
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2285 Session of
2000

INTRODUCED BY BROWNE, DeWEESE, THOMAS, ARGALL, BAKER, BATTISTO, BEBKO-JONES, BELARDI, BELFANTI, CASORIO, CAWLEY, CLARK, L. I. COHEN, M. COHEN, CORRIGAN, COSTA, DALLY, DeLUCA, FAIRCHILD, FLICK, FRANKEL, GEIST, GEORGE, GIGLIOTTI, GRUCELA, HARHAI, HERSHEY, HESS, HUTCHINSON, JOSEPHS, KIRKLAND, LaGROTTA, LAUGHLIN, LUCYK, MAHER, MAITLAND, MANDERINO, MANN, MARKOSEK, MARSICO, MELIO, MICOZZIE, R. MILLER, S. MILLER, NAILOR, NICKOL, ORIE, PETRARCA, PIPPY, PISTELLA, RAYMOND, READSHAW, ROHRER, ROSS, RUBLEY, RUFFING, SAINATO, SANTONI, SAYLOR, SCHRODER, SCHULER, SCRIMENTI, SEYFERT, SHANER, B. SMITH, SNYDER, SOLOBAY, STABACK, STERN, STETLER, SURRA, E. Z. TAYLOR, TIGUE, TRAVAGLIO, TRELLO, VAN HORNE, WALKO, WILLIAMS, WILT, WOJNAROSKI, YOUNGBLOOD, ZUG, YUDICHAK, FORCIER, ALLEN, STEVENSON AND HARHART, FEBRUARY 16, 2000

REFERRED TO COMMITTEE ON TRANSPORTATION, FEBRUARY 16, 2000

AN ACT

1 Providing for a shared-ride program for persons with
2 disabilities; and making an appropriation.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Persons with
7 Disabilities Shared-Ride Program Act.

8 Section 2. Legislative intent.

9 It is the intent of the General Assembly and the purpose of
10 this act is to increase public transportation opportunities for
11 Pennsylvania citizens who are under 65 years of age and who have
12 certain disabilities. Grants made by this program are intended

1 to supplement and shall not supplant existing transportation
2 funds or existing transportation services for persons with
3 disabilities.

4 Section 3. Definitions.

5 The following words and phrases when used in this act shall
6 have the meanings given to them in this section unless the
7 context clearly indicates otherwise:

8 "County transportation system." The term shall mean and
9 include buses, vans or other transit vehicles purchased,
10 maintained and operated by any county or its agents and used to
11 provide free or reduced rate transportation within the county to
12 eligible persons with disabilities.

13 "Department." The Department of Transportation of the
14 Commonwealth.

15 "Eligible applicant." Any provider of shared-ride programs
16 for the elderly, any county, any county transportation system,
17 any transportation authority, any local transportation
18 organization, any municipality, any transportation company or
19 any urban common carrier mass transportation provider.

20 "Fixed-route public transportation services." Regularly
21 scheduled transportation that is available to the general public
22 and is provided according to published schedules along
23 designated published routes with specified stopping points for
24 the taking on and discharging of passengers. Eligible services
25 include public bus and commuter rail systems. The term does not
26 include exclusive ride taxi service, charter or sightseeing
27 services, nonpublic transportation and school bus or limousine
28 services.

29 "Local transportation organization." Any municipality or any
30 mass transportation, port, redevelopment or airport authority

1 now or hereafter organized under the laws of Pennsylvania or
2 pursuant to an interstate compact or otherwise empowered to
3 render, contract for the rendering or assist in the rendering of
4 transportation service in a limited area in this Commonwealth,
5 even though it may also render or assist in rendering
6 transportation service in adjacent states.

7 "Person with disabilities." With respect to an individual,
8 an individual with a physical, sensory or mental impairment that
9 substantially limits one or more major life activities which may
10 prevent the person from transporting himself or engaging in
11 regularly provided public transportation systems.

12 "Program." Shared-ride public transportation services for
13 persons with disabilities.

14 "Provider." Any eligible applicant that applies for and is
15 approved for grant funds under this act.

16 "Shared-ride public transportation services." The term shall
17 include demand-responsive transportation that is available to
18 the general public, operates on a nonfixed-route basis and
19 charges a fare to all riders. For transportation to be included
20 in this definition, the first fare-paying passengers to enter
21 the public transportation vehicle must not refuse to share the
22 vehicle with other passengers during a given trip. The term does
23 not include exclusive ride taxi service, charter or sightseeing
24 services, nonpublic transportation and school bus or limousine
25 services.

26 "Transit vehicle." A self-propelled or electrically
27 propelled vehicle designed for carrying four or more passengers,
28 exclusive of the driver, other than a taxicab, designed and used
29 for the transportation of persons for compensation.

30 "Transportation company." The term shall mean and include

1 any person, firm or corporation rendering public passenger
2 service, with or without the rendering of another service, in
3 this Commonwealth pursuant to common carrier authorization from
4 the Pennsylvania Public Utility Commission or the Interstate
5 Commerce Commission.

6 "Urban common carrier mass transportation." Transportation
7 within an area that includes a municipality or other built-up
8 place which is appropriate, in the judgment of the Department of
9 Transportation, for a common carrier transportation system to
10 serve commuters or others in the locality, taking into
11 consideration the local patterns and trends of urban growth, by
12 bus or rail or other conveyance, either publicly or privately
13 owned, serving the general public, but not including school
14 buses or charter or sightseeing services.

15 Section 4. Persons with disabilities shared-ride program.

16 (a) Power and duty of department.--The department shall have
17 the power and duty to administer a program authorizing grants to
18 eligible applicants that agree to provide shared-ride public
19 transportation services to eligible persons with disabilities.
20 As part of the program, the department shall:

21 (1) Establish a process through which potential
22 providers receive notice of the program, are given the
23 opportunity to submit grant proposals and are evaluated based
24 on eligibility criteria established by this act.

25 (2) Award grants to providers that meet the eligibility
26 criteria established by this act.

27 (3) Enter into contracts with providers that meet the
28 eligibility criteria established by this act.

29 (b) Request for proposal process.--The department shall
30 establish a request for proposal process wherein notice of the

1 program is published in the Pennsylvania Bulletin, eligible
2 applicants are given an opportunity to submit proposals and the
3 proposals are evaluated. For any eligible applicant to receive
4 grant funds under the program, the applicant's proposal must
5 demonstrate each of the following:

6 (1) The applicant has the ability to provide shared-
7 ride, point-to-point accessible services for eligible persons
8 with disabilities.

9 (2) The applicant has the ability to limit access to the
10 program to those eligible persons with disabilities.

11 (3) The applicant has the ability to administer the
12 program such that eligible persons with disabilities pay no
13 more than 15% of the full-fare cost of the transportation.

14 (4) The applicant has the ability to implement an
15 eligibility verification process to ensure that access to the
16 program is limited to eligible persons with disabilities.

17 (5) The applicant has the ability to compile such
18 information as the department may require.

19 (6) The applicant has the ability to solicit and receive
20 public participation from persons with disabilities in the
21 development of the application and the planning,
22 implementation and administration of the program.

23 (7) The applicant has the ability to serve either
24 portions of a county that are rural in nature or portions of
25 a county not currently served by fixed-route public
26 transportation services.

27 (c) Grant awards.--The department may award grants to any
28 provider that meets the eligibility criteria in subsection (b),
29 provided, that, in determining grant awards, the department
30 shall:

1 (1) Ensure that applicants from rural, suburban and
2 urban areas of this Commonwealth are considered for grant
3 funds.

4 (2) Give priority to applicants whose service areas are
5 rural in nature or whose service areas are not currently
6 served by fixed-route public transportation services.

7 (3) Give priority to applicants that have the ability to
8 provide or coordinate services across county lines.

9 (d) Limitation on grant amounts.--Grants authorized to any
10 provider under this act shall be limited to an amount equal to
11 85% of the total cost of each provider's program. Individuals
12 utilizing the program shall contribute the remaining 15% through
13 fares.

14 (e) Agreement.--The department may enter into an agreement
15 with any provider that meets the criteria under subsections (b)
16 and (c) to award grant funds under this act. The agreement shall
17 include terms requiring that grant funds be used in accordance
18 with the proposal submitted to the department by the provider.
19 The time, payment, amount and any other conditions on the
20 receipt of the grant funds shall be set forth in the agreement.

21 Section 5. Program review.

22 (a) Legislative Budget and Finance Committee.--The
23 Legislative Budget and Finance Committee shall conduct a
24 performance audit to assess whether the program is enhancing the
25 mobility of persons with disabilities. The findings of the
26 performance audit shall be presented to the General Assembly no
27 later than two years after the effective date of this act.

28 (b) Department report.--The department shall submit an
29 annual report to the Transportation Committee of the Senate, the
30 Transportation Committee of the House of Representatives, the

1 Appropriations Committee of the Senate and the Appropriations
2 Committee of the House of Representatives, which at a minimum
3 shall include total number of riders, total number of rides
4 provided per month, number of providers, percentage of
5 population served, geographical coverage of shared-ride usage,
6 customer satisfaction, total monthly expenditures, total cost
7 per ride, required subsidy per passenger and per mile and
8 breakdown of what type of shared-ride services are being
9 provided.

10 Section 6. Entitlement not created.

11 Nothing in this act creates or provides any individual with
12 an entitlement to services. It is the intent of the General
13 Assembly that services under this act shall be made available
14 only to the extent of availability and level of appropriations
15 made by the General Assembly.

16 Section 7. Appropriation.

17 The sum of \$6,027,500, or as much thereof as may be
18 necessary, is hereby appropriated to the Department of
19 Transportation to carry out the provisions of this act.

20 Section 8. Effective date.

21 This act shall take effect in 60 days.