configurations.
- Changing traffic patterns, which may increase or decrease access to, or the time it takes to reach, jobs, school, and basic services.
- New road construction.
- Creating opportunities for contract work or working for contractors.

#### **Factor 4: The resources available to the recipient and costs.**

The IMPO has resources available to accommodate LEP persons, but the acceptable range of costs vary. If a service is directly requested, the IMPO will consider the cost and potential impact of options available to accommodate the request. If an unrequested option is expected to have little impact, the IMPO will consider the other three factors in determining accommodations.

Recent and/or ongoing accommodations made by the IMPO include:

- Contracting with engagement specialists as needed on a project-by-project basis to engage with traditionally underserved people, including the LEP population.
- Providing a voicemail number on advertised materials with greetings in English and Spanish.
- Translating surveys (on a project-by-project basis) into Spanish and Haitian Creole to facilitate participation in public input opportunities by LEP readers.
- Maintaining a Spanish language page on the IMPO website.
- Contracting to provide written, phone, or in-person translation services as needed.
- Converting a written Transit Plan into an audiobook for visually impaired people.
- Translating core or topically-applicable IMPO documents into Spanish and distributing them during community events that center around Hispanic/Latino heritage or to agencies who regularly engage with LEP persons.

Ultimately, there are limited areas of concern for LEP in the Indianapolis MPA and it is not practical to provide all services in Spanish (or other languages besides English) for all programs, projects, and services. Additional steps the IMPO is taking to engage the LEP population for critical programs, projects, and services are included in the Language Access Plan (LAP).

#### **Language Access Plan**

To improve access to IMPO programs, projects, and services, for LEP persons, the Indianapolis MPO will implement the following activities to the extent practical:

- Maintain a Spanish language webpage on the Indianapolis MPO website that includes critical documents like the Title VI policy and complaint form, the Public Involvement Plan (PIP), a summary of the Metropolitan Transportation Plan (MTP), and the IMPO Fact Book. The IMPO will provide services using qualified translation and/or



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