

109TH CONGRESS
2D SESSION

S. 2311

To establish a demonstration project to develop a national network of economically sustainable transportation providers and qualified transportation providers, to provide transportation services to older individuals, and individuals who are blind, and for other purposes.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 16, 2006

Ms. COLLINS introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To establish a demonstration project to develop a national network of economically sustainable transportation providers and qualified transportation providers, to provide transportation services to older individuals, and individuals who are blind, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Older Americans Sus-
5 tainable Mobility Act of 2006”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) The population of the United States is
2 aging in greater numbers than ever before in the
3 Nation's history.

4 (2) Dignified and sustainable mobility is essen-
5 tial for the health, safety, and quality of life of older
6 individuals, their families, their communities, and
7 the Nation.

8 (3) Older individuals who rely on the private
9 automobile for transportation need an acceptable al-
10 ternative to driving so they may safely transition
11 from driving without unduly compromising their
12 independence, quality of life, and activity in the com-
13 munity.

14 (4) Many older individuals have special, age-re-
15 lated conditions, such as dementia and frailty, that
16 special transportation alternatives must effectively
17 address.

18 (5) Many older individuals live in rural and
19 suburban areas that lack the density for traditional
20 mass transit, and more than half of all people age
21 65 or older live in communities with no public trans-
22 portation.

23 (6) The cost of addressing the transportation
24 needs of older individuals is outstripping the public

1 resources available, and that cost will only increase
2 in the next 30 years as the Nation's population ages.

3 (7) Programs that provide increased mobility
4 for older individuals will promote economic growth
5 and development by moderating health care ex-
6 penses, supporting family caregivers, promoting vol-
7 unteerism, fostering civic engagement, and enriching
8 community well-being through the participation of
9 the Nation's most experienced citizens.

10 (8) Models exist by which private nonprofit or-
11 ganizations can provide economically sustainable,
12 consumer-oriented senior transportation alternatives,
13 that address the transportation needs of older indi-
14 viduals.

15 (9) Those models can be used to supplement,
16 but not displace, public transportation, and can also
17 be successfully replicated in communities where pub-
18 lic transportation is unavailable.

19 (10) It is appropriate for the Federal Govern-
20 ment to accelerate the availability of transportation
21 alternatives for older individuals through those mod-
22 els, and to test the viability of constructing a nation-
23 wide network based on them.

1 **SEC. 3. PURPOSE.**

2 The purpose of this Act is to establish a demonstra-
 3 tion project to develop a national network of economically
 4 sustainable transportation providers and qualified trans-
 5 portation providers, to provide transportation services to
 6 older individuals, and individuals who are blind, in urban,
 7 suburban, and rural settings.

8 **SEC. 4. DEFINITIONS.**

9 In this Act:

10 (1) **ECONOMICALLY SUSTAINABLE TRANSPOR-**
 11 **TATION PROVIDER.**—The term “economically sus-
 12 tainable transportation provider” means a nonprofit
 13 provider of transportation services that—

14 (A) submits to the Secretary and obtains
 15 approval of a plan demonstrating that the pro-
 16 vider is capable of providing economically sus-
 17 tainable transportation services through the Na-
 18 tional Network;

19 (B) on receiving a grant under section 6,
 20 connects to the National Network and provides
 21 economically sustainable transportation services
 22 through the National Network in accordance
 23 with this Act; and

24 (C) on receiving a grant under section 7,
 25 provides economically sustainable transportation

1 services through the National Network in ac-
2 cordance with this Act.

3 (2) ECONOMICALLY SUSTAINABLE TRANSPOR-
4 TATION SERVICES.—The term “economically sustain-
5 able transportation services” means demand-respon-
6 sive transportation services that are provided—

7 (A) by automobile;

8 (B) to qualified individuals and qualified
9 passengers;

10 (C) 24 hours a day, 7 days a week;

11 (D) by a combination of volunteer and paid
12 drivers; and

13 (E)(i) for a period of not more than 5 fis-
14 cal years by a provider who is receiving Federal
15 financial assistance under this Act; and

16 (ii) after such period, by that provider
17 without receiving Federal or other public finan-
18 cial assistance for the services.

19 (3) NATIONAL NETWORK.—The term “National
20 Network” means a network of economically sustain-
21 able transportation providers and qualified transpor-
22 tation providers that provides transportation services
23 to qualified individuals and qualified passengers.

24 (4) QUALIFIED INDIVIDUAL.—The term “quali-
25 fied individual” means an individual who is—

1 (A) an older individual, as defined in sec-
2 tion 102 of the Older Americans Act of 1965
3 (42 U.S.C. 3002); or

4 (B) an individual who is blind, within the
5 meaning of the Rehabilitation Act of 1973 (29
6 U.S.C. 701 et seq.), an individual who has sig-
7 nificant visual impairment described in section
8 751 of the Rehabilitation Act of 1973 (29
9 U.S.C. 796j), or an individual who is eligible for
10 benefits under title II or XVI of the Social Se-
11 curity Act (42 U.S.C. 401 et seq., 1381 et seq.)
12 on the basis of blindness.

13 (5) QUALIFIED PASSENGER.—The term “quali-
14 fied passenger” means an individual who is author-
15 ized by a qualified individual to receive transpor-
16 tation services paid for in part or in whole through
17 the qualified transportation account of the qualified
18 individual.

19 (6) QUALIFIED TRANSPORTATION ACCOUNT.—
20 The term “qualified transportation account” means
21 an account established for a qualified individual for
22 the purpose of acquiring transportation services
23 from an economically sustainable transportation pro-
24 vider or a qualified transportation provider.

1 (7) QUALIFIED TRANSPORTATION PROVIDER.—

2 The term “qualified transportation provider” means
3 a nonprofit, public, or licensed private transportation
4 provider that—

5 (A) submits to the Secretary and obtains
6 approval of a plan demonstrating that the pro-
7 vider is capable of providing transportation
8 services through the National Network; and

9 (B) on receiving a grant under section 6,
10 connects to the National Network and provides
11 transportation services through the National
12 Network in accordance with this Act.

13 (8) SECRETARY.—The term “Secretary” means
14 the Secretary of Health and Human Services, acting
15 through the Assistant Secretary for Aging.

16 (9) TRANSPORTATION SERVICES.—The term
17 “transportation services” means transportation of a
18 passenger or a group of passengers, along with the
19 incidental goods or luggage of a passenger described
20 in this paragraph.

21 **SEC. 5. DEMONSTRATION PROJECT.**

22 (a) ESTABLISHMENT.—The Secretary shall establish
23 and carry out a demonstration project to enable qualified
24 individuals and qualified passengers to obtain economi-
25 cally sustainable transportation services from economically

1 sustainable transportation providers and transportation
2 services from qualified transportation providers.

3 (b) CONTRACT OR AGREEMENT.—In carrying out the
4 demonstration project, the Secretary shall enter into a
5 contract or a cooperative agreement with an eligible entity
6 to provide recommendations to the Secretary on appro-
7 priate requirements and other provisions for, and adminis-
8 tration of, the demonstration project.

9 (c) ELIGIBLE ENTITY.—To be eligible to enter into
10 a contract or agreement under subsection (b), an organi-
11 zation shall be a private nonprofit organization with expe-
12 rience in replicating models for economically sustainable
13 transportation services.

14 (d) ACTIVITIES.—An entity that enters into a con-
15 tract or agreement under this section shall—

16 (1) provide technical assistance and support to
17 the Secretary for the administration of the dem-
18 onstration project;

19 (2) provide recommendations to the Secretary
20 about the establishment of, and requirements for,
21 the National Network, including requirements con-
22 cerning locations where transportation services will
23 be provided through the network;

24 (3) provide recommendations to the Secretary
25 for provisions for the establishment of qualified

1 transportation accounts for the transportation serv-
2 ices, including provisions that such an account—

3 (A) may be funded with credits or funds
4 equal to the value of a vehicle traded to an eco-
5 nomically sustainable transportation provider
6 by, or on behalf of, a qualified individual, or by
7 other means;

8 (B) shall be used only to provide transpor-
9 tation services to the qualified individual or a
10 qualified passenger of the qualified individual;

11 (C) shall have a designated beneficiary;
12 and

13 (D) shall be transferable to an individual
14 other than the qualified individual;

15 (4) provide recommendations to the Secretary
16 for provisions for the use of the qualified transpor-
17 tation accounts, including the manner in which—

18 (A) an economically sustainable transpor-
19 tation provider or a qualified transportation
20 provider may debit such an account in exchange
21 for providing transportation services to a quali-
22 fied individual or qualified passenger;

23 (B) the account may be terminated; and

24 (C) the credits or funds in the account
25 may be exchanged or withdrawn;

1 (5) provide recommendations to the Secretary
2 regarding requirements for, and the administration
3 of, the national network connection grant program
4 described in section 6; and

5 (6) provide recommendations to the Secretary
6 regarding requirements for, and the administration
7 of, the matching grant program described in section
8 7.

9 (e) PROVISIONS.—After receiving the recommenda-
10 tions described in subsection (d), the Secretary shall estab-
11 lish the requirements and other provisions described in
12 subsection (d).

13 (f) COPYRIGHTS AND TRADEMARKS.—Nothing in this
14 Act shall affect the rights of the eligible entity under the
15 copyright or trademark laws of the United States. Nothing
16 in this Act shall require the disclosure of information to
17 which Federal law relating to trade secrets (including sec-
18 tion 552(b)(4) of title 5, United States Code) applies. In
19 entering into a contract or cooperative agreement under
20 this section, the Secretary shall not establish any condi-
21 tions that affect such rights or require such disclosure.

22 (g) INCENTIVE FOR VEHICLES TRADED TO ECO-
23 NOMICALLY SUSTAINABLE TRANSPORTATION PRO-
24 VIDERS.—For purposes of the Internal Revenue Code of
25 1986, there shall be allowed as a credit against income

1 tax of any qualified individual under chapter 1 of such
 2 Code for any taxable year, an amount equal to 30 percent
 3 of the value of transportation services allocated to a quali-
 4 fied transportation account of such qualified individual in
 5 exchange for the transfer of any motor vehicle by such
 6 qualified individual to an economically sustainable trans-
 7 portation provider during such taxable year. Such credit
 8 shall be treated as a credit under subpart A of part IV
 9 of subchapter A of such chapter.

10 **SEC. 6. NATIONAL NETWORK CONNECTION GRANT PRO-**
 11 **GRAM.**

12 (a) GRANTS.—In carrying out the demonstration
 13 project, the Secretary shall make grants to economically
 14 sustainable transportation providers and qualified trans-
 15 portation providers to pay for the Federal share of the
 16 costs of acquiring and using technology to connect to the
 17 National Network.

18 (b) AMOUNT.—The Secretary shall make a grant
 19 under this section in an amount of not more than \$25,000.

20 (c) APPLICATION.—To be eligible to receive a grant
 21 under this section, a provider shall submit an application
 22 to the Secretary at such time, in such manner, and con-
 23 taining such information as the Secretary may require.

24 (d) FEDERAL SHARE.—The Federal share of the
 25 costs described in subsection (a) shall be 50 percent. The

1 provider shall provide the non-Federal share of the costs
2 in cash or in kind, fairly evaluated, including plant, equip-
3 ment, or services, except that not more than 10 percent
4 of the costs may be provided in kind.

5 **SEC. 7. MATCHING GRANT PROGRAM.**

6 (a) GRANTS.—In carrying out the demonstration
7 project, the Secretary shall make grants to economically
8 sustainable transportation providers to pay for the Federal
9 share of the costs of participating in, and providing eco-
10 nomically sustainable transportation services through, the
11 National Network (other than the costs described in sec-
12 tion 6(a)).

13 (b) APPLICATION.—To be eligible to receive a grant
14 under this section, a provider shall submit an application
15 to the Secretary at such time, in such manner, and con-
16 taining such information as the Secretary may require.

17 (c) FEDERAL SHARE.—The Federal share of the
18 costs described in subsection (a) shall be 50 percent. The
19 provider shall provide the non-Federal share of the costs
20 in cash or in kind, fairly evaluated, including plant, equip-
21 ment, or services, except that not more than 10 percent
22 of the costs may be provided in kind. The non-Federal
23 share of the costs provided in cash shall be provided
24 through passenger fares, including fares from qualified
25 transportation accounts, and public funds or private con-

1 tributions from the community in which the provider is
2 located.

3 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated to carry out
5 this Act \$25,000,000 for the period of fiscal years 2007
6 through 2011.

7 **SEC. 9. TERMINATION.**

8 This Act ceases to be effective 5 years after the date
9 of enactment of this Act.

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