

113TH CONGRESS
2D SESSION

H. R. 5621

To amend title 49, United States Code, to direct the Secretary of Transportation to carry out a transit accessibility innovation program, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 18, 2014

Mr. LANGEVIN (for himself, Mr. PRICE of North Carolina, Ms. DUCKWORTH, Mr. COHEN, Mr. QUIGLEY, Mr. RYAN of Ohio, and Mr. HOLT) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to direct the Secretary of Transportation to carry out a transit accessibility innovation program, 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 “Transit Accessibility
5 Innovation Act of 2014”.

1 **SEC. 2. TRANSIT ACCESSIBILITY INNOVATION PROGRAM.**

2 (a) IN GENERAL.—Chapter 53 of title 49, United
3 States Code, is amended by inserting after section 5307
4 the following:

5 **“§ 5308. Transit accessibility innovation program**

6 “(a) IN GENERAL.—The Secretary shall carry out a
7 transit accessibility innovation program in accordance
8 with the requirements of this section to encourage public
9 transit systems to take actions to address deficiencies in
10 service for individuals with disabilities.

11 “(b) GRANTS AUTHORITY.—

12 “(1) IN GENERAL.—In carrying out the pro-
13 gram, the Secretary shall distribute amounts made
14 available to carry out this section as competitive dis-
15 cretionary grants to public transit agencies for eligi-
16 ble projects.

17 “(2) SELECTION CRITERIA.—The Secretary
18 shall develop criteria to ensure that projects receiv-
19 ing funding under the program are innovative and
20 replicable in other communities, and will result in a
21 substantive improvement in service for individuals
22 with disabilities.

23 “(c) APPLICATIONS.—

24 “(1) IN GENERAL.—In order to be eligible to
25 receive a grant under the program, a public transit
26 agency shall submit to the Secretary an application

1 at such time, in such form, and containing such in-
2 formation as the Secretary may require.

3 “(2) CONTENTS.—An application for a grant
4 under the program shall contain, at a minimum, a
5 description of—

6 “(A) the project for which the applicant is
7 seeking funding;

8 “(B) the anticipated benefits the project
9 will deliver for the following long-term out-
10 comes: community integration, safety, accessi-
11 bility, quality, coordination, and customer serv-
12 ice;

13 “(C) the expected contribution of the
14 project to the inclusion of individuals with dis-
15 abilities in the delivery of public transportation
16 and ADA paratransit service;

17 “(D) the ability of the project to facilitate
18 innovation in providing public transportation to
19 individuals with disabilities; and

20 “(E) the ability of the project to attract
21 new partnerships and non-Federal funding, in-
22 cluding State, local, private, and philanthropic
23 funding.

24 “(3) COMMUNITY COORDINATION REQUIRE-
25 MENTS.—

1 “(A) CERTIFICATION.—To ensure that
2 projects receiving funding under this section ad-
3 dress the needs of individuals with disabilities
4 in a geographic area, an application for a grant
5 under the program shall contain a certification
6 that—

7 “(i) each project for which the appli-
8 cant is seeking funding is included in a lo-
9 cally developed, coordinated public transit-
10 human services transportation plan; and

11 “(ii) the plan was developed and ap-
12 proved through a process that included
13 community participation, including by—

14 “(I) seniors;

15 “(II) individuals with disabilities;

16 “(III) representatives of public,
17 private, and nonprofit transportation
18 and human service providers; and

19 “(IV) other members of the pub-
20 lic.

21 “(B) USE OF EXISTING PLANS.—A plan
22 used to coordinate the funding of projects
23 under section 5310 may be used to satisfy the
24 requirements of subparagraph (A).

1 “(C) LIMITATION.—The requirements of
2 this paragraph shall not apply to the transpor-
3 tation promotion pilot program established
4 under this section.

5 “(d) FACTORS.—In providing grant funds for
6 projects under the program, the Secretary shall consider,
7 at a minimum, the ability of the project to—

8 “(1) enhance accessibility to rail and fixed
9 route bus service;

10 “(2) promote paratransit coordination with
11 other programs and utilize other revenue streams;

12 “(3) increase service quality to address cus-
13 tomer complaints;

14 “(4) provide fixed route travel training for pas-
15 sengers and specialized training for paratransit per-
16 sonnel;

17 “(5) reduce turnover through increased wages
18 and benefits, and increase monitoring, in the provi-
19 sion of ADA paratransit;

20 “(6) provide ADA complementary paratransit
21 services in a way that maximizes quality, reliability,
22 safety, customer satisfaction, and a stable workforce
23 by determining what factors within contracting
24 might impact the quality of ADA paratransit serv-
25 ices;

1 “(7) improve ADA paratransit on-time perform-
 2 ance and interoperability with other transportation
 3 services available to people with disabilities, both
 4 public and private;

5 “(8) delay or suspend proposed ADA para-
 6 transit service cuts triggered by the elimination or
 7 cutting of fixed route bus routes;

8 “(9) delay or suspend cuts for paratransit serv-
 9 ices that exceed ADA requirements, except that
 10 grant funds may not be issued under this section
 11 more than once for the same route (or a signifi-
 12 cantly similar route);

13 “(10) increase opportunities for community in-
 14 tegration and independence of people with disabil-
 15 ities by promoting access to employment and other
 16 resources; and

17 “(11) augment passenger safety, without com-
 18 promising passengers’ rights under the ADA.

19 “(e) PRACTICES TO PROMOTE SUCCESSFUL OUT-
 20 COMES AND SHARING OF INFORMATION.—

21 “(1) PRIORITY.—In providing grant funds for
 22 eligible projects under the program, the Secretary
 23 shall give priority to projects that are replicable in
 24 other communities using existing resources.

1 “(2) SET ASIDE FOR ACTIVITIES TO PROMOTE
2 SHARING OF BEST PRACTICES.—For each fiscal
3 year, the Secretary shall—

4 “(A) set aside 2 percent of the funds made
5 available to carry out this section; and

6 “(B) use those amounts to carry out activi-
7 ties to ensure that innovative practices, pro-
8 gram models, and new service delivery options
9 are collected, reviewed, and disseminated to
10 other public transit agencies, so that the prac-
11 tices, models, and options can be replicated in
12 other communities.

13 “(3) TECHNICAL ASSISTANCE.—The Secretary
14 shall provide technical assistance to recipients of
15 grant funds under the program to ensure that the
16 projects carried out using the funds are successful.

17 “(f) MAINTENANCE OF EFFORT.—

18 “(1) ADA MINIMUM STANDARDS.—Funds re-
19 ceived under the program may not be used to meet
20 the minimum standards of the ADA, including ADA
21 complementary paratransit service requirements.

22 “(2) CERTIFICATION.—To ensure that grant
23 activities are not supplanting existing, budgeted
24 services and that public transit agencies are uphold-
25 ing maintenance of effort on existing programs, a

1 public transit agency receiving grant funds under
2 the program shall—

3 “(A) certify that the funds will not be used
4 to pay for existing services; or

5 “(B) provide an explanation as to why the
6 existing services are justified grant activities.

7 “(g) GRANT REQUIREMENTS.—A grant under this
8 section shall be subject to the same requirements as a
9 grant under section 5307, except that any public transit
10 agency may use grant funds received under the program
11 for operating expenses.

12 “(h) TRANSPORTATION PROMOTION PILOT PRO-
13 GRAM.—

14 “(1) SET ASIDE.—For each fiscal year, the Sec-
15 retary shall—

16 “(A) set aside 1 percent of the funds made
17 available to carry out this section or \$100,000,
18 whichever amount is greater; and

19 “(B) use those amounts to carry out a
20 transportation promotion pilot program under
21 this subsection.

22 “(2) PURPOSE.—The purpose of the transpor-
23 tation promotion pilot program shall be to ensure
24 that—

1 “(A) public transit agencies fulfill their re-
2 quirements under the ADA; and

3 “(B) individuals with disabilities have ad-
4 vocates to ensure greater opportunities for inte-
5 gration and access into transit systems.

6 “(3) GRANT AUTHORITY.—

7 “(A) IN GENERAL.—In carrying out the
8 transportation promotion pilot program, the
9 Secretary shall make grants to—

10 “(i) agencies implementing a system
11 established under section 143 of the Devel-
12 opmental Disabilities Assistance and Bill
13 of Rights Act of 2000 (42 U.S.C. 15043)
14 that have demonstrated histories of trans-
15 portation expertise or advocacy; and

16 “(ii) nonprofit organizations that have
17 demonstrated histories of transportation
18 expertise or advocacy.

19 “(B) ELIGIBILITY.—To be eligible to re-
20 ceive a grant under this paragraph, an agency
21 or organization shall demonstrate to the Sec-
22 retary that the agency or organization—

23 “(i) has a mission that includes indi-
24 vidual or systemic advocacy and moni-

1 toring to address the transportation needs
2 of individuals with disabilities; and

3 “(ii) has the support of other organi-
4 zations in the disability community.

5 “(C) USE OF GRANTS.—Grants funds re-
6 ceived under this paragraph shall be used to
7 fund individual or systemic advocacy and moni-
8 toring to address the transportation needs of
9 people with disabilities.

10 “(i) LIMITATION ON STATUTORY CONSTRUCTION.—
11 Nothing in this section may be construed to affect projects
12 or activities carried out under section 5310 or the funding
13 of such projects or activities.

14 “(j) DEFINITIONS.—In this section, the following
15 definitions apply:

16 “(1) ADA.—The term ‘ADA’ means the Ameri-
17 cans with Disabilities Act of 1990 (42 U.S.C. 12101
18 et seq.).

19 “(2) ADA PARATRANSIT.—The term ‘ADA
20 paratransit’ means the provision of nonfixed route
21 paratransit transportation services in accordance
22 with section 223 of the ADA (42 U.S.C. 12143).

23 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
24 is authorized to be appropriated to carry out this section

1 \$100,000,000 for each of fiscal years 2015 through
2 2020.”.

3 (b) CLERICAL AMENDMENT.—The analysis for such
4 chapter is amended by inserting after the item relating
5 to section 5307 the following:

“5308. Transit accessibility innovation program.”.

6 **SEC. 3. RAISING CAPS ON USE OF FORMULA FUNDS FOR**
7 **PROVISION OF NONFIXED ROUTE PARA-**
8 **TRANSIT TRANSPORTATION SERVICES.**

9 Section 5302(3)(I) of title 49, United States Code,
10 is amended by striking “10 percent” and inserting “15
11 percent”.

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