

E. Freight Transportation Advisory Committee (FTAC): Bylaws

The Freight Transportation Advisory Committee (FTAC) was created by the HRTPO Board in 2009 to provide an opportunity for the freight industry to participate in and contribute to the regional transportation planning process. FTAC Bylaws were approved by the Committee at its first meeting in December 2009. Many changes have occurred in the freight industry and the regional transportation planning process since the Bylaws were created more than a decade ago, which necessitates revisiting and updating the FTAC Bylaws.

The FTAC recommended approval of the updated Bylaws at its May 4, 2021 meeting.

Attachment 9E

RECOMMENDED ACTION:

Approve the updated FTAC Bylaws.

**BYLAWS FOR THE
FREIGHT TRANSPORTATION ADVISORY COMMITTEE
OF THE HAMPTON ROADS TRANSPORTATION PLANNING ORGANIZATION**

ARTICLES OF ORGANIZATION

WHEREAS, Federal regulations require that urbanized areas throughout the United States have a Metropolitan Planning Organization (MPO) to conduct a continuing, cooperative and comprehensive transportation planning process. Urbanized areas are defined as areas with a population of 50,000 or greater. Transportation Management Areas (TMA) are urbanized areas with a population of 200,000 or greater and designated by the Secretary of Transportation.

WHEREAS, The Hampton Roads Transportation Planning Organization (HRTPO) has been designated by agreement between the Governor and the Hampton Roads localities and appropriate local and state agencies to perform the duties of an MPO under the federal regulations; and

WHEREAS, the main functions of this Freight Transportation Advisory Committee will be to influence policy; influence the prioritization and funding of projects; and influence the decision makers and public on the role of freight, its economic benefits, and requirements of the distribution network to achieve those benefits through the promotion of and by bringing attention to the needs of freight.

NOW, THEREFORE, the members of this Committee do with this agree and so with this associate themselves together for the purpose aforesaid, and in consideration of the mutual promises with this made, do agree as follows:

**ARTICLE I
Name**

1.1 The name of this Committee shall be the Freight Transportation Advisory Committee (FTAC) of the Hampton Roads Transportation Planning Organization (HRTPO).

**ARTICLE II Mission
Statement**

2.1 The mission of the Freight Transportation Advisory Committee of the Hampton Roads Transportation Planning Organization is to advocate on behalf of the systematic needs for the transport and movement of freight in the region. The FTAC will act as an advocate for freight issues and bring awareness of those issues to the public, key stakeholders, and policy makers.

ARTICLE III Purpose

- 3.1 The FTAC shall serve the HRTPO Board on an advisory basis. Its purpose is to advocate on behalf of freight issues to the public and policy makers. The functions and responsibilities of the FTAC shall include, but not be limited to activities in the following major areas:
- A. Freight/Goods Movement Planning and Identification of Systemic Needs
 - B. Public Outreach and Education on the importance of freight
 - C. Encouragement of Freight Policies
- 3.2 The FTAC shall provide advice and support to the HRTPO staff and shall provide review and assistance in regional freight transportation planning, programming, and transportation-related air quality planning.

Specific responsibilities of the FTAC include:

- A. Assisting in the development of freight and logistics-related planning studies including the Hampton Roads Regional Freight Study;
- B. Assisting in the consideration of the types of improvements that should be made with regard to freight safety and efficiency; and
- C. Reviewing and advising the freight-related portions of the MPO's Unified Planning Work Program (UPWP), Transportation Improvement Program (TIP), Long-Range Transportation Plan (LRTP), and HRTPO Project Prioritization Tool. HRTPO staff will strive to provide timely opportunities for FTAC review, subject to process time constraints, prior to submission of the above documents to the HRTPO Policy Board for approval.

ARTICLE IV Membership, Composition, Appointment, Qualifications and Terms

- 4.1 The FTAC shall be composed of **not less than nine (9)** voting members. These voting members will represent the companies or organizations (also referred to as entities in these Bylaws) by which they are employed. While each entity will have an official representative, alternates from the same entity can attend meetings in the place of the official representative throughout their term.

Appointment to the FTAC is accomplished through appointment from the HRTPO Board for a term of three (3) years. Each term can be renewed for a subsequent three (3) year term upon approval by the HRTPO Board. The term of a member serving as an official may be extended as long as they remain an officer. If an FTAC member leaves mid-term, a replacement can be made

to fulfill the rest of the three (3) year term.

The following interest groups should be considered when selecting FTAC members:

- Freight Forwarding
- Ports
- Shipping Company
- Trucking Company
- Warehousing
- Free Trade Zone
- Airport Cargo
- Stevedores
- Trade Associations
- Real Estate/Economic Development
- Towing and Tug Operators
- Rail Cargo
- HRTPO Policy Board voting members

In addition, the following groups should be considered for non-voting, advisory roles on the committee:

- Virginia Department of Transportation (VDOT)
- Virginia Department of Rail and Public Transportation (DRPT)
- Federal Highway Administration (FHWA)
- Localities that host port-related facilities
- Educational Institutions involved in freight planning

Staff from the Virginia Port Authority will work in partnership with the HRTPO to advise and support the administration of the Committee.

4.2 All members of the FTAC shall be residents and electors of the Hampton Roads region and shall have an outstanding reputation for integrity, and commitment to serving the community.

4.3 An entity having three or more consecutive absences without prior notice may be removed from the FTAC.

4.4 FTAC members serve at the pleasure of the HRTPO Board. FTAC member's terms shall continue until such time as the HRTPO Board designates a new FTAC representative, or for a three (3) year term.

ARTICLE V
Officers and Duties

- 5.1 The officers of the FTAC shall consist of a Chair and Vice-Chair.
- 5.2 The Chair and Vice-Chair shall be elected by the FTAC. The Chair and Vice-Chair shall hold office for two (2) years or until member resignation.
- 5.3 No officer shall hold the same position more than three consecutive terms. No person shall serve as an officer for more than a total of six (6) consecutive years. An officer may be reelected after one term break after serving his or her initial three consecutive terms.
- 5.4 The Chair shall preside at and conduct all FTAC meetings. The Chair shall be a non-voting member of the HRTPO Board as prescribed by the HRTPO Bylaws. Subcommittees of the FTAC may be appointed by the Chair with the approval of the FTAC.
- 5.5 In the event of the absence of the Chair, or of the Chair's inability to perform any of the duties of the office of the Chair or to exercise any of the Chair's powers, the Vice-Chair shall have and exercise all of the duties and responsibilities of the Chair. The Vice-Chair shall also perform such duties as may be assigned by the Chair.
- 5.6 If both the Chair and Vice-Chair are absent from a meeting, a temporary Chair shall be selected by a majority vote of the members in attendance.
- 5.7 If, at any time, the FTAC feels that the Chair or Vice-Chair is not performing the duties of the office, they may be removed from office by an affirmative vote of two-thirds of the voting membership of the FTAC. Any vacancy occurring in an office shall be filled for the unexpired term by the FTAC at the next regular meeting following the occurrence of such vacancy.

ARTICLE VI
Meetings

- 6.1 The FTAC shall meet at a date, time and place acceptable to a majority of the membership. Meetings shall be no less than semi-annual. The Chair shall set meetings dates and times. If circumstances warrant, the Chair may cancel or postpone a regular or special meeting and, if necessary, set a new date, time and place for the meeting.

- 6.2 An agenda shall be prepared prior to each meeting and approved by the Chair. The agenda should be distributed with the minutes of the previous meeting approximately seven (7) days prior to all regular meetings. The agenda and any changes to it will be approved by the FTAC at the start of each meeting.
- 6.3 The Minutes of the prior meeting shall be approved by a majority of the members present and upon such approval become the official Minutes.
- 6.4 The Chair may call special meetings when it is deemed necessary. Special meetings may be called with a minimum of three (3) days notice, including the meeting agenda and reason for the meeting.
- 6.5 Each member shall have an equal vote. The vote on any matter shall be a voice vote, provided that any member may require a roll call vote upon any resolution or motion. In the case of a roll call vote, the Chair shall vote last.
- 6.6 A quorum shall consist of a majority of the voting membership, and shall be required for conduct of all official business. Two-thirds of the quorum shall be necessary to decide an issue before the FTAC.
- 6.7 In accordance with the provisions of the Virginia Freedom of Information Act, all meetings of the FTAC shall be open to the public unless lawfully convened into a closed session in accordance with the Act (ref.: Va. Code § 2.2-3707 and -3712). Meetings during which FTAC business is discussed shall only be conducted through means permitted by the HRTPO Board bylaws and the laws of the Commonwealth of Virginia.

Time shall be allotted for public comment regarding freight-related issues at FTAC meetings. Any person desiring to address the FTAC shall register with TPO staff prior to the opening of the meeting. The time limit for speakers is five (5) minutes per person. Time cannot be pooled or assigned to any person other than the person who registered to speak. A member of the public may submit written comments or other materials to HRTPO staff for distribution to the FTAC.

ARTICLE VII
Amendments

7.1 Any FTAC voting member may propose amendments to these bylaws by placing such proposed amendments in writing before the FTAC at an FTAC meeting. No vote shall be taken on the proposed amendments until the meeting that follows the meeting at which the written amendments were provided to the FTAC. The public shall be provided access to inspect the proposed amendments. Approval of amendments shall require an affirmative vote of two-thirds of the voting members or their alternates present. In addition, any proposed revisions to the FTAC bylaws must be approved by the HRTPO Board.

ARTICLE VIII
Effective Date

8.1 These Bylaws and any amendments to the Bylaws shall become effective upon the approval of the HRTPO Board.

These Bylaws of the Freight Technical Advisory Committee (FTAC) of the Hampton Roads Transportation Planning Organization (HRTPO) were adopted with a quorum present and voting on May 4, 2021 by the FTAC and subsequently approved by the HRTPO Board on May 20, 2021.