

116TH CONGRESS
2D SESSION

H. R. 8262

To amend title 49, United States Code, to establish a grant program for infrastructure improvement projects at transportation access points to facilitate or increase the use of transportation facilities by individuals with limited mobility.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 15, 2020

Ms. VELÁZQUEZ (for herself and Ms. MOORE) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend title 49, United States Code, to establish a grant program for infrastructure improvement projects at transportation access points to facilitate or increase the use of transportation facilities by individuals with limited mobility.

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 “Accessible Transit For
5 All Act of 2020” or the “ATFA Act of 2020”.

6 **SEC. 2. SENSE OF CONGRESS.**

7 It is the sense of Congress that—

1 (1) public transportation systems, including
2 those that service the Nation’s largest cities, are
3 currently unable to provide individuals with ambula-
4 tory disabilities equal access to public transportation
5 infrastructure; and

6 (2) in many cases, public transportation infra-
7 structure on subway or rail service is inadequately
8 equipped to enable access for individuals with mobil-
9 ity impairments.

10 **SEC. 3. GRANT PROGRAM FOR ACCESSIBLE TRANSPOR-**
11 **TATION ACCESS POINTS.**

12 Subtitle III of chapter 53 of title 49, United States
13 Code, is modified by adding at the end, the following:

14 **“§ 5341. Grants for accessible public transportation**
15 **access**

16 “(a) ESTABLISHMENT OF GRANT PROGRAM.—The
17 Secretary of Transportation shall establish a program to
18 provide public transportation agencies with technical as-
19 sistance, and funding opportunities to provide infrastruc-
20 ture improvements at transportation access points to fa-
21 cilitate or increase the use of transportation facilities by
22 individuals with limited mobility.

23 “(b) CRITERIA FOR ELIGIBLE AGENCIES.—A public
24 transportation agency is eligible to participate in the pro-
25 gram if the agency—

1 “(1) receives, or is eligible for, funds pursuant
2 to the surface transportation block grant program
3 described in section 133 of title 23 during the fiscal
4 year in which the applicant applies;

5 “(2) for each fiscal year beginning with the
6 year that is 3 years before the date of application,
7 has received funding for a public transportation
8 project under chapter 53 of title 49; and

9 “(3) submits an application as described in sub-
10 section (c).

11 “(c) APPLICATION.—In accordance with such re-
12 quirements as the Secretary may by rule establish, each
13 application for a grant under this section shall—

14 “(1) include a description of the strategy and
15 detailed implementation plan that reflects consulta-
16 tion with community groups and appropriate stake-
17 holders, and shall specify the demographics of the
18 immediate geographic area where the project will
19 serve, including a summary of accessible transpor-
20 tation access points (or lack thereof) within one mile
21 of the project;

22 “(2) identify how the grant will improve the
23 agency’s compliance in providing access to public ac-
24 commodations under the Americans with Disabilities
25 Act;

1 “(3) demonstrate a gap in current accessibility
2 coverage;

3 “(4) describe the modifications that will be un-
4 dertaken by the public transportation agency to re-
5 solve the gap in coverage identified in paragraph (3);

6 “(5) identify related governmental and commu-
7 nity initiatives which compliment or will be coordi-
8 nated with the proposal;

9 “(6) certify that there has been appropriate co-
10 ordination with all appropriate agencies;

11 “(7) detail for which eligible uses under sub-
12 section (d) the applicant is seeking funds; and

13 “(8) additional information as required by the
14 Secretary.

15 “(d) FORMS OF ASSISTANCE.—Funds provided under
16 this section may be used for the following:

17 “(1) Construction, rehabilitation or modification
18 of transportation access points to facilitate use for
19 persons with limited mobility. Modifications receiv-
20 ing funding under this paragraph must facilitate en-
21 trance, departure, or mobility throughout a trans-
22 portation access point. Such modifications include—

23 “(A) wheelchair-accessible ramps in or sur-
24 rounding a transportation access point, includ-
25 ing projects replacing stairs with such ramps;

1 “(B) elevator infrastructure inside or im-
2 mediately adjacent to a transportation access
3 point that provide access to such access point;
4 and

5 “(C) replacement of stairs with escalators
6 within a transportation access point if such ac-
7 cess point has multiple levels or platforms.

8 “(2) Repair or maintenance of infrastructure
9 described in subparagraphs (A) through (C) of para-
10 graph (1).

11 “(3) Technical assistance and information on
12 best practices with respect to modifications described
13 in subparagraph (A) through (C) of paragraph (1).

14 “(4) Provision of new or supplemental public
15 transportation service bus routes, or bus rapid tran-
16 sit systems, in areas where no accessible transpor-
17 tation access point is available within one mile of
18 such bus route or system.

19 “(e) GRANT REQUIREMENTS.—

20 “(1) AMOUNT.—A grant awarded under this
21 section may not exceed \$5,000,000,000.

22 “(2) GRANT DURATION.—Grants awarded
23 under this section shall be 5 years in duration.

24 “(3) RENEWALS OF CERTAIN GRANTS.—

1 “(A) IN GENERAL.—A grant that meets
2 the criteria under subsection (g) may be re-
3 newed, and awarded an equivalent funding
4 amount, for an additional 5 years, provided the
5 public transportation agency includes, in the re-
6 port required under subsection (j), the project’s
7 progress on meeting the requirements of sub-
8 section (g)(1)(A) and—

9 “(i) submits to the Secretary an appli-
10 cation for renewal at such time, in such
11 manner, and containing such information
12 as the Secretary may require; and

13 “(ii) demonstrates in such application
14 for renewal that—

15 “(I) all grant funds were used in
16 the manner required under the most
17 recently approved application; and

18 “(II) the public transportation
19 agency has made significant progress
20 in achieving the objectives of the ini-
21 tial application approved for the pub-
22 lic transportation agency under this
23 section.

24 “(f) FEDERAL SHARE.—

1 “(1) IN GENERAL.—Except as provided in para-
2 graph (2), the Federal share of the costs of a project
3 assisted with a grant under the Program may not
4 exceed 80 percent.

5 “(2) EXCEPTION.—The Secretary may waive
6 paragraph (1) if a public transportation agency dem-
7 onstrates, as determined by the Secretary, financial
8 hardship.

9 “(3) IN-KIND CONTRIBUTIONS.—The non-Fed-
10 eral share of the costs of a project assisted with a
11 grant under the Program may be derived in whole
12 or in part from in-kind contributions.

13 “(g) PRIORITIZATION OF CERTAIN APPLICATIONS.—

14 “(1) IN GENERAL.—The Secretary shall
15 prioritize applications from public transportation
16 agencies that—

17 “(A) present projects described under sub-
18 section (d)(1) that would meet the requirements
19 of title III of the Americans with Disabilities
20 Act of 1990 (42 U.S.C. 12101 et seq.) if such
21 transportation access point (in its entirety)
22 were a public accommodation under such title;

23 “(B) are for projects in urbanized areas;
24 and

1 “(C) are for projects located in areas
2 where there is no accessible transportation ac-
3 cess point within one mile of such point.

4 “(h) AUTHORIZATION OF APPROPRIATIONS.—

5 “(1) IN GENERAL.—There is authorized to be
6 appropriated to carry out this section
7 \$40,000,000,000 for each of fiscal years 2020
8 through 2030.

9 “(2) AVAILABILITY.—Funds authorized to be
10 appropriated under this section shall remain avail-
11 able until expended.

12 “(3) MINIMUM ALLOCATION AMOUNTS FOR PRI-
13 ORITY APPLICATIONS.—Not less than 75 percent of
14 the total funds appropriated under this subsection
15 shall be designated for projects under subsection (g).

16 “(i) RULE OF CONSTRUCTION.—Nothing in this sec-
17 tion shall be construed to limit a project from receiving
18 a grant under this section for a project otherwise receiving
19 Federal funds for associated transit improvement or cap-
20 ital projects.

21 “(j) EVALUATION REPORT.—A public transportation
22 agency that receives funds under this section during a fis-
23 cal year shall submit to the Secretary a description and
24 an evaluation report on a date specified by the Secretary
25 regarding the progress such projects have made to make

1 transportation access points accessible to persons with
2 limited mobility.

3 “(k) DEFINITION OF TRANSPORTATION ACCESS
4 POINT.—In this section, the term ‘transportation access
5 point’ means a public transportation facility, including—

6 “(1) a ferry terminal;

7 “(2) a bus terminal;

8 “(3) a train, subway, or rail station; and

9 “(4) any other similar fixed rail infrastructure
10 used by passengers to embark and disembark mass-
11 transit service.”.

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