

114TH CONGRESS
1ST SESSION

H. R. 1448

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

MARCH 18, 2015

Mr. LANGEVIN (for himself, Mr. COHEN, Mr. QUIGLEY, Mr. RYAN of Ohio, and Ms. DUCKWORTH) 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 2015”.

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

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

1 **“§ 5308. Transit accessibility innovation program**

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

7 “(b) GRANTS AUTHORITY.—

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

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

19 “(c) APPLICATIONS.—

20 “(1) IN GENERAL.—In order to be eligible to
21 receive a grant under the program, a public transit
22 agency shall submit to the Secretary an application
23 at such time, in such form, and containing such in-
24 formation as the Secretary may require.

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

4 “(A) the project for which the applicant is
5 seeking funding;

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

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

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

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

22 “(3) COMMUNITY COORDINATION REQUIRE-
23 MENTS.—

24 “(A) CERTIFICATION.—To ensure that
25 projects receiving funding under this section ad-

1 dress the needs of individuals with disabilities
2 in a geographic area, an application for a grant
3 under the program shall contain a certification
4 that—

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

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

12 “(I) seniors;

13 “(II) individuals with disabilities;

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

17 “(IV) other members of the pub-
18 lic.

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

23 “(C) LIMITATION.—The requirements of
24 this paragraph shall not apply to the transpor-

1 tation promotion pilot program established
2 under this section.

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

6 “(1) enhance accessibility to rail and fixed
7 route bus service;

8 “(2) promote paratransit coordination with
9 other programs and utilize other revenue streams;

10 “(3) increase service quality to address cus-
11 tomer complaints;

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

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

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

24 “(7) improve ADA paratransit on-time perform-
25 ance and interoperability with other transportation

1 services available to people with disabilities, both
2 public and private;

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

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

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

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

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

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

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

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

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

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

14 “(f) MAINTENANCE OF EFFORT.—

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

19 “(2) CERTIFICATION.—To ensure that grant
20 activities are not supplanting existing, budgeted
21 services and that public transit agencies are uphold-
22 ing maintenance of effort on existing programs, a
23 public transit agency receiving grant funds under
24 the program shall—

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

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

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

10 “(h) TRANSPORTATION PROMOTION PILOT PRO-
11 GRAM.—

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

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

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

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

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

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

4 “(3) GRANT AUTHORITY.—

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

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

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

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

21 “(i) has a mission that includes indi-
22 vidual or systemic advocacy and moni-
23 toring to address the transportation needs
24 of individuals with disabilities; and

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

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

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

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

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

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

21 “(k) AUTHORIZATION OF APPROPRIATIONS.—There
22 is authorized to be appropriated to carry out this section
23 \$100,000,000 for each of fiscal years 2016 through
24 2021.”.

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

“5308. Transit accessibility innovation program.”.

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

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

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