

## **Utah Department of Transportation Public Transit Team Guidance for Federal Transit Administration (FTA) Funds**

(The information provided in this document is mostly extracted from the current UDOT PTT State Management Plan. It is intended to provide quick access to program information and the application process. Agencies are responsible for reading the complete State Management Plan and complying with all requirements of that plan.

The current State Management Plan is posted on the PTT website at: [www.udot.utah.gov/publictransit](http://www.udot.utah.gov/publictransit) )

### **1.0 FTA Formula Grant Programs**

#### **1.1 Section 5304 Statewide Planning and Research Program**

The Section 5304 Statewide Planning and Research program is part of the Consolidated Planning Grant transferred from FTA to FHWA. It provides funding to support planning activities statewide. These funds are not awarded through the typical application process described in this document. Refer to the current UDOT PTT State Management Plan for more information.

#### **1.2 Section 5310 Enhanced Mobility of Seniors and Individuals with Disabilities**

This program is intended to enhance mobility for seniors and persons with disabilities by providing funds for programs to serve the special needs of transit-dependent populations beyond traditional public transportation services and Americans with Disabilities Act (ADA) complementary paratransit services.

The new transportation bill, MAP-21, also combined elements FTA Section 5317 with FTA Section 5310. Funds are apportioned based on each state's share of population for these groups of people.

#### **Program Goals**

The goal of the Section 5310 program is to improve mobility for seniors and individuals with disabilities throughout Utah. Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in small urban, and rural areas. The program requires coordination with other federally assisted human service programs in order to make the most efficient use of federal resources.

#### **Eligible Subrecipients**

The PTT administers and provides funding for the small urban and rural areas, areas with populations less than 200,000. There are three categories of eligible subrecipients of Section 5310 funds:

- Private, non-profit organizations, which are corporations or associations determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. 501(c)

- Public bodies that certify to the governor that no non-profit corporations or associations are readily available in an area to provide the service
- Public bodies approved by the state to coordinate services for seniors and persons with disabilities

Local public bodies eligible to apply as coordinators of services for seniors and persons with disabilities are those designated by the state to coordinate human service activities in a particular area. Examples of such eligible public bodies are county agencies on aging or a public transit provider that the state has identified as the lead agency to coordinate transportation service funded by multiple federal or state human service programs.

### **Eligible Activities**

At least 55 percent of funds must be used for capital projects to support the provision of transportation services to meet the special needs of seniors and persons with disabilities. There are no specific service area restrictions other than PTT only administers funds for the small urban and rural areas. Current PTT policy makes the use of Section 5310 funds for the purchase of new vehicles for new agencies (not currently under contract with PTT) the first priority until or unless this demand has been met, as evidenced by a substantial decrease in the number of new vehicle requests.

Charter service, meal delivery, package delivery, and school transportation are not eligible expenses and are prohibited by PTT policy. Examples of eligible vehicle expenses include, but are not limited to:

- ADA accessible buses
- ADA accessible vans
- (reserved for Association of Government entities) Mobility management – Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a non-profit agency could receive Section 5310 funding to support the administrative costs of sharing services it provides to its own clientele with other seniors and/or individuals with disabilities and coordinates usage of vehicles with other non-profits, but not the operating costs of service. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. Mobility management activities may include:
  - The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, older adults, and low income individuals
  - Support for short-term management activities to plan and implement coordinated services
  - The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs

- Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive of GIS mapping, Global Positioning System technology, coordinated vehicle scheduling, and dispatching and monitoring technologies, as well as technologies to track costs and billing in a coordinated system and single smart customer payment systems. (Acquisition of technology is also eligible as a stand-alone capital expense.)

No more than 45 percent of funds may be used for activities that were previously traditional Section 5317 New Freedom activities, of which limited elements were combined with Section 5310 by MAP-21. These funds are available for capital and operating expenses. Examples of project types include projects that exceed the requirements of the ADA, projects that improve access to fixed route service and decrease reliance on ADA complementary paratransit service, and projects that provide alternatives to public transportation that assist seniors and individuals with disabilities with transportation. Projects must be for the general targeted population and not specific to an agency's eligible consumer group. Examples of eligible expenses include, but are not limited to:

**Other Eligible Capital and Operating Projects.**

General. Up to 45 percent of a rural, small urbanized area, or large urbanized area's annual apportionment may be utilized for:

- Public transportation projects (capital only) planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;
- Public transportation projects (capital and operating) that exceed the requirements of ADA;
- Public transportation projects (capital and operating) that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service;
- Alternatives to public transportation (capital and operating) that assist seniors and individuals with disabilities with transportation.

Since the 55 percent requirement is a floor, and not a ceiling, the activities listed in section 14, above, are eligible expenses for all funds available to a recipient under Section 5310. For example, mobility management and ITS projects may be eligible under both categories; the difference to note, in order for the project to qualify toward the 55 percent requirement, is that the project must meet the definition of a capital project, be specifically geared toward the target population, and carried out by an eligible subrecipient, which is limited for this category of projects. The list of eligible activities is intended to be illustrative, not exhaustive. FTA encourages recipients to develop innovative solutions to meet the needs of seniors and individuals with disabilities in their communities and discuss proposed projects with FTA regional staff to confirm eligibility.

Public Transportation Projects that Exceed the Requirements of the ADA. The following activities are examples of eligible projects meeting the definition of public transportation service that is beyond the ADA.

- Enhancing paratransit beyond minimum requirements of the ADA. ADA-complementary paratransit services can be eligible under the Section 5310 program in several ways:
  - Expansion of paratransit service parameters beyond the three-fourths mile required by the ADA;
  - Expansion of current hours of operation for ADA paratransit services that are beyond those provided on the fixed-route services;
  - The incremental cost of providing same day service;
  - The incremental cost (if any) of making door-to-door service available to all eligible ADA paratransit riders, but not on a case-by-case basis for individual riders in an otherwise curb-to-curb system;
  - Enhancement of the level of service by providing escorts or assisting riders through the door of their destination;
  - Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for wheelchairs under the ADA regulations, 49 CFR part 38 (i.e., larger than 30" × 48" and/or weighing more than 600 pounds), and labor costs of aides to help drivers assist passengers with oversized wheelchairs. This would permit the acquisition of lifts with a larger capacity, as well as modifications to lifts with a 600-pound design load, and the acquisition of heavier duty vehicles for paratransit and/or demand-response service in order to accommodate lifts with a heavier design load; and
  - Installation of additional securement locations in public buses beyond what is required by the ADA.
  
- Feeder services. Accessible "feeder" service (transit service that provides access) to commuter rail, commuter bus, intercity rail, and intercity bus stations, for which complementary paratransit service is not required under the ADA.
  
- Public Transportation Projects that Improve Accessibility. The following activities are examples of eligible projects that improve accessibility to the fixed-route system.
  - Making accessibility improvements to transit and intermodal stations not designated as key stations. Improvements for accessibility at existing transportation facilities that are not designated as key stations established under 49 CFR 37.47, 37.51, or 37.53, and that are not required under 49 CFR 37.43 as part of an alteration or renovation to an existing station, so long as the projects are clearly intended to remove barriers that would otherwise have remained. Section 5310 funds are eligible to be used for accessibility enhancements that remove barriers to individuals with disabilities so they may access greater portions of public transportation systems, such as fixed-route bus service, commuter rail, light rail, and rapid rail. This may include:

- Building an accessible path to a bus stop that is currently inaccessible, including curbcuts, sidewalks, accessible pedestrian signals, or other accessible features;
  - Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA;
  - Improving signage or wayfinding technology; or
  - Implementation of other technology improvements that enhance accessibility for people with disabilities including ITS.
- Travel training. Training programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities. This includes travel instruction and travel training services.

Public Transportation Alternatives that Assist Seniors and Individuals with Disabilities with Transportation. The following activities are examples of projects that are eligible public transportation alternatives.

- Purchasing vehicles to support accessible taxi, ride-sharing, and/or vanpooling programs. Section 5310 funds can be used to purchase and operate accessible vehicles for use in taxi, ride-sharing, and/or vanpool programs provided that the vehicle meets the same requirements for lifts, ramps, and securement systems specified in 49 CFR part 38, subpart B, at a minimum, and permits a passenger whose wheelchair can be accommodated pursuant to part 38 to remain in his/her personal mobility device inside the vehicle.
- Supporting the administration and expenses related to voucher programs for transportation services offered by human service providers. This activity is intended to support and supplement existing transportation services by expanding the number of providers available or the number of passengers receiving transportation services. Vouchers can be used as an administrative mechanism for payment of alternative transportation services to supplement available public transportation. The Section 5310 program can provide vouchers to seniors and individuals with disabilities to purchase rides, including: (a) mileage reimbursement as part of a volunteer driver program; (b) a taxi trip; or (c) trips provided by a human service agency. Providers of transportation can then submit the voucher for reimbursement to the recipient for payment based on predetermined rates or contractual arrangements. Transit passes or vouchers for use on existing fixed-route or ADA complementary paratransit service are not eligible. Vouchers are an operational expense which requires a 50/50 (federal/local) match.
- Supporting volunteer driver and aide programs. Volunteer driver programs are eligible and include support for costs associated with the administration, management of driver recruitment, safety, background checks, scheduling, coordination with passengers, other related support functions, mileage reimbursement, and insurance associated with volunteer driver programs. The costs of enhancements to increase capacity of volunteer driver programs are also eligible. FTA encourages communities to offer consideration for utilizing all available

funding resources as an integrated part of the design and delivery of any volunteer driver/aide program.

Limits on operating assistance. Given the 55 percent requirement for traditional Section 5310 capital projects, a recipient may allocate up to 45 percent of its apportionment for operating assistance. However, this funding is limited to eligible projects as described in 49 U.S.C. 5310(b)(1)(B-D) and described in this section (b, c, and d), above. Operating assistance for required ADA complementary paratransit service is not an eligible expense.

Projects selected for funding under this program must be included in a locally developed, coordinated public transit-human services transportation plan; and the plan must be developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, nonprofit transportation and human services providers, and other members of the public. Under MAP-21, the coordinated planning provision requires that all projects be included in the local coordinated human service-public transportation plan. FTA also requires evidence the plan was developed and approved with inclusion from the specific targeted populations.

### **Match Requirements**

The federal share of eligible capital costs may not exceed 80 percent of the net cost of the activity, leaving the local share of capital costs at no less than 20 percent of the net cost of the activity. The PTT does not allow higher federal share rates for bicycle access and transport or for vehicle related equipment. The federal share of eligible operating costs may not exceed 50 percent of the net cost of the activity, leaving the local share of operating costs at no less than 50 percent. The PTT does not allow use of a sliding scale based on the ratio of designated state public land areas to the total state area. The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a state or local service agency or private social service organization, or new capital. Some examples of these sources of local match include: state or local appropriations; dedicated tax revenues; private donations; revenue from service contracts; toll revenue credits; and net income generated from advertising and concessions. In addition, the local share may be derived from federal programs that are eligible to be expended for transportation, other than USDOT programs, or from USDOT's Federal Lands Highway Program. Examples of types of programs that are potential sources of local match include: employment, training, aging, medical, community services, and rehabilitation services. Specific program information for other types of federal funding is available at [www.unitedweride.gov](http://www.unitedweride.gov).

### **New Vehicles**

The PTT requires each subrecipient to relinquish physical possession of the title or ownership document to the PTT for the duration of the useful life. In addition, the PTT secures property liens to protect the federal share of the vehicle. The lien will be released when the useful life and contract conditions has expired. Refer to the complete State Management Plan for more information on vehicles and useful life.

### **1.3 Section 5311 Formula Grants for Other than Urbanized Areas**

The Section 5311 Formula Grants provides formula funding for the purpose of supporting public transportation in areas with populations less than 50,000. MAP-21 also combined elements of Section 5316 (New Freedom) with Section 5311. This includes formula funding to states to support the development and maintenance of job access and/or reverse commute projects designed to transport welfare recipients and eligible low-income individuals to and from jobs and activities related to their employment. These grant funds are intended to provide capital and operating assistance within rural areas (populations less than 50,000).

#### **Program Goals**

The goals of the formula program are to:

- Enhance the access of people in non-urbanized areas to health care, shopping, education, employment, public services, and recreation
- Assist in the maintenance, development, improvement, and use of public transportation systems in rural and small urban areas
- Encourage and facilitate the most efficient use of all federal funds used to provide passenger transportation in non-urbanized areas through the coordination of programs and services
- Assist in the development and support of intercity bus transportation
- Provide for the participation of private transportation providers in non-urbanized transportation to the maximum extent feasible
- Improve access to transportation services to employment and employment-related activities for eligible low-income individuals
- Transport residents of urbanized areas and non-urbanized areas to suburban employment opportunities.

#### **Eligible Subrecipients**

Eligible subrecipients include:

- State or local governmental authority
- Private non-profit organizations
- Operators of public transportation or intercity bus service that receive FTA grant funds indirectly through a recipient

Note: Private for-profit operators of public transit services or intercity bus services may participate in the program as third-party contractors for direct subrecipients. Intercity routes as identified by the Department through statewide route feasibility study.

The definition of local governmental authority includes the following:

- A political subdivision of a state
- An authority of at least one state or political subdivision of a state
- An Indian tribe, both federally recognized and other Indian tribes

- A public corporation, board, or commission established under the laws of a state

PTT requires potential applicants to conduct and document a feasibility study with, but not limited to, the following documentation:

- The need for a public transportation system in the planning area
- Community support for a public transportation system
- The extent of commitment from local organizations and existing transportation providers to coordinate services
- Documentation of projected revenues and expenses
- Financial and managerial capabilities of the applicant
- The extent to which the project will comply with federal regulations concerning EEO, Title VI, DBE, Section 13(c) and Section 504/ADA.

### **Eligible Activities**

FTA defines eligible service areas for the rural program as those areas outside urbanized and small urban areas. Funds may be used for public transportation projects and intercity bus transportation projects in any area outside of an urbanized and small urban area. Current PTT policy is to make the use of these funds for maintaining existing services the first priority. Areas not currently within these areas are eligible for Section 5311 funding even if they are included within the metropolitan area planning boundary, which includes the surrounding area expected to be urbanized within 20 years and/or the air quality non-attainment boundary.

Since the goal of Section 5311 is to enhance the overall mobility of people living in rural areas, Section 5311 projects may include transportation to and from urbanized areas. The service area may also include destinations across a state line to enhance coordination with neighboring states. Operators of interstate service are required to comply with FMCSA regulations.

In some locales, a subrecipient receives both Section 5307 and 5311 funding to provide public transportation to urbanized and surrounding areas. These subrecipients should use Section 5311 funds only to assist the rural portion of those locales. Section 5311 funded services must be designed to maximize use by members of the general public who are transportation disadvantaged, including seniors and persons with disabilities.

Eligible expenses are capital, operating, project administration, and planning expenses. Capital expenses are eligible for projects that include the acquisition, construction, and improvement of public transit facilities and equipment needed for a safe, efficient, and coordinated public transportation system as well as certain other expenses classified as capital in Section 5302(a)(1). Maintenance is treated as an operating expense. Examples of eligible expenses include, but are not limited to:

- Capital expenses:
  - Accessible buses or vans
  - Radios and communication equipment

- Passenger shelters, bus stop signs, park-and-ride lots, and similar passenger amenities
- Vehicle rehabilitation, remanufacture, or overhaul
- Extended warranties that do not exceed the industry standard
- Operational support such as computer hardware or software, installation costs, vehicle procurement, testing, inspection, and acceptance costs
- Construction or rehabilitation of transit facilities including design, engineering, and land acquisition
- Facilities to provide access for bicycles to transit facilities
- Equipment for transporting bicycles on transit vehicles
- The introduction of new technology, through innovative and improved products, into public transportation
- Mobility management, which consists of short-range planning, management activities, and projects for improving coordination among public transportation, and other transportation service providers carried out by a recipient or subrecipient through an agreement entered into with a person, including a governmental authority, but excludes operating expenses
- Crime prevention and security, including projects to refine and develop security and emergency response plans, but excluding all expenses related to operations
- Transit-related ITS
- Net operating expenses:
  - Fuel
  - Oil
  - Drivers' salaries and fringe benefits
  - Dispatchers' salaries and fringe benefits
  - Licenses directly related to system operation
  - Preventive maintenance, defined as all maintenance costs
  - Late-night and weekend service
  - Shuttle service
  - Expanding fixed-route public transit routes
  - Demand-responsive van service
  - Promotion, through marketing efforts, of the:
    - Use of transit by workers with non-traditional work schedules
    - Use of transit voucher programs by appropriate agencies for welfare recipients and other low-income individuals
    - Development of employer-provided transportation such as shuttles, ridesharing, carpooling
    - Use of transit pass programs and benefits under Section 132 of the Internal Revenue Code of 1986
  - Support for management and expenses related to voucher programs. Vouchers can be used as a management mechanism for payment to providers of alternative transportation services, such as:

- Mileage reimbursement as part of a volunteer driver program
- Taxi trips
- Trips provided by a human service agency

Note: Transit passes for use on fixed-route or ADA complementary paratransit services are not eligible.

- Administrative expenses:
  - Salaries of project director, secretary, and bookkeeper
  - Marketing expenses
  - Insurance premium
  - Office supplies
  - Facilities and equipment rental
  - Standard overhead rates
  - Costs of administering drug and alcohol testing

Charter service, meal delivery, package delivery, and school transportation are not eligible expenses and are prohibited by PTT policy.

### **Match Requirements**

After the apportionment of 15 percent of UDOT's full Section 5311 grant to intercity bus programs, federal and local matches apply for both Section 5311 and Section 5311(f) as described below.

The federal share of eligible capital costs may not exceed 80 percent of the net cost of the activity, leaving the local share of capital costs at no less than 20 percent of the net cost of the activity. The federal share of eligible net operating costs may not exceed 50 percent, leaving a local share of not less than 50 percent. The federal share of eligible program administration expenses is 80 percent, leaving the local share at no less than 20 percent. PTT does not allow higher federal share rates for bicycle access and transport or for vehicle-related equipment or facilities required by the ADA or Clean Air Act. PTT does not allow use of a sliding scale based on the ratio of designated state public land areas to the total state area. The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a state or local service agency or private social service organization, or new capital. Some examples of these sources of local match include: state or local appropriations; dedicated tax revenues; private donations; revenue from service contracts; toll revenue credits; and net income generated from advertising and concessions. In addition, the local share may be derived from federal programs that are eligible to be expended for transportation, other than USDOT programs, or from USDOT's Federal Lands Highway Program. Examples of types of programs that are potential sources of local match include: employment, training, aging, medical, community services, and rehabilitation services. Specific program information for other types of federal funding is available at [www.unitedweride.gov](http://www.unitedweride.gov).

#### **1.4 Section 5311(b)(3) Rural Transit Assistance Program (RTAP)**

##### **(UDOT is the only eligible grant applicant)**

The Section 5311(b)(3) program :

- Promote the safe and effective delivery of public transportation in non-urbanized areas and make more efficient use of public and private resources
- Foster the development of state and local capacity for addressing the training and technical assistance needs of the rural transportation community
- Improve the quality of information and technical assistance available through the development of training and technical assistance resource materials
- Facilitate peer-to-peer self-help through the development of local networks of transit professionals
- Support the coordination of public, private, specialized, and human service transportation services

UDOT is the only eligible grant applicant. Refer to the current UDOT PTT State Management Plan for more information.

#### **1.5 Section 5311(f) Intercity Bus Program**

##### **(UDOT is the only eligible grant applicant)**

###### **Program Goals**

Goals of the Section 5311(f) program :

- Support the connection between non-urbanized areas and the larger regional or national system of intercity bus service
- Support services to meet the intercity travel needs of residents in non-urbanized areas
- Support the infrastructure of the intercity bus network through planning and marketing assistance and capital investment facilities

###### **Eligible Subrecipients**

Intercity bus service providers that receive FTA grant funds indirectly through a subrecipient are eligible for funding.

###### **Eligible Activities**

Eligible expenses include capital, operating, and project administrative expenses for projects that develop and support state identified intercity bus transportation.

###### **Match Requirements**

Fifteen percent of Section 5311 program funds must be apportioned for the Section 5311(f) program. Match requirements are the same as those for Section 5311.

### **1.6 Section 5316 Job Access Reverse Commute (JARC)**

The JARC program was repealed by MAP-21. Funds under this program (5316) are only available before fiscal year 2013 and will only be available if those funding years have remaining unobligated funds. Refer to the current UDOT PTT State Management Plan for more information.

#### ***\* 5316 Funds Not Available for Application***

### **1.7 Section 5317 New Freedom**

The New Freedom program was repealed by MAP-21. Funds under this program (5317) are only available before fiscal year 2013 and will only be available if those funding years have remaining unobligated funds. Refer to the current UDOT PTT State Management Plan for more information.

#### ***\* 5317 Funds Not Available for Application***

### **1.8 Section 5339 Bus and Bus Facilities**

The Section 5339 Bus and Bus Facilities program provides formula funding for the purpose of replacing, rehabilitating, and purchasing buses and related equipment and to construct bus-related facilities.

#### **Program Goals**

The goal of the Section 5339 program is to improve bus and bus facilities by funding capital projects to replace, rehabilitate and purchase buses, vans, and related equipment, and to construct bus-related facilities. PTT policy is to prioritize projects that replace existing vehicles or expand on existing services as well as projects that include bus-related facilities.

#### **Eligible Subrecipients**

The PTT administers and provides funding for the small urban and rural areas, areas with populations less than 200,000. Eligible subrecipients include public agencies or private nonprofit organizations engaged in public transportation, including those providing services open to a segment of the general public, as defined by age, disability, or low income.

#### **Eligible Activities**

Capital projects to replace, rehabilitate and purchase buses, vans, and related equipment, and to construct bus-related facilities. Projects for both fixed route and demand response services are eligible. Examples of bus-related facility activities includes but is not limited to:

- Bus maintenance and administrative facilities
- Transfer facilities
- Bus Malls

- Transportation centers
- Intermodal terminals
- Park and ride stations
- Passenger shelters
- Accessory and miscellaneous equipment such as mobile radio units, fare boxes, and garage equipment

Charter service, meal delivery, package delivery, and school transportation are not eligible expenses and are prohibited by PTT policy.

**Match Requirements**

The federal share of eligible capital costs may not exceed 80 percent of the net cost of the activity, leaving the local share of capital costs at no less than 20 percent of the net cost of the activity. PTT does not allow higher federal share rates for bicycle access and transport or for vehicle-related equipment or facilities required by the ADA or Clean Air Act. PTT does not allow use of a sliding scale based on the ratio of designated state public land areas to the total state area. The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a state or local service agency or private social service organization, or new capital. Some examples of these sources of local match include: state or local appropriations; dedicated tax revenues; private donations; revenue from service contracts; toll revenue credits; and net income generated from advertising and concessions. In addition, the local share may be derived from federal programs that are eligible to be expended for transportation, other than USDOT programs, or from USDOT's Federal Lands Highway Program. Examples of types of programs that are potential sources of local match include: employment, training, aging, medical, community services, and rehabilitation services. Specific program information for other types of federal funding is available at [www.unitedweride.gov](http://www.unitedweride.gov).