
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1066 Session of
1999

INTRODUCED BY RHOADES, BELL, TILGHMAN, COSTA, O'PAKE, MADIGAN,
STOUT, JUBELIRER, CONTI, STAPLETON, MOWERY, DENT, KASUNIC,
WHITE, TARTAGLIONE, EARLL, MELLOW, THOMPSON, MUSTO,
TOMLINSON, BELAN, BOSCOLA, GERLACH, BODACK, CORMAN, KUKOVICH,
SALVATORE, WAUGH, WAGNER, HELFRICK, LAVALLE, SCHWARTZ AND
SLOCUM, AUGUST 20, 1999

REFERRED TO TRANSPORTATION, AUGUST 20, 1999

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
13 to supplement and shall not supplant existing transportation
14 funds or existing transportation services for persons with
15 disabilities.

16 Section 3. Definitions.

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

4 "Average fare." Total passenger revenue divided by the total
5 number of fare-paying passengers, excluding trips by senior
6 citizens participating in the shared-ride program for senior
7 citizens.

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. Excluded from this
26 definition are exclusive ride taxi service, charter or
27 sightseeing services, nonpublic transportation, school bus or
28 limousine services.

29 "Fund." The General Fund of the Commonwealth.

30 "Local transportation organization." Any municipality or any

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

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

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

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

17 "Secretary." The Secretary of Transportation of the
18 Commonwealth.

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

29 "Transit vehicle." A self-propelled or electrically
30 propelled vehicle designed for carrying four or more passengers,

1 exclusive of the driver, other than a taxicab, designed and used
2 for the transportation of persons for compensation.

3 "Transportation company." The term shall mean and include
4 any person, firm or corporation rendering public passenger
5 service, with or without the rendering of another service, in
6 this Commonwealth pursuant to common carrier authorization from
7 the Pennsylvania Public Utility Commission or the Interstate
8 Commerce Commission.

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

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

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

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

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

30 (3) Enter into contracts with providers that meet the

1 eligibility criteria established by this act.

2 (b) Request for proposal process.--The department shall
3 establish a request for proposal process wherein notice of the
4 program is published in the Pennsylvania Bulletin, eligible
5 applicants are given an opportunity to submit proposals and the
6 proposals are evaluated. For any eligible applicant to receive
7 grant funds under the program, the applicant's proposal must
8 demonstrate each of the following:

9 (1) The applicant has the ability to provide shared-
10 ride, point-to-point accessible services for eligible persons
11 with disabilities.

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

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

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

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

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

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

29 (c) Grant awards.--The department may award grants to any
30 provider that meets the eligibility criteria in subsection (b),

provided, that in determining grant awards, the department shall:

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

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

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

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

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

Section 5. Program review.

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

(b) Department report.--The department shall submit an

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

12 Section 6. Entitlement not created.

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

18 Section 7. Appropriation.

19 The General Assembly hereby appropriates the sum of
20 \$6,027,500 to carry out the provisions of this act.

21 Section 8. Effective date.

22 This act shall take effect in 60 days.