ENHANCED MOBILITY FOR SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM INFORMATION

The following information is derived from the Texas Administrative Code §31.31. This information includes the "key §5310 application concepts" for the State of Texas' §5310 program. All projects selected by the local stakeholders should take the §5310 goals and objectives and the "key §5310 application concepts" into consideration as they develop the local program of projects.

Purpose

Section 5310, Federal Transit Act (49 U.S.C. §5310), authorizes the Secretary of the U.S. DOT to make grants for the provision of transportation services meeting the special needs of seniors and individuals with disabilities. The Texas Department of Transportation has been designated by the governor to administer the §5310 program. The Public Transportation Division, through its local Public Transportation Coordinators (PTCs), carries out an annual, local project selection process. PTCs also oversee the daily administration of §5310 grants.

Goal and Objectives

The department's goal in administering the §5310 program is to promote the availability of cost-effective, efficient, and coordinated passenger transportation services planned, designed and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate or unavailable, using the most efficient combination of financial and other resources. To achieve this goal, the objectives of the department are to:

1) Promote the development and maintenance of a network of transportation services for seniors and individuals with disabilities throughout the state, in partnership with local stakeholders;
2) Fully integrate the § 5310 program with other federal, state, and local resources and programs that are designed to serve similar populations;
3) Promote public transportation projects that exceed the requirements of the Americans with Disabilities Act (ADA);
4) Promote public transportation projects that decrease the reliance of individuals with disabilities on ADA complementary paratransit services;
5) Promote and encourage local participation, especially by seniors and individuals with disabilities or their advocates, in decision-making;
6) Improve the efficiency, effectiveness, and safety of §5310 transit systems through the provision of technical assistance; and
7) Include private sector operators in the overall plan to provide transportation for seniors and individuals with disabilities.

Eligibility

1) Existing rural transit districts and urban transit districts serving a population of less than 200,000 will be the primary recipients of funds for their respective service areas.
2) For an area not covered by a transit provider or for which the existing provider is not willing or able to provide the transportation, the PTN director may choose a local public entity or a private organization as an alternate recipient to receive §5310 funds. Private taxi companies that provide shared-ride taxi service to the public or to special categories of users (such as seniors or individuals with disabilities) on a regular basis are also eligible alternate recipients.
3) In urbanized areas with a population of 200,000 or more, where the department selects projects, eligible recipients are transit authorities, other public transportation operators, or eligible alternate recipients under this program.

Administrative Expenses

Administrative expenses are not reimbursable.

Capital Expenses

1) The following categories of capital expenses are eligible for federal reimbursement under the §5310 program. With department concurrence, eligible items include:

   a) buses;
   b) vans or other paratransit vehicles;
   c) the acquisition of transportation services under a contract, lease or other arrangement;
   d) mobility management;
   e) curb cuts, sidewalks, pedestrian signals or other accessible features;
   f) radios and communication equipment;
   g) vehicle shelters;
   h) wheelchair lifts and restraints;
   i) vehicle rehabilitation, remanufacture, or overhaul;
   j) microcomputer hardware and software;
   k) initial component installation costs;
   l) vehicle procurement, testing, inspection, and acceptance costs;
   m) vehicle extended warranties that do not exceed industry standards;
   n) the lease of equipment, provided that the local recipient determines a lease is more cost effective than the purchase of equipment after considering management efficiency, availability of equipment, staffing capabilities and guidelines on capital leases as contained in 49 CFR Part 639;
   o) transit-related intelligent transportation systems;
   p) the introduction of new technology, through innovative and improved products, into mass transportation; and.
   q) the acquisition of preventive maintenance services and vehicle parts associated with preventive maintenance services.

2) Federal funds may be used to defray up to 80% of the cost of eligible capital expenditures.
3) The federal share may increase to up to 85 percent of the net project cost for a project that involves acquiring vehicles for the purpose of complying with the Americans with Disabilities Act or the Clean Air Act.
4) The federal share may increase to up to 90% for incremental costs related to compliance with the Clean Air Act in areas of air quality non-attainment or with the Americans with Disabilities Act of 1990, with concurrence from the department.

Operating Expenses

1) Operating expenses are costs that are directly tied to transit operations, such as costs for fuel; oil; replacement parts; and driver, mechanic, and dispatcher salaries.
2) Operating expenses may be reimbursed at 50 percent of net operating expense. Net operating expenses are those expenses that remain after fare box revenues are subtracted from eligible operating expenses.

NOTE: Regardless of type, all expenses are reimbursed, that is, the applicant must incur the cost before it can ask for grant funds.

Local Share Requirements

1) Eligible sources to satisfy local share requirements may be derived from the following:

   a) An undistributed cash surplus, or a replacement or depreciation cash fund or reserve;
   b) A service agreement with a state or local social service agency, or a private social service organization;
   c) Amounts appropriated or otherwise made available to a U.S. department or agency that are eligible to be expended for transportation;
   d) Funds to carry out the federal lands highway program established by 23 U.S.C. Section 204;
   e) Funds available under Section 403(a)(5)(C)(vii) of the Social Security Act (4 U.S. C. 603(a)(5)(C)(vii);
   f) In-kind contributions, volunteer services and donations attributable to the project if the value is documented and previously approved by the department;
   g) Transportation development credits, with prior department approval.

2) Funds from any other U.S. DOT program are not eligible for use as local matching funds.

APPLICATION REQUIREMENTS

Purpose

A prospective applicant must submit an application for §5310 grant funds at the time specified by the department. The application must document the need and demand for passenger transportation services for seniors and individuals with disabilities, and also must document inclusion of the project in the coordinated public transit-human service transportation plan.

Project Selection

To select projects, the department will consult with all local parties, including metropolitan planning organizations, and follow the procedures set out below.

1) Public Transportation Coordinators will establish, after consultation with local stakeholders, processes for local planning and project development, and public outreach. In an effort to streamline decision-making processes and maximize coordination opportunities, the department may choose to combine contiguous department district boundaries for stakeholder engagement, project selection, and public outreach. The stakeholder groups should include representatives of the following groups, further defined in draft FTA Circular 9070.1G, ("Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions") or its latest version:
   a) Transportation partners;
   b) Passengers and advocates;
   c) Human service and work force agencies; and
   d) Others, such as emergency management agencies.

2) ***In recommending projects, stakeholder groups should consider the program goals and objectives and consider projects that:***
   a) Leverage existing resources and promote innovation;
   b) Are the only public transportation option for the proposed service area;
   c) Are sustainable over time;
   d) Demonstrate efficient use of resources;
   e) Involve partnerships that include other organizations and for-transportation providers; or
   f) Provide service continuity.

3) Not more than 45 percent of the funds allocated by district boundaries or combination of district boundaries may be used for operating expenses. This cap applies to both urbanized areas and rural areas, respectively.

4) The following requirements apply to all projects recommended for funding.

   a) There must be a demonstrated need for any capital purchases. Examples of items that may be used to demonstrate need include a needs assessment[1] that documents the demand for new services, a vehicle inventory that establishes the need for replacement of older equipment, dispatcher logs that document requests for service that cannot be met with existing equipment, and purchase of service contracts that substantiate the need for additional vehicles.
   b) The proposed applicant must be able to demonstrate its financial and managerial capability to carry out the project. Examples of items that may be used to demonstrate the capability include audited financial statements and review letters from grantor agencies.
   c) Consideration should be given to the applicant's past efforts to coordinate services and related activities with other local entities. Examples showing those efforts include contracts that outline purchase of service agreements, shared maintenance or dispatching functions, and joint training initiatives.
   d) There should be evidence of local support for the proposal. Examples of that evidence include resolutions by local governing bodies and endorsement letters from other organizations or individuals.
   e) The project must be included in the coordinated public transit-human service transportation plan[2].

5) Based on stakeholder input[3], the PTC will rank projects in priority order.

6) Following Transportation Commission approval, the department will negotiate a contract with the selected local entities and organizations to implement the projects selected for funding.

NEW FROM MAP 21:
Projects selected in urbanized areas *must* have a letter of support from the MPO director stating that the project is consistent with the long range transportation plan and will be amended into the Transportation Improvement Program (TIP) when so directed by TxDOT.

[1] The locally developed coordinated public transit-human service transportation plan may be used to document the need for capital purchases.
[2] According to the draft FTA §5310 Circular 9070.1G "inclusion" means an activity, strategy, goal or objective.
[3] For the §5310 process, stakeholder input and project evaluation is the primary methodology for project selection.