

# Amendment to the Regional Programming Guidelines for Federal Transit Formula Funds - Preventive Maintenance/Operating/Complementary ADA

MAG Transit Committee

4/9/2015

- For Information, discussion, and possible recommended approval

# ADA Regulations Part 37--Transportation Services for Individuals with Disabilities

## Subpart F\_Par transit as a Complement to Fixed Route Service

### Sec. 37.121 Requirement for comparable complementary paratransit service.

- (a) Except as provided in paragraph (c) of this section, each public entity operating a fixed route system shall provide paratransit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system.
- (b) To be deemed comparable to fixed route service, a complementary paratransit system shall meet the requirements of Sec. Sec. 37.123- 37.133 of this subpart. The requirement to comply with Sec. 37.131 may be modified in accordance with the provisions of this subpart relating to undue financial burden.
- (c) Requirements for complementary paratransit do not apply to commuter bus, commuter rail, or intercity rail systems.

Source: [http://www.fta.dot.gov/12876\\_3906.html](http://www.fta.dot.gov/12876_3906.html)

On May 25, 2011, the MAG Regional Council approved the current methodology for programming Preventive Maintenance (PM) for the MAG region. This methodology is applied for FY2012 and beyond, and is done so 'phasing out' of the old methodology between FY2012 and FY2014.

1. The preventive maintenance distribution methodology first distributes the amounts between the bus and rail program based on operating expense, then distributes funds for bus operators based on a combination of passenger and vehicle revenue miles. Passenger miles are weighted by 10 percent and vehicle revenue miles are weighted by 90 percent. **The distribution methodology is updated annually using the most recent NTD published data.**

# Section 5307 (49 U.S.C. § 5307)

- Preventive maintenance, defined as all maintenance costs, became eligible for FTA capital assistance at an 80 percent Federal share.
- Operating assistance is available only to urbanized areas with populations under 200,000.
- An exception is made for urbanized areas over 200,000 population if the number of total bus revenue vehicle miles operated is under 900,000 and the number of buses operated does not exceed 15.
- Up to 10% of an area's apportionment may be used for complementary ADA paratransit service cost.

# Section 300. TRANSPORTATION PROGRAMMING PRIORITIES

## Regional Programming Guidelines for Federal Transit Formula Funds



Approved by MAG Regional Council on March 27, 2013



1. Provide services and improvements as required by law
  - Under MAP-21 it is required that 1% of 5307 funds are used for transit security or be able to certify that it is not necessary to do so.
2. Provide funding for support services for grant management to the designated recipient, the City of Phoenix. Currently, FY2012, this is \$40,000.
3. Fund Preventive Maintenance/Operations.
  - Preventive maintenance funding for the Phoenix-Mesa-Glendale UZA would be distributed based on approved methodology outlined in Section 400.
  - The baseline funding would be 25% of 5307 funds. Avondale/Goodyear UZA would receive operations funding in line with 2012 for the FY TIP years 2014-2018.
4. Fund the Job Access Reverse Commute program using the process outlined in Section 703 Job Access Reverse Commute (JARC).
5. Support the Transit Life Cycle Program (TLCP) capital bus program
6. Support the TLCP capital facility program
7. Support the TLCP regional transit supergrid service
8. Support the other TLCP projects as the program is updated.
9. Fund additional projects based on a regional competitive evaluation process that is outlined in Section 700 Regional Competitive Evaluation Process.

# Section 400. PREVENTIVE MAINTENANCE DISTRIBUTION METHODOLOGY FOR 5307 FORMULA FUNDS

1. The preventive maintenance distribution methodology first distributes the amounts between the bus and rail program based on operating expense, then distributes funds for bus operators based on a combination of passenger and vehicle revenue miles. Passenger miles are weighted by 10 percent and vehicle revenue miles are weighted by 90 percent. The distribution methodology is updated annually using the most recent NTD published data.
2. Federal funds for preventive maintenance for fiscal years 2012-2015 will be distributed based on a 'phase out' approach and use the May 25, 2011 approved preventive maintenance distribution methodology. Beginning in FY2012 the allocations, as identified in the adopted July 2010 FY2011-2015 MAG TIP for each operating agency, will be reduced by 25 percent each year, and an additional 25 percent for each subsequent year (50 percent reduction in 2013, 75 percent reduction in 2014), the remaining federal funds will be distributed using the new methodology. Beginning in FY2015, and continuing in the future, PM funds will be completely distributed under the new methodology.
3. Transit Operators Eligible for Operating Assistance in Large Urbanized Areas may choose utilize Operating Assistance in lieu of Preventive Maintenance. This option does not change the agency's allocation or the regional allocation formula for Preventive Maintenance.
4. Eligible operators are public entities that operate fixed route bus service with 100 or fewer buses in maximum peak hour service, and that operate transit service in a large urbanized area.

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2. Provide funding for support services for grant management to the designated recipient, the City of Phoenix. Currently, FY2012, this is \$40,000.
3. Fund Preventive Maintenance/Operations/Complementary ADA Service.
  - Preventive maintenance funding for the Phoenix-Mesa-Glendale UZA would be distributed based on approved methodology outlined in Section 400. The baseline funding would be 25% of 5307 funds.
  - Avondale/Goodyear UZA would receive operations funding in line with 2012 for the FY TIP years 2014-2018.
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maintenance distribution methodology. Beginning in FY2012 the allocations, as identified in the adopted July 2010 FY2011-2015 MAG TIP for each operating agency, will be reduced by 25 percent each year, and an additional 25 percent for each subsequent year (50 percent reduction in 2013, 75 percent reduction in 2014), the remaining federal funds will be distributed using the new methodology. Beginning in FY2015, and continuing in the future, PM funds will be completely distributed under the new methodology.

3. Transit Operators Eligible for Operating Assistance in Large Urbanized Areas may choose to utilize Operating Assistance in lieu of Preventive Maintenance.<sup>1</sup> This option does not change the agency's allocation or the regional allocation formula for Preventive Maintenance.

- 3-4. Transit Operators may choose to utilize Operating Assistance for Complementary ADA Service in lieu of Preventive Maintenance. This option does not change the agency's allocation or the regional allocation formula for Preventive Maintenance.

# 500. PROGRAMMING PROJECTS FOR A NEW MAG TRANSPORTATION IMPROVEMENT PROGRAM

Management Plan, the project list from the TLCP. A draft listing of projects will be produced and reviewed with the MAG Transit Committee. Based on estimate funding levels of federal funds and the draft listings of projects, a calculation will be made to determine funding available for the Regional Competitive Evaluation Process, Section 700.

5. If funding is available for the Regional Competitive Evaluation Process (Section 700), that process will move forward.
6. Projects that are classified as TIP amendments that modify the work scope of a project, must be first approved by the modal technical committee (e.g. Street, Bicycle-Pedestrian, ITS, Safety, Transit) from which the project was first programmed and then proceed through an approval process that includes the Transportation Review Committee, the Management Committee, the Transportation Policy Committee and the Regional Council. All other TIP amendments and Administrative Modifications will begin the approval process at the Transportation Review Committee and include the policy committees as listed above Project changes that are classified as clerical corrections do not require additional approval actions.

- Recommend approval of the Amendment to the Regional Programming Guidelines for Federal Transit Formula Funds to incorporate language allowing the utilization of regionally allocated funds for Complementary ADA Service.

# For Information, discussion, and possible recommended approval

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