AMERICAN PUBLIC TRANSPORTATION ASSOCIATION

Transit Board Member Handbook

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APTA
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TRANSPORTATION
ASSOCIATION

Transit Board Member Handbook: Your 'Go-To' Manual

What is the role of a public transit agency board member, how has that role changed in recent years, and how can board members help their agencies navigate an increasingly complex mobility landscape?

These questions are at the heart of APTA's Transit Board Members (TBM) Committee—questions that are addressed in this handbook, one of many resources from APTA that support our responsibilities as board members.

On behalf of the committee, I encourage you to review the handbook and keep it handy as a "go-to" manual. It addresses a wide-ranging set of issues that provide information and insight for every public transit board member, from the most experienced individuals to newcomers.

But the handbook is only one resource available to you. The Transit Board Members Committee and its focused subcommittees provide a lively forum where transit board members can network, explore governance-related best practices, discuss issues and trends, learn from—and share with—their colleagues on a national scale, and provide input into APTA's strategic priorities. I urge you to become active in the Committee.

In addition, the annual Transit Board Members Seminar is dedicated to our specific issues and concerns. It typically addresses issues related to governance, funding and financing, board-CEO partnerships, and advocacy, to cite just a few areas of concern and interest to board members.

Plus, many of APTA's other conferences—from the Legislative Conference in the spring to the Annual Meeting in the fall—feature opportunities, insights, and ideas that can help strengthen our relationships in our home agencies and pay great dividends for public transit in our communities. You can find details about these resources and many others at APTA's website, www.apta.com.

Thanks for all you do for public transit. I look forward to working, learning, and sharing with you!

Carol Herrera

Carol Herrera
Chair, APTA Transit Board Members Committee
Vice Chair, Executive Board
Foothill Transit
West Covina, CA

To Members of Public Transportation Boards of Directors and Commissioners

From APTA's President and CEO Paul P. Skoutelas

The public transportation industry is in the midst of the most transformational changes we've seen in more than a century.

The convergence of changing market forces, evolving social trends, and advances in technology are reshaping the way people think about personal mobility—and the way they expect transportation to be delivered as a service.

APTA and its members are leading the change. We are reimagining and redefining the future of public transportation. As our industry continues to advance, the opportunities are vast and the challenges are complex.

The role of public transportation governing boards has never been more critical. As board members, you play an essential role during this time of modernization and growth. You create the vision, determine policy, plan for expansion, secure funding, and broaden the base of support for your public transit agencies.

This handbook is designed to help you be successful in today's dynamic political and economic environments. For both new and tenured transit board members, it offers valuable guidance and unique tools for excellence in governance for the public transportation sector.

I applaud your commitment to public transportation in your community, and I encourage you to take full advantage of APTA as your trusted resource for professional development and advocacy.

Paul P. Skoutelas

Paul P. Skoutelas
President and CEO

Acknowledgements

For the guidance that produced this *Transit Board Member Handbook*, we thank those on APTA's Transit Board Members Committee and Board Support Subcommittee. Thanks to APTA's Mobility Management, Sustainability, and Safety Coordinating Committees.

APTA's Vision Statement

Be the leading force in advancing public transportation.

APTA's Mission Statement

To strengthen and improve public transportation, APTA serves and leads its diverse membership through advocacy, innovation, and information sharing.

APTA's Policy on Diversity

APTA recognizes the importance of diversity for conference topics and speakers and is committed to increasing the awareness of its membership on diversity issues. APTA welcomes ideas and suggestions on how to strengthen its efforts to meet these important diversity objectives.

Contents

APTA Resources for Transit Board Members

APTA Transit Board Members Committee

Bringing your leadership skills to the national scale

The Transit Board Members Committee welcomes all members of boards and commissions of APTA-member public transportation systems to join in the professional development activities that help them become even better in their governance role. This committee meets three times a year: in conjunction with APTA's Legislative Conference, Annual Meeting, and Industry Leadership Summit.

Board members are invited to participate in webinars, conference calls, committee work, and events. Most directors say they attend APTA conferences to learn. The unique opportunities sponsored by the TBM Committee are custom-made for—and led by—board members, communicating information from the board member's perspective.

Committee Goals

The TBM committee helps board members and commissioners further develop knowledge and skills to fulfill their obligations as policymakers in an efficient and effective manner. The committee also provides a forum through which board members express their views on the direction of APTA, as well as communicate about board actions, functions, and development.

How to Join

To join any APTA committee, get in touch with its staff advisor. Most board members first join the Transit Board Members Committee and then become active in others; there are more than 120 committees, subcommittees, working groups, and task forces. Information about APTA's committees is at www.apta.com under "About APTA," and "Governance."

Committee Collaboration Web Page at www.apta.com

Once logged-in as a member of APTA, TBM Committee and Board Support Subcommittee members are welcome to visit the committee collaboration page for the calendar, bylaws, and more. Members are invited to upload documents to share with others and download minutes of meetings and other information of interest.

Committee Leadership Opportunities

The TBM committee's elected officers are the chair, vice chair, secretary, and regional representatives. Officers are listed at www.apta.com; log-in as an APTA member and select "Committee Rosters."

APTA Transit Board Members Committee Chair, Vice Chair, Secretary

The chair, vice chair, and secretary have leadership duties typical for their offices and have one-year terms (renewable the second year). The committee chair conducts the meetings, guides the direction of the committee's work, appoints the non-elected officers, fills the elected officer positions when they become available in mid-term, and creates subcommittees. The vice chair assists in the chair's duties and fills-in for

the chair when he or she is unavailable. The secretary helps guide the committee's work and approves the minutes of meetings.

Transit Board Members Committee Executive Council

The Transit Board Members Committee's Executive Council is made up of all elected and appointed officers. It plans the committee's activities and sees that all committee work supports APTA's strategic goals. The appointed officers have included the chairs of the Legislative Subcommittee, Engagement & Membership Subcommittee, ADA Subcommittee, Small and Mid-Sized System Subcommittee, Nominating Subcommittee, and ad hoc working groups. The Board Support Subcommittee chair is an ex-officio member of the Executive Council.

- TBM Committee's Legislative Subcommittee—discusses ways that board members can leverage their influence in joining APTA's one-voice advocacy efforts. The chair and vice chair also serve as chair and vice chair of the TBM subcommittee of the APTA Legislative Committee and are members of its steering committee.

- Engagement & Membership Subcommittee—develops outreach efforts and new-member mentoring to increase committee membership and satisfaction.

- ADA Subcommittee—fosters better understanding of transportation for people with disabilities. The book, *ADA Essentials for Transit Board Members: Fundamentals of the Americans with Disabilities Act*, was created by a partnership of this subcommittee and Easter Seals Project ACTION. The book is available for downloading at www.apta.com under "Resource Library."

- Small & Mid-Sized System Subcommittee—brings the topics of high interest for board members of small (under 100 buses) and medium-sized (100-500 buses) transit systems to the Transit Board Members Seminar and webinars.

- Nominating Subcommittee—presents a slate of transit board members as candidates for APTA's Executive Committee and Board of Directors. APTA's bylaws provide special considerations for including transit board members in the association's leadership. From the association's bylaws:

  > The (APTA) nominating committee each year shall give every consideration to board members of APTA transit members for service as chair and vice chair. If a transit board member has not served as APTA chair in the previous two years, the nominating committee shall make every effort to nominate an eligible transit board member for the position of vice chair. The nominating committee shall seek to achieve balance among transit board members and transit professionals when selecting nominees for the ten executive committee member at-large positions reserved for officers or officials of transit system members.

- Board Support Subcommittee—offers leadership development opportunities for clerks of the board . . . individuals who work in support of transit board members. This subcommittee develops the educational content for its members and offers webinars. To be part of this subcommittee, one must be in a position of supporting a transit agency board for an APTA-member agency.

The TBM Committee's ad hoc working groups have included those developing the *Transit Board Member Handbook*.

Supporting APTA's Strategic Goals & TransitVision 2050

Everything the Transit Board Members Committee does supports APTA's strategic goals—part of the 2015-2019 Strategic Plan available at www.apta.com under "About APTA" and "Governance." The goals are:

Safety and Security First — Promote, develop and support continuous improvement of safe and secure public transportation systems.

Resource Advocacy — Support the growth of federal and other funding and financing resources, improved project delivery approaches, and a more efficient regulatory environment.

Workforce Development — Help members attract, develop and retain a diverse workforce.

Demographic Shifts — Assist members in addressing ever-evolving lifestyles and mobility needs.

Technological Innovation — Lead and serve member efforts to evaluate, develop and adapt to emerging technologies.

APTA's long-term vision for an efficient, multimodal transportation system as the key to sustained economic vitality and global competitiveness is in the report, *TransitVision 2050*, at: http://www.apta.com/gap/transitvision/Pages/default.aspx.

Opportunities are plentiful for board members to become involved in the TBM committee and other APTA committees. The Transit Board Members Committee's work helps its leaders in ably guiding the American Public Transportation Association and its 1,500 member organizations. The committee invites all board members of APTA-member transit systems to become engaged. We are all better for sharing our strengths.

Key Opportunities, Services, and Products

Resources for transit board members

Dedicated to being the leading force in advancing public transportation, APTA focuses on advocacy, innovation, and information sharing. For transit board members and the agencies they govern, invaluable resources and unique professional development opportunities are available. Most information is online at www.apta.com, and offered only to APTA members. For access, log-in as a member with your email address and a password of your choice.

Advocacy

APTA offers critical legislative and regulatory policy development opportunities as part of its Legislative Committee. All board members are encouraged to join. Regularly emailed to Legislative Committee members is information such as "Legislative Alerts" and positioning on legislative issues and Notice of Public Rule Makings (NPRMs). APTA can help board members make contacts with federal agencies, national organizations, and elected officials. Look on the home page at www.apta.com for the FAST

Act Resource Center, and also select "Government Affairs & Policy" for information on advocacy, federal regulations, legislative issues, updates, and testimony.

Professional Development

The Industry Leadership Summit is an industry forum offered in November each year. To attend, one must be either a board member/commissioner or in a board support staff role at an APTA-member public transportation agency. Topics focus on leadership and governance. More information follows in the section, "APTA Conferences."

Webinar series for board members and support staff are available under "Resource Library"—select "Professional Development" and "Webcasts, Webinars and Online Training." The PowerPoint® presentations and audio MP3 files are available only for APTA members; so you'll need to log-in as a member on the home page. Look for "Transit Board Members Webinar Series," "Business Member Webinars," and "Board Support Staff Leadership Development."

Leadership Opportunities & Networking

Leadership positions on APTA's Board of Directors, Executive Committee, and the majority of committees are available for transit board members. APTA encourages board members to begin with its Transit Board Members Committee and join at least one other committee. There are also many positions on review panels, advisory panels, and study missions that APTA can help board members to secure within APTA and with other organizations such as the Transportation Research Board, federal partners, or Eno Transportation Foundation.

Inside Information

APTA emails its biweekly newspaper, *Passenger Transport,* to all members. One print subscription is included with each membership. Additional print subscriptions are offered for purchase; several public transit agencies subscribe for each of their board members. Emailed on alternate weeks, *Passenger Transport Express* features breaking news and congressional updates.

Order or download APTA publications online under "Resource Library." Browse options such as "Bookstore," "Policy Development and Research," and "Reports and Publications." You'll find publications such as: *ADA Essentials for Transit Board Members; Building the Board-General Manager Leadership Team, Economic Recovery, Promoting Growth; Procurement Handbook for Board Members, Transit Board Member Handbook.*

Check out "Hot Topics" and "Buyers Guide" under "Resource Library" at www.apta.com.

APTA Awards Programs

The annual APTA Awards include the Outstanding Transit Board Member of the Year and Public Transportation Systems Achievement Awards. Of special interest are the AdWheel Awards and Safety & Security Excellence Awards.

APTA Conferences

Learning and networking

As an association, APTA offers advantages such as advocacy, professional development, and networking. APTA offers members opportunities to participate and lead at conferences, seminars, and workshops. On APTA's website home page, select "Meetings and Conferences." Board members consider the Industry Leadership Summit the most important for them.

All APTA Meetings

APTA conferences and meetings are information sources to improve the knowledge and skill sets of public transportation professionals at all levels. The Annual Meeting is the major policy and management conference and there are two major technical conferences: the Bus & Paratransit Conference and Rail Conference. The conferences and workshops are generally offered on this timetable:

February

Marketing & Communications Workshop—This workshop focuses on all aspects of public transportation marketing and communications, including media relations, customer service, ridership initiatives, and best practices.

March

Legislative Conference—This conference educates members on federal legislation and policy initiatives; provides opportunities to shape industry positions and Federal policy; provides direction on the industry's legislative strategy and advocacy efforts with the U.S. Congress and administration; offers sessions with key members of Congress and staff, administration officials, and Washington opinion-makers.

Fare Collection/Revenue Management Summit & TransITech Conferences—The program features innovations and updates in the areas of policy, fare media, transit benefits, open payments, system procurement and implementation, theft and fraud, revenue management, technology, and equipment.

Public Transportation and Universities Conference—Offered every other year for public and university transportation providers.

May

Bus & Paratransit Conference—This technical conference focuses on technology, planning, operations, clean fuels, maintenance, accessibility, bus rapid transit (BRT), safety and security, procurement, workforce development, mobility management, capital programs, and more. Special events include a bus display and a showcase of the latest products and services.

International Bus Roadeo—This learning and competitive opportunity for operators and maintenance teams is more than a competition of driving skills and maintenance disciplines; it is a training and networking opportunity with training sessions for operators, maintenance teams, and supervisors as part of the Bus & Paratransit Conference.

June

Rail Conference—This conference features workshops and technical sessions that cover issues of widespread interest in all modes of rail service: urban, commuter, high-speed, and intercity. Topics are operations, technology, safety, security, planning, finance, and capital projects. A product and services showcase displays advances in railroad and rail transit markets.

International Rail Rodeo—Operators and maintainers showcase their skill in this celebration of front-line employees.

July/August

Sustainability & Multimodal Planning Workshop—This event presents environmental/energy efficient, economically sound, and socially responsible practices to advance public transportation's role in sustainability.

September/October

Annual Meeting & EXPO—The industry's premier event for policymakers, executives, and managers highlights current issues and leading-edge solutions, thought leaders, and transit experts. Every three years, APTA offers an EXPO—one of the world's largest public transportation trade shows. Tracks of study are also offered on the EXPO floor or nearby, in Procurement & Materials Management, Livable and Sustainable Communities, Workforce Development, and Bus Technical Maintenance & Clean Technology.

November/December

Industry Leadership Summit—This seminar expands your knowledge of best practices in governance. This unique professional forum brings together policymakers and staff to learn more about leadership and public transportation. Sharing your experiences will help further develop everyone's skills. You are invited to speak at and attend the engaging educational sessions developed from the board's perspective. Registration is open at www.apta.com.

Diversity at APTA

APTA promotes and values diversity as a strength of the industry and the association. Information about the Diversity Council and the Diversity Plan is online at www.apta.com under "About APTA" and "Governance." The Diversity Plan is approved by APTA's Board of Directors.

Membership on the Diversity Council is by appointment or through holding a designated office such as on APTA's Executive Committee or as a committee chair. Meetings are open to the membership; when a committee meeting is listed in a conference program, attendance by all members is welcome.

APTA defines diversity as the inclusion of differences and similarities from all categories of members and covers such areas as disability, gender, age, ethnicity, geographic origin, and size of transit property or business member organization, all of which contribute to the fulfillment of APTA's mission. APTA is committed to promoting greater understanding of the importance of mobility and access in strengthening

the overall quality of life in the diverse communities served by public transportation throughout North America.

The role of the Diversity Council is to:

- evaluate APTA activities to ensure that diversity policies are implemented throughout the association
- monitor the implementation of the Diversity Plan; evaluate and recommend changes to the Diversity Plan; and provide an annual status report to APTA's Board of Directors
- provide recommendations to the Executive Committee on diversity concerns raised within APTA or in the transit industry
- provide support and guidance to the committees represented on the Diversity Council

Diversity Plan Goals: A Summary

1. Promote diversity as a strength of the industry and implement diversity policies and programs at all levels of the organization
2. Communicate diversity as a transit industry value in APTA communications
3. Enhance opportunities for members with diverse backgrounds and capabilities to contribute to the industry and participate in APTA leadership roles and activities
4. Promote the development of transit leaders with a commitment to diversity
5. Promote and recommend diversity policies for APTA staff and programs
6. Increase business opportunities in the transit industry for minority/women-owned businesses including Disadvantaged Business Enterprises (DBE) firms

Overview of Transit Boards

The Transit Cooperative Research Program Report 85, *Public Transit Board Governance Guidebook* and other articles provide resources for board members. This chapter includes key findings from this TCRP report.

Transit Board Creation

Since passage of the Urban Mass Transportation Act of 1964 and that era's shift from private to public ownership of transit equipment and services, governing boards with citizen representation have guided the provision and growth of public transportation services. Transit boards are the legal governing bodies of public transit systems.

Commitment and Attitude of Board Members

Strong, creative board leadership is key to a transit agency's success. Transit board members in forward organizations with high quality service and solid community support tend to:

- exhibit a passionate commitment to community service, long-term innovation, and strong board leadership
- have an interest in public transit
- regard the board as an important asset to the organization
- actively lead in developing the board's governing capacity

For more details, please see the following chapters: Characteristics of Board Members and The Board's Performance: A Self-Assessment.

Board Composition: Elected or Appointed

While the composition of transit boards varies . . .

60% — The majority of boards—six in 10—are appointed by a local or state elected official (e.g., mayor or governor) or legislative body (e.g., city or county council).

17% — Nearly two in 10 boards are composed of elected officials who were elected to serve on other entities such as city or county councils and are part of the transit board because of their elective official duties.

11% — About one in 10 transit organizations do not have a board of directors.

5% — About one in 20 boards have both elected officials and appointees.

4% — Other boards are appointed by non-elected officials or joint powers authorities or are transportation advisory boards.

3% — Only three percent of transit boards are directly elected to that office. Elected boards we know of govern the Regional Transportation District (Denver, CO); AC Transit (Oakland, CA); San Francisco Bay Area Rapid Transit (Oakland, CA); and Salem-Keizer Transit (Salem, OR).

100% — Total elected and appointed boards

Board Size

The majority of transit boards have an average of nine members. Medium-sized boards from seven to 10 members are the predominate mandate in the transit system's legislation or bylaws. Larger boards will increase the number of viewpoints; smaller boards tend to amplify the role of individual members.

Board Composition: Age, Gender, Race, Disability Status, Experience

Diversity in gender, minority representation, and disability status to reflect the community is considered more now than ever in board appointments. Growing in diversity, the board members representing those who ride public transit and live in the communities served, are recognized leaders:

- About half of transit boards have an African-American member.
- About one-quarter includes an Hispanic board member.
- The majority have one or more female board members.
- Nearly three in 10 (28 percent) boards have one or more members with a disability.

Representatives with different employment backgrounds in both the private and public sector, such as planning, marketing, development, law, auditing, and finance, are increasingly being appointed. Representation from community, rider, and service organizations may be sought for the board composition that best reflects the diversity of the public transportation service area.

Service and Remuneration

Terms of Service—Many terms of appointment are three years in length.

Board Meetings—Many transit boards meet once a month; some meet every two weeks. On average, members of standing committees tend to meet once a month, at least by conference call.

While some boards always meet in their board room on the same day and time, others schedule the meetings in different locations in the service area for easier constituent access. They publicize the meeting in the local area and may have a pre-meeting dialogue about an agenda item relating to service in the area, or on other general topics of interest to residents.

Board members need to receive information in a timely manner so they may go to meetings fully prepared, having read and given thought to the materials in the agenda packet. There should be clearly understood meeting attendance requirements.

Remuneration—Most—about 85 percent—of boards are composed of volunteer, part-time directors who receive no remuneration except for expense reimbursements. Elected officials are usually salaried and their position on the board is part of their duties in elective office. For those who are paid for their transit board service—members of about 15 percent of boards—compensation is allowed per year, month, or meeting; a $50 stipend is average for a board meeting.

Please see references for this chapter: 1, 11, 12, 50

Roles & Responsibilities of Board Members

The Main Role is Policymaking

Governing is defined as having a predominating influence; ruling by right of authority; exercising a directing influence over; guiding; and/or exercising the function of government.

A governing board is a policymaking body, a type of organization within your transportation agency which is a formally constituted group of people working within a structure and process to accomplish a particular mission, that is, to govern.

While a policy is a broad rule to govern one aspect of your public transportation organization's operation, many policies tend to be more operational in nature and might never come to the attention of a governing board. Other policies, such as how contractual commitments should be made, how large a check the CEO can sign, the fare structure, or the management compensation structure, are approved by the board and may be in place for years.

Three Other Important Board Functions

In addition to policymaking, the board has three more important roles or functions:

1. System Innovation, i.e., strategic guidance to lead change
2. Oversight of the system's performance and legal and fiduciary responsibilities
3. Customer and Citizen Representation

1. System Innovation

> "No area is better suited to intensive governing board involvement than system innovation, which . . . benefits from the perspectives, experience, knowledge, and expertise of board members. The choice is not whether to lead change, but how." (Reference 15)

The board's role is to lead in deciding what the organization should be, where it is headed, and what it should become in the near term and the long run. A following chapter, Strategic Planning, describes the board's processes regarding leading change and innovation in transportation services.

2. The Board's Oversight Function

The basics such as knowing the enabling legislation and bylaws for your board as well as the laws, rules, regulations, and standards that apply to your organization are part of new board members' learning curve. Determining how well the organization is performing will involve comparing the outcomes with original goals. To do that, the board will have determined . . .

- Which documents and products the board should make judgments and decisions about
- How the board helps shape high priority products and programs
- How the work of the board and executive staff is divided to generate the products
- Reporting content and procedures

3. Customer and Citizen Representation for All in the Transit District

Often, riders depend on public transit staff and the board to champion their rights and best interests. The riders who use the bus and rail services may comprise high proportions of residents, such as during commuter hours or in certain geographic areas, and smaller proportions during off peak service hours or in suburbs without access to frequent or direct service.

Board members find that they represent both riders and non-riders, and that they advocate for the support of non-riders in providing public transportation services. (Please refer to the following chapter, Advocacy.)

Often having easy access to influential community groups, board members command media attention and become advocates in promoting the benefits of quality public transportation services and facilities. They help build the customer base and broader regional support by getting the message out to key stakeholders and the public.

In so doing, they are stepping beyond the role of representing their appointing jurisdictions to create the best possible transit services for all. They are building the public image and system value for everyone; they are advancing public understanding and support for the agency, and system-wide growth.

To help board members become regional citizen advocates and still pay attention to jurisdictional needs and goals, one organization published an annual stakeholder report that identified the service enhancements, service delivery performance, financial contributions, and ridership for each jurisdiction and compared the information with the agency's total service, ridership, and revenues.

When the board takes responsibility for leading a large and complex public transportation organization, rather than representing only the views of appointing authorities, the board is taking productive action in committing to a preeminent position for the organization for the good of everyone in the transit service area.

Two More Board Functions

In addition to the above, two other important functions enable the board to perform in the best interests of the community:

1. Board development to strengthen board member knowledge and governing skills and
2. Selecting, supervising, partnering with, and evaluating the chief executive officer or CEO.

It is often said that work with the CEO is the board's most important job. Please see following chapters relating to board orientation and development and the board's relationship with the CEO.

Please see references for this chapter: 13, 14, 15, 16, 17, 50

The Role of Board Support Staff Members

The primary roles of board support staff members are to manage the affairs of the board/commission; ensure that meetings are held in accordance with public meeting laws; and ensure that the board/commission has the material it needs to make a decision. Members in this position process board members' requests, interface with the public on behalf of the board, and serve as board liaisons.

Transit organizations provide administrative support to the board and its members in various ways, depending on size. The board support staff's primary responsibilities include:

- board meeting announcements
- board meeting agenda packets
- public meeting notices and ads
- arrangements for public testimony at meetings
- coordination of planning sessions and retreats
- taking and reporting the minutes for meetings or arrangements for minute taking
- board correspondence
- orientation of new board members
- travel arrangements
- preparation of an annual budget for board members' expenses
- professional development and ongoing education for board members
- agency and board representation
- distribution of APTA and other transit-related materials
- development of relationships with board members; determination of their level of interest in transit-related committee participation
- maintenance of the board roster with information and committee assignments
- duties as parliamentarian
- maintenance of the board and committee meeting calendars

Directors/commissioners are most often in contact with board support staff members who often should be considered as the first point of contact. Because of the nature of the position, board support staff will be diplomatic and maintain confidentiality between individual board members, between board members and staff, and between the board members and the public. Because many board support staff members have been in the position for a long time, they have a good understanding of how the transit agency operates and its history. They can be an invaluable asset to the board.

Large agencies may have more than one full-time employee providing the board support function. In medium-sized agencies, and most common in the transit industry, the CEO's staff provides board support services. In smaller agencies with very few staff members, it may be the CEO who provides the board support services.

Board Orientation and Development

New board members should receive a formal orientation and ongoing education and professional development.

New Member Orientation

The best board orientation process prepares new members to begin work immediately. The CEO, the board chair, senior executives, and board support staff will contribute to the orientation. Recommended for inclusion are:

- Tour of the transit system and interviews with executive staff members
- The board's role or mission, responsibilities, performance targets, and member requirements
- Summary of transit services, programs, customer communications, and fares
- Overview of Safety Management System principles, existing safety risks as described in the agency's safety plan; plan for infrastructure improvements; and the process for updating and approving the plans
- Clear explanation of the organization's funding
- Summary of policies and procedures
- Suggestions for using the website
- Budget information package
- Copies of the current strategic, transportation, and marketing plans
- Brief history of the transit system and current facts and statistics
- The board's committee structure, purposes, and responsibilities
- The processes for different projects and areas; the points when key officers and staff tend to interact with board members; and the documents the board typically reviews and approves
- Introduction to the American Public Transportation Association, its conferences, website at www.apta.com; transit board members seminar; and encouragement to join the transit board members committee and set up a "MyAPTA" account
- Training on electronic process to access board information such as meeting packets, board adopted policies, board bylaws, etc.
- Understanding the role of the federal government in their agency

Ongoing Professional Development

When the boards are able to set a priority regarding their professional development as human resources, their commitment translates directly into quality transportation services and a well-respected organization with high community support. While transit organizations may find that their budgets focus on programs and service, investing in developing board members governing knowledge yields great long-term benefits. The board will want to ensure that a budget is allocated for this board capacity-building purpose.

Board members who are able to continue developing their knowledge and governance skills become an increasingly greater asset to the community and transit organization. Strengthening the board means helping to develop the people on the board, even though they may be highly experienced.

On some boards, a committee is dedicated to a board education program for continuing professional development. The committee's work is to ensure the systematic development of the board as a human resource. If the quality of governance is related to the well-being of the organization, then top quality services and products will be the result. When the board's development is a formal, budgeted program, the organization enjoys higher public approval and success.

Resources, opportunities, and ideas for professional board development include:

- The annual Industry Leadership Summit in November/December—an excellent educational value for board members and support staff
- Other APTA conferences such as its Annual Meeting, Legislative Conference, Rail Conference, and Bus & Paratransit Conference
- Training programs and conferences offered by educational institutions and state and national organizations
- APTA's online seminars or webinars for board members—these have focused on topics such as funding and financing, environmental sustainability, overseeing the budgeting process, the board-CEO partnership, hiring the CEO, and strategic planning
- Articles and books on governance (please see the References section of this handbook)
- Private consultants' workshops and retreats on board governance and professional development topics such as team and consensus building, leadership, public speaking, media training, etc.
- Educational workshops on governance and transit-related topics developed by the CEO, executive staff, and board
- Mentoring program in which a tenured board member mentors a new member

Please see references for this chapter: 18, 19, 50

Characteristics of Effective Board Members

This chapter summarizes information from the Transit Cooperative Research Program Report 85, *Public Transit Board Governance Guidebook*.

Effective boards are integral to transit systems' successes. Research suggests that the directors who are highly effective in their role and feel a high rate of job satisfaction share the following characteristics. They tend to be board members who . . .

- Value and share the vision of the organization and its transportation services
- Commit to the organization's success
- Help secure the support of key constituents
- Maintain and develop working relationships with community and business leaders who influence transit decisions
- Focus on policy, leadership, and guidance versus administrative management
- Conduct business with high ethical standards, fully disclosing any potential conflict of interest and seeing that they, their relatives or friends *do not* receive a material interest of any kind from their association with the organization
- Advocate for public transportation and expanded services to meet overall community and regional needs
- Study public transportation's current issues and know their system's services
- Are familiar with the organization's bylaws and policies
- Attend the regular board meetings, having prepared by reviewing the materials, projects, and issues in order to be a full voting member
- Actively participate on at least one board committee
- Attend board member seminars for ongoing professional development and like the concept of lifelong learning
- Enjoy speaking in public venues about public transit
- Build and use good communication, consensus, and team skills to function with the board as a cohesive group
- Achieve goals and help others to achieve them

Please see reference for this chapter: 50

The Job of the Chair

This chapter summarizes information from *The Board Chair Handbook,* published by BoardSource, and other articles.

Does this sound like you? Would you apply?

Wanted:

A board chair with wisdom and intelligence; a decisive leader with excellent organizational skills and judgment. Must be willing to take responsibility and commit to the organization's mission, rising beyond regionalism for the broader good of the entire agency. Must be willing to mentor new board members and be supportive of the board and staff. Must be an advocate for the organization, a good listener, and a good public speaker. Extroverts with a sense of humor are encouraged to apply. Must maintain excellent, open relationships with the CEO and key community stakeholders, including the appointive governmental officials and bodies that fill board vacancies.

Focusing on the Agency's Mission

The board chair keeps the board focused on its mission, maintaining the overall view of the agency's work in relation to the region's needs and direction. While the CEO shares this charge, it is the chair's main orientation to look to the future.

The Important CEO–Board Chair Relationship

The relationship with the CEO is important for all board members, and it is the chair who leads the communications. The chair's main objective is a productive, professional working relationship that is a mutually supportive, personal growth experience. One CEO said that he and the board chair were always easily accessible to each other and had developed a strong, personal friendship that strengthened their professional relationship. Many pairs meet regularly in more informal settings, such as breakfasts or working lunches so they can address the agency's challenges. The CEO's performance review is led by the chair.

Consider the chair as the program director, with the program being the partnership with the CEO. He or she goes the extra mile to build and maintain the partnership. The chair may expect the CEO's help in achieving the chair's leadership objectives, working together to create a plan to further the chair's initiatives. The chair will naturally consult with the CEO on the best way to communicate with staff.

Working with Board Members

The chair is the chief consensus builder and communicator. He or she should help to make the board's work easier and more enjoyable.

- The chair leads the executive committee, if there is one, normally composed of the committee chairs and elected officers.
- The chair should use the latest technology for communication, such as email and Internet access, and encourage other board members to do the same.

- The chair helps to orient and educate the board members. He or she describes the history of the agency, recommended lines of communication with the CEO and staff, who is in charge of which area; and the expertise of each of the board members.
- The chair sets a high priority on board capacity building and is an active agent in helping the board become a more effective governing body. He or she promotes professional development experiences, such as attendance at educational and industry seminars.
- The chair helps to educate the board with institutional memory and on complex issues.
- He or she appoints committee and task force chairs and attends at least one of their meetings every six months. Suggesting changes to the committee structure and ensuring that each committee has a charter describing the committee's responsibility is the chair's job.
- The chair publicly recognizes the achievements of the board members and privately addresses improvements that are suggested.
- The chair makes it clear that the contributions or reticence of board members are noticed. The chair cultivates a sense of accountability and ownership among the members.
- The chair leads in setting board performance targets and monitoring board's performance through, perhaps, a self assessment process conducted every two to three years.

Facilitating Board Meetings

Together the CEO and board chair develop the meeting agendas, emphasizing the important issues. The chair conducts the board meetings' starting and ending on time. The board will need full briefings and complete materials from the CEO and senior staff; the chair should request these as needed. The chair should insist that board materials are user-friendly, clear, and concise, and that decision or action items are identified.

The standard advice is to buy a copy of *Robert's Rules of Order* so that meetings are properly conducted and decisions are made with open discussion.

At meetings, the chair's responsibilities include (1) being an effective group facilitator or team builder, ensuring constructive actions and productivity, and (2) acting at times as a conflict mediator. The leader must remain emotionally level in the midst of active, passionate discussion or testimony. He or she must help to control dominating members and bring out those who are heard less often. The responsibilities include treating all contributors equally and allowing everyone to participate freely.

External Relationships

Relationships with many external groups and individuals become more important as a board member ascends to the chairmanship. The chair may request that the CEO schedule him or her to speak in prominent community forums perhaps three or four times a year and involve him or her in key media interviews. The CEO and staff would provide a complete briefing, a PowerPoint® presentation, and rehearsal time.

Please see references for this chapter: 6, 16, 20, 48

Ethical Governance

One board member resigned from the board for health reasons and soon after received a six-figure contract for a year of full-time consulting work for the agency. Was that against the rules?

A board member's wife flew to California to speak on behalf of a product. The same month, a consultant who competes for business with the agency contributed $15,000 for the wedding of the couple's daughter. Why was that wrong?

"Transit is hysterically public," a federal administrator said to APTA's Transit Board Members Committee. He continued, "I hate to withhold funds for an agency because of the board's shenanigans during the procurement process."

Because of the close public scrutiny, public agency board members and commissioners face seemingly complex, subtler ethical issues in directing, influencing, and monitoring the agency's business. They bring their questions to the staff attorney. Some board members have their own legal counsel.

Keeping the main thing the main thing . . . as the board meets its responsibilities as custodians of the assets and leaders of the public transportation organization, members need a clear understanding of their duties to make decisions on behalf of the public agency. They represent the public's trust. They must have adequate knowledge of the transit system and the issues before them.

The board has a prominent role in the strength of the agency. A strong, ethically grounded organization is possible only with a strong, ethical board. Essential characteristics are the highest standards of moral and ethical character and personal integrity both in members' business and personal lives; a commitment to the agency's values and missions; and impeccable governance credentials. Most boards are self-policing.

Does your board have a written code of ethics and conduct? Do board members know the ethical standards for the agency? Board members and CEOs know to avoid even the appearance of impropriety.

One CEO said to a supplier, "I can either go to dinner with you or *consider proposals for business from your company. I cannot do both."*

At conferences, a board member routinely avoids the hospitality suites offered by potential suppliers. Why?

We can learn from this CEO and board member who must recommend or vote on hiring contractors. They are using proper care and professional judgment in the performance of their duties—on and off the job.

Standards of conduct for your agency may include the following.

Board members shall . . .

- Promote the well-being of the organization and act in its best interests.
- Speak positively about the organization in public. Preserve and enhance the good reputation of the agency. Leave others with a positive impression of the transit system.

- Lead by example, putting the interests of the organization ahead of one's personal interests.
- Be familiar and comply with the laws that created the system and the board, and govern open meetings and records, and all regulations.
- Exercise due diligence in carrying out their responsibilities, avoiding negligence in their duties due to omission or action.
- Act with integrity, competence, and respect in a professional and ethical manner.
- Establish sound working relationships with the other board members and senior staff, as well as staff and directors of partner agencies, such as metropolitan planning organizations.
- Respectfully consider the opinions of others during deliberations, help to integrate viewpoints, and build consensus.
- Respect the judgment and decisions of the board.
- Use your own good judgment.
- Be alert to information the agency can use to develop improved policies and strategies.
- Respect the CEO's authority and scope of work in directing the agency and staff.
- Protect the agency's information closely. Maintain confidentiality regarding the discussions and issues that the board deems confidential (e.g., discussions involving hiring a CEO).
- Pay their own way at dinners.
- Report breaches in conduct by another member rather than conceal them.
- Follow established investigation procedures for such breaches.
- Avoid conflicts of interest, or the appearance of conflicts.
- Refrain from participating in a discussion and leave the meeting, should the board request, when there is a conflict of interest—potential, existing, or apparent.
- Keep expenses reasonable and justifiable. Maintain meticulous expense records.
- When attending conferences, take notes at the educational sessions and write a report to the board chair on ideas that were generated and what was gained due to your attendance.

Board members shall not . . .

- Become involved with the operational management nor staff.
- Communicate with persons under consideration for selection by the board or CEO for contracts, acquisitions, etc. while the procurement process is in progress.
- Abuse their authority by attempting to obtain favorable treatment, remuneration, employment, or business contracts for themselves, family members, or any third party in trying for personal gain through improper means.
- Use insider's knowledge for personal gain (e.g., learning of an opportunity for profit in real estate development, natural gas company investments, etc., which may be valuable for the enrichment of oneself or another organization or person).
- Accept gifts, favors, or benefits of any kind. If received, they must be returned or immediately donated to charity. Do recognize these may be offered to secure advantage from the board member.
- Misuse agency property or resources, or let anyone else use it/them.

Committee Structure of the Board

Organizational Ideas

Educational sessions on the subject of board structure tend to be rated very highly by board members at APTA's Transit Board Members Seminars. Although transit system boards—especially at smaller systems—may operate as a committee of the whole, many boards organize committees for more specific work that could not be addressed in its complexity during regular meetings. The smaller, less formal meeting atmosphere offers more opportunities for discussion. The ideal situation is for each board member to be on one committee.

A Newer Trend: Broader Governance Models

Committees are often formed according to the organizational structure of the agency, for example, human resources, finance, planning, marketing, capital construction, legislative and public affairs, or operations committees.

Streamlined Committee Structure—In a recent governing design trend, boards have streamlined their committee structures, reducing number of committees yet keeping their focus on governance, but with a broader perspective. One board moved to three committees:

1. Planning and development
2. Internal and external relations
3. Operations and management/finance

Another system added a performance oversight committee that was broader in scope than the agency's functional divisions on its organization chart.

Governance or Executive Committee—Some boards find success with an additional executive committee that includes the board chair and the committee chairs. It is a committee on governance and the board. It takes charge of the board's governing mission and key responsibilities; establishes guidelines regarding board members' interactions with one another; ensures professional development for board members' knowledge and skills; recruits and hires the CEO; takes the leadership role in the board's self assessment; designs the board retreats; and has other board leadership functions.

Each committee should have a clear, simple, written description of its oversight role and purpose.

Process

Updating the board structure involves a review of its processes. Executive staff members normally serve as staff for the board's committees (e.g., the chief financial officer may be the staff representative on the finance committee). Other staff members join the meetings to support the board's committee work as needed. For example, the performance oversight committee at one system has team members including the CFO, director of administration, and the management information services (MIS) director. The operations executives for individual transportation modes, such as bus and light rail, are available when the board's committees examine the particular services.

The purpose and direction of the committee work needs the support of staff for agenda preparation, meeting communications, information gathering and summarizing, and other important tasks. Committees may meet monthly in person or on conference calls.

The committee chairs normally report the work results and decisions to the full board for formal adoption.

Please see references for this chapter: 19, 21, 22, 23, 24

Governing vs. Managing

This chapter summarizes information from *How to Help Your Transit Board Govern More and Manage Less*, published by APTA and BoardSource, and other articles.

Complex and dynamic, the distinction between governance and management is not absolute. The roles of the CEO and board members occasionally and naturally enter the other's domain. The area of organizational governance is the area in which the board is best positioned to add value to the transit system.

While the board's discussions and actions, particularly during the more detailed committee meetings, may appear to become management rather than governance, in most cases, both the CEO and the board are aware of their relative roles. In many instances, the board is invited to provide guidance to capitalize on members' expertise and community experience. Operational oversight or political issues are examples of areas in which the board may offer suggestions and is asked to do so.

A CEO of a large, multimodal transit system said, the board and CEO "both have a clear understanding that the board's role is strategic decision-making and policy formulation, while as the CEO, I am responsible for translating strategies and policies into action." *(Reference 16)*

The strategic planning process is a leadership job for the board. (Please see the following chapter, Strategic Planning.) The board must feel ownership in order to make a compelling case for the recommendations in the strategic plan, for example, to their appointing constituencies such as the county board of supervisors or city council.

Many agenda items for the board's decisions are related to "management more so than governance. Boards are sometimes legally required to act on managerial issues such as the acceptance of gifts, signature authorizations; and contracts and easements. Some board responsibilities, such as influencing public policy or recruiting and evaluating the general manager, unavoidably involve board members in operational activities that blur the distinctions between governance and management." In times of crisis, boards become actively involved in the response. *(Reference 4)*

Matters of long-term strategy and policy tend to require lengthy deliberations rather than managerial decisions and actions that are required for the shorter term. The shorter term decisions tend to offer more immediate rewards, compared with the results from strategic or longer-term decision-making and planning.

Micromanagement refers to paying too much attention to the details of implementation, rather than focusing on the larger, strategic picture. If it is the board chair, for example, who is micromanaging, the CEO must address and redirect the involvement. The chair and board as a whole must manage its governance affairs and move toward the strategic focus. The community must become aware of the board's role as well. Often, residents and riders try to contact the board chair or members about individual issues regarding aspects of service.

If the CEO brings to the board management issues, the opportunity has been extended to become involved. Smaller systems with few staff members often welcome board members' participation in the daily operations.

Please see references for this chapter: 4, 16, 25

Rubber Stamping or Involvement?

This chapter is a summary of key points made in Doug Eadie's *Passenger Transport* article, "Taking the Road Less Traveled."

Boards are undergoing a dynamic change in leadership style. Formerly, many boards preferred to receive completed work to approve. Now, boards are taking proactive, creative roles. The board's role has been strengthened and the organization benefits.

As an example, when frustration grew at taking a passive or reactive role for a process, the board suggested that it form a task force and the CEO began involving board members in shaping the work product. While some boards prefer to receive completed products, in this case the board members felt like non-owners who perhaps had not become acquainted with the product and thus couldn't explain it nor sell it. With the new strategy, the task force took an active role in studying the issues and elements of the work product, directing the strategies, and ordering them into priorities.

It was a strong partnership with executive staff. The director of finance served as staff advisor for the task force, coordinating every meeting and involving the task force with early, substantive policy decisions to make before the work could go forward.

The board members kept their focus on the overall goals and discussed the budget implications of different choices. They brainstormed opportunities to improve the product and their advocacy roles in promoting the facts and benefits of transit. The task force reported to the full board. As a result, the board had become involved owners and advocates—leading to a productive year that led to a successful tax election the following year.

Early and continuing involvement in major board actions, rather than rubber-stamping a finished product, builds the board's ownership, commitment, and satisfaction. Board members—main assets of the organization who bring a wealth of community involvement to the table—have the opportunity to contribute their experience and wisdom. This procedure may apply to certain work products more than others, and the board will guide the parameters for its participation.

Please see reference for this chapter: 20

The Board's Performance: A Self-Assessment Process

As Doug Eadie said, "Performance accountability is a hallmark of high-achieving organizations and individuals; they set high standards, monitor their own performance, and take concrete steps to become better at what they do." *(Reference 28)*

This chapter summarizes Transit Cooperative Research Projects 85 and 104 by Simon and AECOM, respectively, that relate to the board's accountability and assessment process. The reports may be ordered at www.tcrponline.org.

Research by Simon showed that very few boards conducted evaluations of overall board effectiveness. When boards had conducted assessments, the process was usually an informal self-assessment, such as asking whether the board achieved its goals last year. Another common method of board assessment was through elected officials or the city, county, or state government.

Yet when the AECOM report was presented during an APTA Transit Board Members Seminar, interest was extremely strong. Board members wanted to begin the process and volunteered to help facilitate the process for other transit boards.

The Simon report proffered that the board's effectiveness is measured by the ability to increase ridership while containing costs (e.g., system productivity and expansion).

Simon described characteristics of effective transit boards. Understanding their role and responsibilities as policymakers, the report said that successful boards tend to . . .

- Achieve goals
- Evaluate the board's structure and functions and their impact on system performance
- Use the skills and talents of diversity in age, gender, race, background, geographic representation, and professional roles
- Function as a cohesive group
- Stay focused and accountable, attending meetings fully prepared
- Advocate for public transit
- Educate its members
- Focus on policy rather than trying to become the manager
- Encourage open communication and information flow
- Establish good relationships with the CEO and senior staff
- Help improve performance measures including service costs per mile and hour, vehicle miles, vehicle hours per employee, and others
- Help generate ridership and farebox revenue
- Communicate with legislators and key stakeholders
- Set the transit system's strategic direction
- Become knowledgeable about the transit service as well as aspects of the communities in the service area

Simon's research findings indicated that the strongest influences on the effectiveness of transit boards were: (1) board member commitment and (2) the leadership of the CEO. Also very important were receiving timely information; the chair's leadership; the clarity of the board's role, duties, and activities; and clear management expectations.

Simon's work suggests criteria to consider for measuring board effectiveness:

1. Did the system achieve the goals in the strategic plan?
2. Do the services meet the needs of the community?
3. What is the public opinion of the board and the transit system?
4. Does the board work as a cohesive group?
5. Are the vehicles and facilities safe, clean, and well-maintained?
6. Has service quality improved?
7. Which are the common complaints and what was done about them?
8. Did revenue increase, particularly farebox revenue?
9. How did the system perform during the year?
10. Is the budget balanced?
11. Did ridership increase?
12. What is the labor-management relationship like?
13. Does the transit system have a positive reputation with the media?
14. Does the board have a positive relationship with the CEO and senior staff?

The AECOM report built upon the Simon report. It suggested that the board may choose to conduct an assessment process either annually, when there are several new board members, or when the system is facing difficulty or dissatisfaction.

The AECOM process involved choosing from three levels of complexity using criteria related to:

1. Board processes
2. Strategic planning
3. Fiduciary and legal responsibilities
4. Diversity program
5. CEO relationship
6. Public advocacy

An additional set of questions related to behavior, leadership, trust, and communications. A goal-setting process was included. When the report was nearly completed, AECOM administered the self-assessment process at an APTA Transit Board Members Seminar, with breakout groups reflecting the above subject areas.

Sample criteria for board processes included the following statements to rate from "strongly agree" to "strongly disagree":

- Board members do not become involved in specific management, personnel, or service issues except in a predetermined oversight role.
- Board members attend meetings well prepared and participate fully in all matters.
- Board members work cohesively and cooperatively and try to minimize miscommunication.

- The board creates and communicates the agency's strategic direction. This is achieved by regularly evaluating core values and strategic mission.

The assessment process needs an administrator of the board's choosing who will distribute, collect, analyze, and present the results to the board. This may be a consultant or member of the national transit community, or an advisor to the board such as its legal counsel or a member of the staff or board. Board members from other systems who have gone through the same assessment process may be volunteer administrators.

Confidentiality may be a priority for the board, yet the board may not have discretion under the state's laws. Public disclosure of the assessment results, however, may have positive results because the board is responsible to the public and this would be of interest to the public. Public understanding of the board's strengths, efforts, and work towards improvement may enhance public trust and tend to further the interests of the transit system when other projects and services need public approval. Public disclosure may be the motivator to effect constructive changes and follow through with a future self-assessment process.

The board would agree on the degree of confidentiality desired and know what is legal. Members may consider conducting the process during an executive or closed session or at a board retreat, if it is permitted by law. The process may be oral or written.

Please see references for this chapter: 1, 28, 50

The Board's Selection of the CEO

Choosing the Chief Executive Officer

One board chose a CEO to streamline the agency and create administrative excellence internally—management had been a problem. Another board was poised to develop relationships within the business community and lead a local funding measure that would spur larger development projects—an external focus.

Each board will determine where in the organization's and community's cycles its needs are. The board begins with its current assessment, looks ahead, and moves through deliberations that will determine the skills and qualities needed and prioritize them. Working through these decision-making processes about selecting a CEO may best be accomplished at a board retreat.

The board will want evidence that the CEO . . .

- is a sound financial planner and manager
- organizes internal functions
- recruits and develops qualified staff
- has strong working relationships with the board
- builds external relationships with the metropolitan planning organization or council of governments, business community, and citizen groups
- sets a priority on providing quality service and good customer service
- is experienced in labor relations
- has technical and operational expertise
- has consensus, facilitation, and team building skills
- has had success in media relations and enjoys public speaking
- is good at salesmanship

Superheros

Doug Eadie said that "supermen and superwomen who are equally top-notch in every area come at an average price of $1 million-plus annually." *(Reference 9)* He added that once the ideal qualities that the board wants have been articulated, the candidates sought must meet high standards. Maybe impossible standards. The board will be hiring a human being according to the board's written priorities.

Eadie said that there is a new breed of CEO that is known by these key leadership characteristics *(Reference 26)*:

1. A passion for organizational capacity-building
2. Abilities in the design and facilitation of key organizational processes
3. Highly developed emotional intelligence

Going Outside

The board may elect to advertise in *Passenger Transport* and other publications for candidates or select an executive recruitment firm. APTA-member firms may be found at www.apta.com.

A recent *Passenger Transport* ad for a CEO at a large transit system read:

Chief Executive Officer

Among the nation's 20 largest and most diversified public transit agencies, the (transit system) transports 250,000 people/weekday via light rail, dedicated busways, a diverse 1,000 bus fleet, and award-winning paratransit service. The (system name) employs approximately 3,000 employees and has an operating budget of $320 million.

With a regional transit visioning study nearing completion and a major capital project on the horizon, this vital economic asset has significant challenges to surmount. (Transit system) has a great reputation and a good staff, but its future depends on stable financing, a critical capital program, staff retention, succession planning, and improved union relations.

The board seeks an experienced public transit professional with a minimum of 10 years (15 preferred) in public transit senior level management in comparably complex settings, leadership skills and political instincts, who can represent the (transit system) effectively while maintaining its reputation for sound management, independence, balance, and integrity. Salary range: $175,000-$200,000 DOQ.

A small system placed this ad:

General Manager

A thriving transportation district is looking for a GM. Professionals with a bachelor's degree and management experience, preferably in the public administration and/or public transportation fields are encouraged to apply. This position offers challenge, responsibility, and competitive pay and benefits with the opportunity to live in a beautiful area with a low cost of living. $40,000 - $70,000 DOE.

Another advertisement read:

General Manager

The (transit authority name), a progressive and innovative transit system that is developing a new Strategic Plan and expanding into a countywide regional Authority, is looking for an individual to fill the position of General Manager. The GM is the senior management position responsible for every aspect of the authority's operation, including the planning, development and implementation of its mission, goals and policies. This position requires business knowledge, leadership ability, and a technical understanding of public transit programs and services.

Primary duties are to:

- Provide oversight, direction, and coordination to authority staff in the provision of cost effective, efficient, and reliable public transit services within available financial resources, controlling governmental regulation, and board policies.
- Develop and maintain effective working relationships with the authority's constituencies, including but not limited to the public, employers, media, governmental agencies, elected officials, and the Board of Trustees to promote financial and public support, as well as understanding and cooperation for existing and enhanced public transit services.
- Provide input and feedback to the board on the development of policies and external factors which have a direct impact on the achievement of specific goals and objectives

This position requires a Bachelor's degree with a major in Business, Transportation, or Public Administration and five years of job related managerial or comparable administrative experience preferably in a public transit agency. Applicants may substitute one year of experience if individual has a Masters degree in a related field as outlined above. Preference will be given to individuals with public transit experience.

> The authority offers an excellent benefit package including a retirement plan. The salary for this position is negotiable. The successful candidate must have the ability to pass a pre-employment physical and drug screen, if selected. If interested, please send cover letter, resume and salary requirements.

The board will review the responses and short-list the candidates according to the priorities, performance standards, and qualities that were determined at the beginning of the selection process.

The board will check references and work history. Members may contact others in the industry who were not on the list of references as well, through the board's national contacts developed at APTA board members seminars, annual meetings, or legislative, rail, and bus & paratransit conferences.

Please see reference for this chapter: 26

The CEO's Employment Contract

The employment agreement is a written document focusing on the expectations of the board and the CEO. Benefits of the written agreement include stability in the relationship and minimization of conflict.

Performance goals, a multi-year term, compensation, duties, performance evaluation procedures and timing, retirement and other benefits, and closure arrangements will be part of the contract. To agree on the terms and goals, the CEO, the board, and its legal counsel will naturally be part of the discussions and negotiations.

In one case, for example, the board asked what the standard severance package is in the transit industry for early contract termination by the board. It was six-month's salary. The board offered the new CEO a nine-month severance if it decided to terminate the agreement earlier than term. The new CEO said, "No, I'll take six; that is standard. We don't want to do extra things that would attract public attention." The board learned to trust the CEO's judgment even more.

Performance Targets

The board and CEO will use the mutual goals set for the employment contract during the CEO's annual performance evaluation (please see the next chapter, Evaluation Process for the CEO). Some boards prefer detail with performance measures and expected outcomes that answer, "What is the result wanted if the CEO accomplishes this task?" Other boards prefer the flexibility of setting general goals. Doug Eadie maintained that two sets of performance targets should be used, relating to: (1) transportation system performance and (2) leadership priorities and time allocation.

He said that the board should identify the CEO's leadership challenges and performance targets in the following five areas and should ask the CEO what type of support from the board will be needed to achieve the targets *(References 24 and 27)*:

1. The board-CEO relationship and board development
2. Strategic planning and long-term system growth
3. Financial and managerial leadership
4. External relationships
5. The CEO's personal/professional development

APTA's booklet, *Employment Agreement Guidelines for Public Transit System Management,* can be ordered at www.apta.com.

Please see references for this chapter: 2, 24, 27

The Board's Relationship with the CEO

This chapter highlights key points in Doug Eadie's book, *Building the Board-General Manager Leadership Team: A Practical Guidebook for Leading in Challenging Times,* published by APTA.

Attitude of Assets—A Plus

The board members and CEO are visible assets of the agency. When the board, CEO, and senior staff dedicate their skills, time, and energy to working together, their productive relationships harmonize. When they apply their skills toward positive group dynamics, consensus building, and conflict resolution, the relationships synchronize . . . to the benefit of the board, the agency, and everyone in the service area.

Relationship Building—Overall Considerations for the Board

Experience suggests that the board as a whole, rather than the chair alone, gives direction to the CEO, yet the board chair tends to meet regularly and talk often with the CEO. If trust is the basis of all business and personal relationships, their interests, issues, and projects are discussed in confidence.

The full board expresses its appreciation when the CEO facilitates the involvement and performance excellence of the agency's governing body.

If the board makes its CEO relationship a program for which it plans and sets milestones and goals, this will be a successful, high-priority practice. This is naturally a priority for the board chair as well as the full board.

The Partnership

The board and CEO recognize and separate their leadership roles; they mesh yet are not duplicative. The relationship is consultative; neither works alone. A strong and lasting partnership is desired.

If the best advice is to work with people you admire and can learn from and who accept you, working partners will be peers who support the others publicly, even amidst controversy. There will be recognition and trust that the CEO and board members are trying to do good in the community.

The CEO should ensure that board members are involved; that the committee structure and task forces are excellent, and there are inclusive leadership opportunities.

In *Building the Board-General Manager Leadership Team: A Practical Guidebook for Leading in Challenging Times*, Doug Eadie wrote:

> First and foremost, the board must make a strong commitment to providing strategic and policy leadership—to govern at the highest level. The board can contribute to a productive relationship with the CEO in three major ways:
>
> - choosing the right person for the job
> - negotiating clear, detailed performance targets

- conducting thorough evaluations of the CEO's performance

The next sections of this handbook address these processes.

Please see reference for this chapter: 9

Evaluation Process for the CEO

The board's work in assessing the CEO is an opportunity to support him or her, foster openness and a positive attitude, and direct and strengthen his or her work. In the best case, it is an effective dialogue to clarify job expectations and acknowledge accomplishments. For the CEO, the standards are high. The board will recognize that the CEO's personality is typically high-achieving. The CEO evaluation is usually an annual process. Some boards formally touch base at the half-year as well.

A Systematic Approach: Begin with Agreement on the Job Description, Priorities & Action Plan

Whether there is a governance or executive committee of the board to conduct the CEO's evaluation, or the board acts as a committee of the whole, the CEO and board begin by agreeing on job expectations, priorities, action plan, assessment process, and measurable outcomes. When both parties create and own the initial agreement of purpose and desired results, the stage is set for success.

Do you see the CEO relationship as a partnership?

As the board knows, the priorities are set within the budget. When the objectives for management performance are agreed, the board will assure that the budget reflects their goals and direction.

What happens when the board is satisfied and changes objectives? For example, one board needed to win an election for dedicated funding and, having accomplished that, needed a prudent fiduciary manager. How would your board and CEO handle this situation? The evaluation process is an opportunity to revise the performance goals.

Assessment Tool from APTA and BoardSource

The APTA publication, *Assessment of the General Manager—A Tool for Transit Boards and General Managers of Public Transit Systems,* is the model for the following.

Questionnaires in the publication for the board members are completed without identifying each member individually. The questionnaires are organized by important areas of responsibility.

Considered first are:

- Progress in achieving goals
- Working with the board on translating the vision and mission into realistic goals and objectives
- Creating effective processes for long-range or strategic planning
- Maintaining a sense of what must change and what must remain the same

Next, the board considers:

- Accomplishment of management objectives
- Program management

- Resource, revenue, and partnership development
- Fiscal management
- Operations management
- Board, staff, and community relationships
- Public support and image

Open-ended questions probe for identification of the CEO's strengths and the limitations on his or her performance; significant achievements, external factors that affected the CEO's performance; and how the CEO resolved difficult issues. Goals for the agency's performance and personal development goals for the CEO are developed for the next year.

While subjective and difficult to quantify, a short form in *Assessment of the General Manager* provides a guide for board members to score their level of satisfaction that the CEO . . .

- Was successful in achieving his or her annual performance goals
- Has developed a clear vision for the future of the transit system
- Has maintained a strong working relationship with the board, characterized by open communication, respect, and trust
- Has modeled effective working relationships with the board to staff
- Has effectively led the staff in managing the services that the transit system offers
- Understands the technical and operational issues facing the transit system

. . . and more than one dozen other important aspects of job performance. Many boards have ordered one copy of the booklet for each board member and the CEO. The scoring forms are copyrighted and may not be photocopied.

Please see reference for this chapter: 45

Board Retreats

This chapter summarizes information primarily from *To Go Forward, Retreat!* published by APTA and BoardSource.

A strategic meeting lasting one or two days and held at a relaxing, off-site location is a focused retreat—an excellent opportunity for board members to reflect upon and work together on matters that impact the organization. Successful retreats are tied to the organization's unique challenges and goals.

Day-to-day involvements and responsibilities are temporarily set aside in favor of analyzing the current situation and future trends and creating new strategies. Board members tend to emerge from the retreat as a cohesive team.

Characteristics of successful retreats are:

- **Organization and Objectives**—Retreats are organized to achieve clear goals. For boards, they may include (1) developing, revisiting, and/or updating the agency's strategic plan and vision; (2) engaging in a board self-assessment process; or (3) discussing the CEO's selection.

- **Commitment**—The chair and CEO are committed to the outcomes desired and the retreat's success.

- **Compliant with the State Law**—Open-meeting laws may include exemptions allowing retreats; the agency's legal counsel will advise.

- **A Budget**—Beginning with the previous year's fiscal year budgeting process, the retreat will be built into the transit system's annual budget.

- **Preparation**—Taking three to six months to prepare, the retreat is normally planned by a task force or the board's executive/governance committee and the executive staff. Pre-retreat interviews about the focus and flow of the work are conducted with (or a questionnaire is circulated to) all board members and senior staff.

  The pre-retreat interview or questionnaire may include:
  - Current environment, influences, and trends
  - Major issues facing the transit system and board in the next three to five years
  - Biggest, most public complaints about service and necessary customer service improvements
  - Proposed goals for the retreat
  - High priority retreat topics
  - Preferred days of the week and places for the retreat

  Some board chairs ask the board members to keep a two-month log of the time they spent on behalf of the transit system and to bring their logs to the retreat. They are asked to add up their

time spent in board work in the categories of: board meetings; preparation for meetings and committee meetings; external relations, and other time.

Agreement on the retreat's schedule, location, agenda, and method of facilitation are necessary.

For seating arrangements . . . 15 to 20 people may sit in comfortable chairs and small sofas in a circle (with coffee tables in front and at the sides) so everyone is facing one another; larger groups may be seated at tables that offer the maximum interaction—crescent rounds (where six chairs face the front and no one faces the back) or a close-together "U" configuration.

- **Entertaining Work**—Important parts of the retreat are the fun, the openness, and the teamwork.

- **Separation from the Office and Email**—A site far enough away from the office will help members to disconnect from their daily responsibilities and focus on thoughtful participation. It is best to catch up on texts and email during breaks so you are 100 percent present.

- **Facilitation Plan**—Many boards wholeheartedly recommend an outside, professional facilitator. Involvement early in the planning process will allow a facilitator to be the most help for the board. Other boards assign or accept volunteers from their own membership to facilitate different parts of the retreat. The jobs of a facilitator may include:
    - Assisting with retreat planning
    - Conducting pre-retreat interviews, developing questionnaires, and analyzing findings
    - Objectively keeping discussions at the retreat focused, engaging, and moving . . . making sure there is but one conversation at a time
    - Bringing up important issues from the pre-retreat research
    - Helping to resolve conflicting styles and opinions
    - Leading the successful closure
    - Writing post-retreat discussion notes, recommendations, and implementation plans

- **Open Scheduling**—Leaving room for unscheduled time allows the flexibility for impromptu discussions or reflection on one's own.

- **Action Plan**—Decisions on how the board's work at the retreat will be implemented will be a key part of the board's ongoing work. Will there be quarterly reports on the strategic plan? What are the milestones the board set to follow through with its own performance evaluation and progress goals?

Please see references for this chapter: 35, 55

FAST Act (Fixing America's Surface Transportation Act)

Overview

The FAST Act authorizes $61.1 billion over the five fiscal years (FY) 2016 through 2020 for programs administered by the Federal Transit Administration (FTA). The law authorizes $11.8 billion for public transit programs in FY 2016, and increases the total authorization to $12.6 billion in FY 2020, an increase of 17.7 percent over the FY 2015 level.

Under the new law, much of the federal transit program structure remains in place. It retains the urban and rural formula programs that distribute mostly capital assistance based on need and a program for new fixed guideway starts and extensions. It preserves the state of good repair formula program, a formula program for seniors and individuals with disabilities, and the formula programs for growing states and high-density states. The measure maintains the existing bus and bus facilities formula program, and it creates a new bus and bus facilities competitive grant program that grows federal investment levels in buses and bus facilities.

The new law retains authority for small transit systems in large urban areas to use a portion of their formula funds for operating costs, and includes demand response-only fleets in determining which systems may use a portion of those funds for operating. The FAST Act maintains the small transit intensive cities (STIC) formula program and increases its Urban Formula set-aside in 2019. The law creates a Pilot Program for Innovative Coordinated Access and Mobility, and it consolidates transit research programs under the Public Transportation Innovation program. Funding for a portion of this program, including the Transit Cooperative Research program (TCRP), will now come from the Mass Transit Account rather than general funds. The bill creates a pilot program under the Capital Investment Grant program, which streamlines the regulatory process for project sponsors willing to receive a smaller federal share, and it reduces the maximum federal match for projects with full-funding grant agreements from 80 percent to 60 percent. The law increases procurement flexibility for rolling stock, and it reduces current regulatory impediments related to vehicle leasing.

The measure places the Transportation Infrastructure Finance and Innovation Act (TIFIA) and the Railroad Rehabilitation and Improvement Financing programs under a single agency in the U.S. DOT and conforms some standards under the two programs. It continues the transit safety program established under MAP-21 that gave FTA greater authority over state safety oversight agencies.

Funding for programs under the Mass Transit Account (MTA) of the Highway Trust Fund (HTF) are fully funded for the five years authorized under the bill. Revenues deposited into the MTA over the life of the bill, from both existing federal motor fuel excise taxes and general fund deposits into the MTA with one-time offsets provided under the bill will fully fund MTA authorized transit programs through FY 2020. However, those one-time offsets deposited into the MTA will not provide a sustainable source of funding for current service spending after the bill expires. Maintaining even a current services level after the bill's expiration will require additional revenues into the MTA and the HTF.

Table 1: FAST Act Authorization Levels

Program	FAST Act Authorizations					
	FY 2016 (Millions of Dollars)	FY 2017 (Millions of Dollars)	FY 2018 (Millions of Dollars)	FY 2019 (Millions of Dollars)	FY 2020 (Millions of Dollars)	Five-Year Total (Millions of Dollars)
Total All Programs	**11,789.41**	**12,175.51**	**12,175.16**	**12,381.18**	**12,592.15**	**61,113.40**
Total Funded from the Mass Transit Account	**9,347.60**	**9,733.71**	**9,733.35**	**9,939.38**	**10,150.35**	**48,904.39**
§ 5305 Planning	130.73	133.40	136.20	139.09	142.04	681.46
§ 5307 and § 5336 Urbanized Area Formula	4,538.91	4,629.68	4,726.91	4,827.12	4,929.45	23,652.07
§ 5310 Seniors and Individuals with Disabilities	262.95	268.21	273.84	279.65	285.57	1,370.22
§ 5311 Rural Basic Formula	552.56	564.71	577.72	591.13	604.83	2,890.95
§ 5311(b)(3) Rural Transportation Assistance Program	12.40	12.65	12.91	13.19	13.47	64.61
§ 5311(c)(1) Public Transportation on Indian Reservations	35.00	35.00	35.00	35.00	35.00	175.00
§ 5311(c)(2) Appalachian Development Public Transportation	20.00	20.00	20.00	20.00	20.00	100.00
§ 5312 Public Transportation Innovation Basic	20.00	20.00	20.00	20.00	20.00	100.00
§ 5312(h) Low or No Emission Component Assessment	3.00	3.00	3.00	3.00	3.00	15.00
§ 5312(i) Transit Cooperative Research Program	5.00	5.00	5.00	5.00	5.00	25.00
§ 5314 Technical Assistance and Workforce Development Basic	4.00	4.00	4.00	4.00	4.00	20.00
§ 5314(c) National Transit Institute	5.00	5.00	5.00	5.00	5.00	25.00
§ 5318 Bus Testing Facility	3.00	3.00	3.00	3.00	3.00	15.00
§ 5335 National Transit Database	4.00	4.00	4.00	4.00	4.00	20.00
§ 5337 State of Good Repair	2,507.00	2,549.67	2,593.70	2,638.37	2,683.80	12,972.54
§ 5339(a) Bus and Bus Facilities Formula Grants	427.80	436.36	445.52	454.96	464.61	2,229.25
§ 5339(b) Bus and Bus Facilities Competitive Grants Basic	213.00	228.60	246.51	267.06	289.04	1,244.21
§ 5339(c) Low or No Emissions Grants	55.00	55.00	55.00	55.00	55.00	275.00
§ 5340(c) Growing States	272.30	279.13	286.13	293.31	300.67	1,431.54
§ 5340(d) High Density States	263.96	265.30	266.65	268.00	269.36	1,333.29
§ 3006(b) of FAST Act Coordinated Access and Mobility	2.00	3.00	3.25	3.50	3.50	15.25
§ 3028(a) of FAST Act Positive Train Control	0.00	199.00	0.00	0.00	0.00	199.00
§ 20005(b) of MAP-21 Pilot Program for TOD Planning	10.00	10.00	10.00	10.00	10.00	50.00
Total Funded from General Revenues	**2,441.80**	**2,441.80**	**2,441.80**	**2,441.80**	**2,441.80**	**12,209.01**
§ 5309 Fixed-Guideway Capital Investment	2,301.79	2,301.79	2,301.79	2,301.79	2,301.79	11,508.93
§ 5312 Public Transportation Innovation	20.00	20.00	20.00	20.00	20.00	100.00
§ 5314 Technical Assistance and Workforce Development	5.00	5.00	5.00	5.00	5.00	25.00
§ 5324 Emergency Relief	(a)	(a)	(a)	(a)	(a)	(a)
§ 5326 Transit Asset Management – FTA	2.00	2.00	2.00	2.00	2.00	10.00
§ 5327 Project Management Oversight	(b)	(b)	(b)	(b)	(b)	(b)
§ 5329 Public Transportation Safety – FTA	3.00	3.00	3.00	3.00	3.00	15.00
§ 5334 FTA Administration	110.02	110.02	110.02	110.02	110.02	570.08

(a) Such sums as are necessary.
(b) Project Management Oversight funds are a variable percentage takedown from capital grant programs.

Finally, the Act includes a rail title that restructures the Amtrak program, and authorizes separate funding under three separate rail investment programs, with total funding rising from $200 million in FY 2016 to $650 million in FY 2020.

Summary of Provisions of the FAST Act

Public Transportation Programs

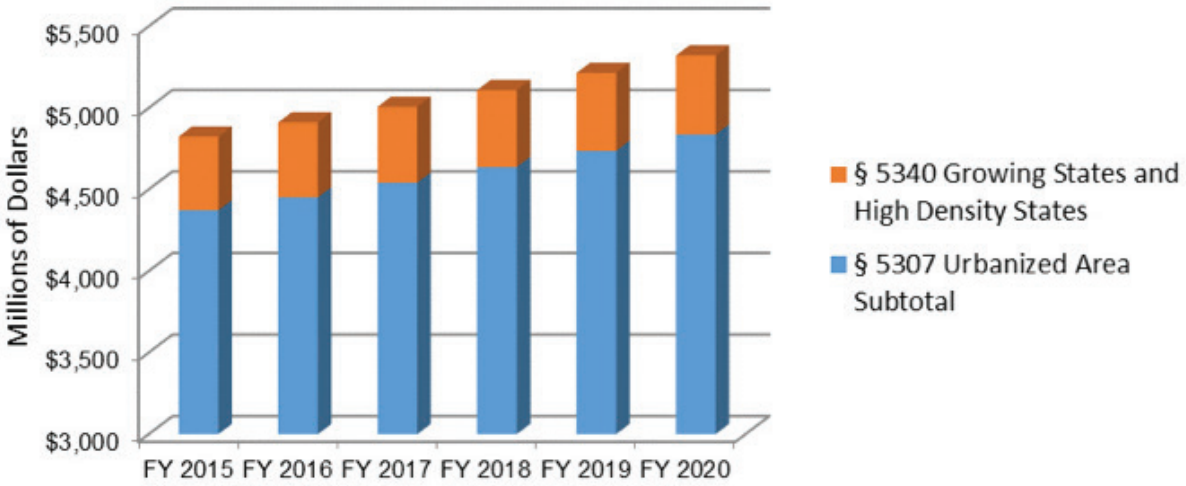
Urbanized Area Formula Program (49 USC § 5307, § 5336, and § 5340)

(Sections 3004 and of FAST Act)
Funded from the Highway Trust Fund/Mass Transit Account (HTF/MTA)

Urbanized area formula grants remain the largest source of federal transit funding under the FAST Act, with $4.539 billion authorized in FY 2016 and $23.7 billion over the life of the bill. The FAST Act preserves the existing formula program and its distribution factors, including separate factors based on population growth and density, but it increases the percentage, from 10 percent to 20 percent, of formula funding that can be used for operating expenses associated with providing non-fixed route paratransit service under the Americans with Disabilities Act, under certain circumstances. The measure also makes clear that bus systems operating less than 100 buses during peak hour service, and demand response systems that are not providing complementary paratransit service, are both eligible to use a portion of their formula funds for operating expenses.

Otherwise, under the FAST Act, the basic structure of the urbanized area formula is maintained with funding apportioned based on bus vehicle revenue miles, bus passenger miles, fixed guideway vehicle revenue miles, and fixed guideway directional route miles, as well as population and population density. The law retains the current 0.75 percent takedown for project management oversight.

Figure 1: Urbanized Area Formula



The FAST Act also retains the GROWING STATES AND HIGH DENSITY STATES FORMULA DISTRIBUTION (49 USC § 5340). The bill authorizes $536.3 million in 2016 and more than $2.7 billion over the five years for Section 5340. The measure increases the authorization for the Growing States formula by over 14 percent during the bill, while it increases funding for the High-Density States by only 2.4 percent over the life of the bill. Funds are made available under the Growing States program are apportioned by a formula based on state population forecasts for 15 years beyond the most recent Census. Amounts apportioned for each state are then distributed between urbanized areas and rural areas based on the ratio of urban/rural population within each state. The High Density States formula distributes funds to states with population densities in excess of 370 persons per square mile. High Density funds are apportioned only to urbanized areas within those states.

The new law continues the authorization for the SMALL TRANSIT INTENSIVE CITIES (STIC) [49 USC § 5336(i)] tier in the urbanized area formula program (UZAs) and increases the takedown from which the program is funded in FY's 2019 and 2020. These funds are distributed to small UZAs with fewer than 200,000 population that provide public transit service above a certain level based on six factors. The program is funded at 1.5 percent of all UZA formula funds annually in FY 2016 through 2018. In FY 2019 and 2020, the program would be funded with a 2 percent takedown from the urban formula program. The criteria remain unchanged: they are passenger miles traveled per vehicle revenue mile; passenger miles traveled per vehicle revenue hour; vehicle revenue miles per capita; vehicle revenue hours per capita; passenger miles traveled per capita; and passengers per capita.

Table 2: Urbanized Area Program Authorization Levels

Formula	FY 2016 (Thousands of Dollars)	FY 2017 (Thousands of Dollars)	FY 2018 (Thousands of Dollars)	FY 2019 (Thousands of Dollars)	FY 2020 (Thousands of Dollars)	Five-Year Total (Thousands of Dollars)
Total § 5336 Authorized Amount a	**4,538,906**	**4,629,684**	**4,726,907**	**4,827,118**	**4,929,452**	**23,652,067**
§ 5327 Project Management Oversight (Administrative)	34,042	34,723	35,452	36,203	36,971	177,391
§ 5307(h) Passenger Ferry Grants (Discretionary)	30,000	30,000	30,000	30,000	30,000	150,000
§ 5329(e) State Safety Oversight Program (Rail Transit States)	22,695	23,148	23,635	24,136	24,647	118,261
§ 5336(a) through (c) Bus and Fixed-Guideway Formulas	4,247,282	4,332,818	4,424,429	4,495,608	4,591,537	22,091,674
§ 5336(i) Small Transit Intensive Cities Formula	65,543	66,863	68,277	92,979	94,962	388,624
§ 5336(j) Low Income Individuals Formula	139,344	142,131	145,116	148,193	151,334	726,118
§ 5340(c) Growing States – Approximate b	194,692	199,578	204,585	209,717	214,978	1,023,550
§ 5340(d) High Density States	263,964	265,304	266,651	268,004	269,364	1,333,287
Total Funds Apportioned by UZA Formulas c	**4,910,826**	**5,006,695**	**5,109,057**	**5,214,500**	**5,322,177**	**25,563,255**

a Includes all funds distributed by § 5327, § 5307(h), § 5329(e), § 5336(a) through (c), § 5336(i), and § 5336(j).
b A portion of § 5340(c) is distributed by the § 5311 Rural Program. Total § 5340(c) funding equals $272.3 million in FY 2016, $279.1 million in FY 2017, $286.1 million in FY 2018, $293.3 million in FY 2019, and $300.7 million in FY 2020.
c Includes all funds from § 536(a) through (c), § 5336(i), § 5336(j), § 5340(c), and §5340(d).

Rural Formula Program (49 USC § 5311)

(Sections 3007 and of FAST Act)
Funded from the Highway Trust Fund/Mass Transit Account (HTF/MTA)

The rural formula program, known before MAP-21 as "non-urbanized" formula grants, experiences growth at rates similar to the growth of the urban formula program, with $619.96 million authorized in FY 2016 and $3.2 billion over five years. The program generally maintains the existing structure, providing funding to states for public transportation in rural areas, with most funding apportioned based on land area and population in rural areas. In addition, the bill authorizes funding for the Rural Transportation Assistance program (RTAP), for Public Transportation on Indian Reservations, and for the Appalachian Development Public Transportation program tier.

Figure 2: Section 5311 Rural

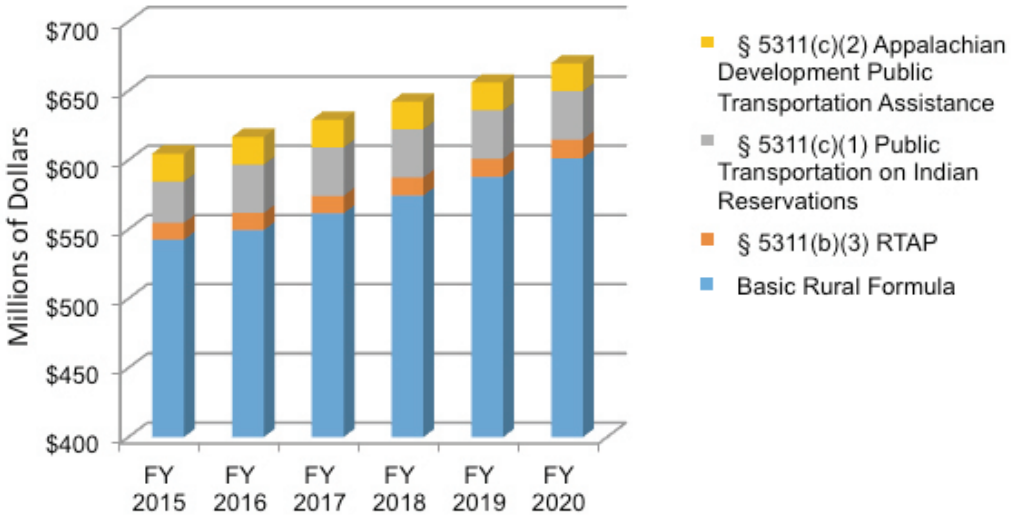


Table 3: Rural Formula Program Authorization Levels

Formula	FY 2016 (Thousands of Dollars)	FY 2017 (Thousands of Dollars)	FY 2018 (Thousands of Dollars)	FY 2019 (Thousands of Dollars)	FY 2020 (Thousands of Dollars)	Five-Year Total (Thousands of Dollars)
Total § 5311 Total Amount a	**619,956**	**632,355**	**645,635**	**659,322**	**673,300**	**3,230,568**
§ 5327 Project Management Oversight	3,100	3,162	3,228	3,297	3,366	16,153
§ 5311(b)(3) Rural Transportation Assistance Program	12,399	12,647	12,913	13,186	13,466	64,611
§ 5311(c)(1) Public Transportation on Indian Reservations	35,000	35,000	35,000	35,000	35,000	175,000
§ 5311(c)(2) Appalachian Development Public Transportation Assistance	20,000	20,000	20,000	20,000	20,000	100,000
§ 5311(c)(3) Rural funds for Formula Distribution	549,457	561,546	574,494	587,839	601,467	2,874,803
§ 5340(c) Growing States Distribution – Approximate	77,605	79,552	81,548	83,594	85,691	407,990
Total Funds Distributed by Rural Formula b	**627,062**	**641,098**	**656,042**	**671,433**	**687,158**	**3,282,793**

a Includes all funds distributed by § 5327, § 5311(b), and § 5311(c)(1) through § 5311(c)(3).
b Includes all funds from § 5311(c)(3) and § 5340(c).

Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities (49 USC § 5310)

(Section 3006 of FAST Act)
Funded from the Highway Trust Fund/Mass Transit Account (HTF/MTA)

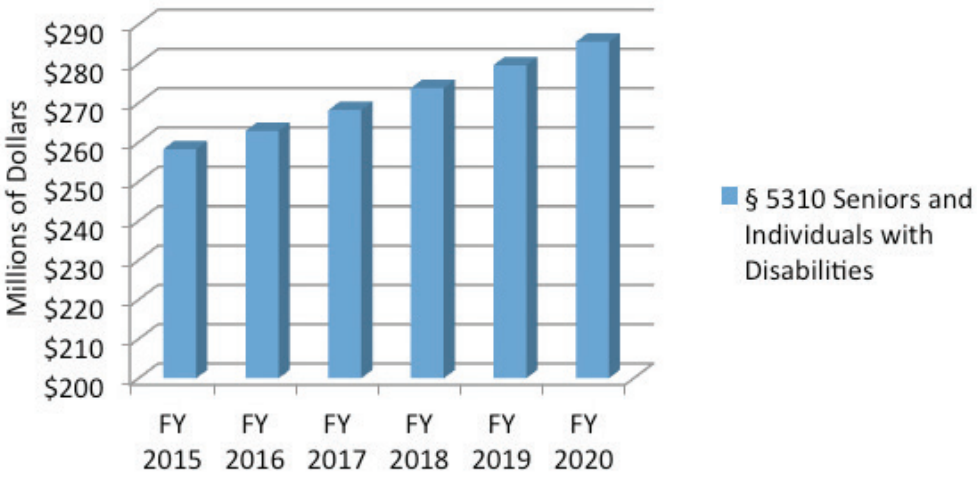
Under the FAST Act, the Section 5310 Formula Grants for the Enhanced Mobility of Seniors and Individuals with Disabilities program grows by 10.56 percent over five years compared to FY 2015 levels. A total of $1.370 billion is authorized over the life of the bill.

A programmatic change was made to the formula program under this section. State and local governments that operate public transportation and are eligible to receive direct grants under the Urbanized Area (Section 5307) or Rural (Section 5311) formula programs are now eligible to be direct recipients of 5310 formula funding.

Several other new provisions were also added to the 5310 section. A new Pilot Program for Innovative Coordinated Access and Mobility has been established. $15.25 million is authorized over the life of the bill for the pilot. Under this new discretionary program, grants can be made to 5310 recipients and sub-recipients to assist in financing innovative projects for the transportation disadvantaged that improve the coordination of transportation services and non-emergency medical transportation services. Additionally, the FAST Act mandates that the U.S. Department of Transportation publish a 5310 Best Practices Guide where innovative practices, program models, new service delivery options, and findings from other Department reports are highlighted.

Lastly, this section requires the Interagency Transportation Coordinating Council on Access and Mobility, established under Executive Order No. 13330, to publish a new strategic plan by December 2016. The plan must:

Figure 3: Enhanced Mobility of Seniors and Individuals with Disabilities



1. Outline the role and responsibilities of each Federal agency with respect to local transportation coordination, including nonemergency medical transportation;
2. Identify a strategy to strengthen interagency collaboration;
3. Address any outstanding recommendations made by the Council in the 2005 Report to the President relating to the implementation of Executive Order No. 13330, including:
   - a cost-sharing policy endorsed by the Council; and
   - recommendations to increase participation by recipients of Federal grants in locally developed, coordinated planning processes;
4. To the extent feasible, addresses recommendations by the Comptroller General concerning local coordination of transportation services;
5. Examine and proposes changes to Federal regulations that will eliminate Federal barriers to local transportation coordination, including non-emergency medical transportation; and
6. Recommend to Congress changes to Federal laws, including chapter 7 of title 42, United States Code that will eliminate Federal barriers to local transportation coordination, including nonemergency medical transportation.

State of Good Repair Program (49 USC § 5337)

(Section 3015 of FAST Act)
Funded from the Highway Trust Fund/Mass Transit Account (HTF/MTA)

The State of Good Repair Program saw significant increases in authorization levels, beginning at $2.507 billion in FY 2016 and rising to $2.684 billion by FY 2020. The FAST Act did not make a great deal of changes to this program that makes grants to finance capital projects to maintain fixed guideway public transportation systems in a state of good repair. The High Intensity Motorbus Vehicle State of Good Repair program continues to be funded at 2.85 percent of the total program. The law increases the takedown for project management oversight to 1.0 percent, of which at least 0.25 percent must be used to carry out project management oversight for section 5329 (Public Transportation Safety).

The FAST Act does clarify that High Intensity Motorbus funds are to be used only for vehicle state of good repair costs, and may not be used on roadways. The Act also makes clarifications regarding the 80 percent federal share for this program as well as sources for the remaining costs.

Fixed Guideway Capital Investment Grants (49 USC § 5309)

(Section 3005 of FAST Act)
Funded from the General Fund – subject to Annual Appropriations

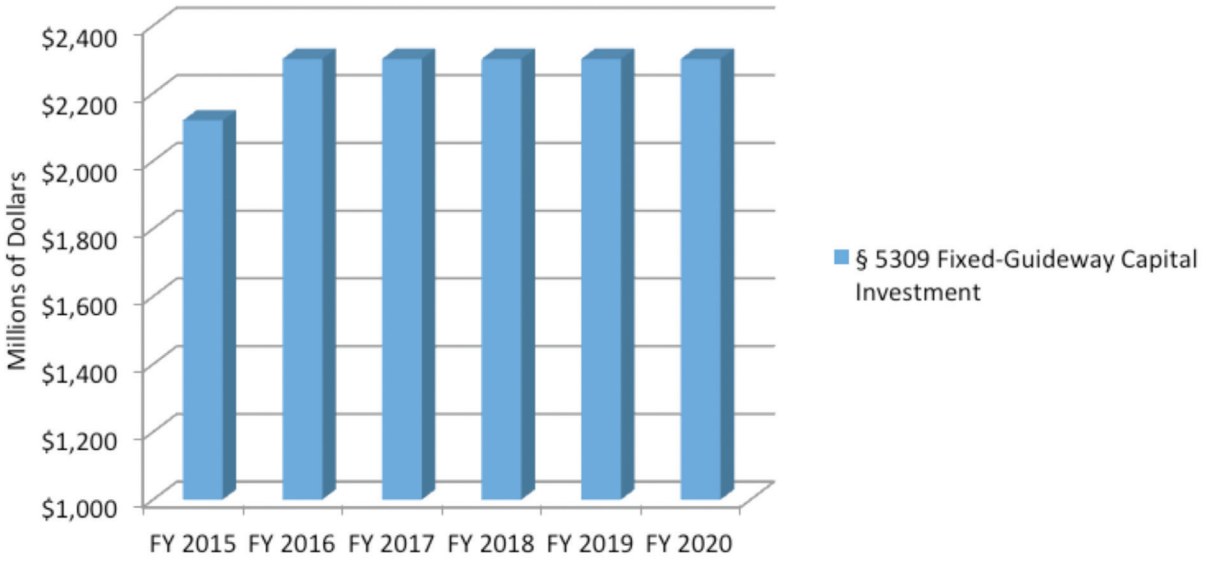
The FAST Act authorizes appropriations from the General Fund for Capital Investment Grants at $2.3 billion in FY 2016 and each year thereafter. This is a 20.7 percent first-year increase over the

Table 4: State of Good Repair Authorization Levels

Formula	FY 2016 (Thousands of Dollars)	FY 2017 (Thousands of Dollars)	FY 2018 (Thousands of Dollars)	FY 2019 (Thousands of Dollars)	FY 2020 (Thousands of Dollars)	Five-Year Total (Thousands of Dollars)
Total State of Good Repair Funds	**2,507,000**	**2,549,670**	**2,593,704**	**2,638,367**	**2,683,798**	**12,972,539**
§ 5337(c) High Intensity Fixed Guideway State of Good Repair Formula Funds	2,435,551	2,477,004	2,519,783	2,563,174	2,607,310	12,602,822
§ 5337(d) High Intensity Motorbus State of Good Repair Formula Funds	71,449	72,666	73,921	75,193	76,488	369,717

MAP-21 authorized level, but the level remains flat over the five years of the bill. Capital investment grants—including New Starts, Small Starts, and Core Capacity—are subject to the annual appropriations process. The appropriated funds go toward projects with existing full funding grant agreement obligations as well as for new projects in the federal pipeline that will meet growing demand for transit across the nation. The law retains the current 1.0 percent takedown for project management oversight.

Figure 4: Fixed Guideway Capital Investment



Federal Share

The FAST Act makes a change for New Starts full funding grant agreements (FFGA) by reducing the maximum Section 5309 FFGA federal share from 80 percent to 60 percent, but it maintains the maximum Section 5309 (Capital Investment Grants) share of 80 percent for core capacity and small start projects. Other federal funds, including the Surface Transportation Program Block Grant Program (the new iteration of STP) and Congestion Mitigation and Air Quality Improvement Program (CMAQ), Transportation Infrastructure Finance and Innovation Act program (TIFIA), and Transportation

Investment Generating Economic Recovery (TIGER) grant funds can still be used to supplement Section 5309 funds for Capital Investment Grant projects (including New Starts) up to a maximum total federal share of 80 percent.

Program of Interrelated Projects

The FAST Act seeks to ensure that project sponsors have the option to compete for funding for programs that blend "new fixed guideway capital projects, core capacity improvement projects, and small start projects as well as a program of projects that are only new fixed guideway capital projects, core capacity improvement projects, or small start projects." To help achieve that, the Act adds Small Starts to the program of interrelated projects under the Capital Investment Grant program.

Pilot Program for Public-Private Partnership Projects with Limited Federal Share

The FAST Act includes a pilot program that streamlines regulatory steps for up to eight grant awards for new fixed guideway capital projects, core capacity improvement projects, or small start projects seeking a Federal funding level of 25 percent or less. These projects must be supported, at least in part, through a public-private partnership. This pilot replaces a similar pilot process that was authorized, but never used, under MAP-21.

Other Changes

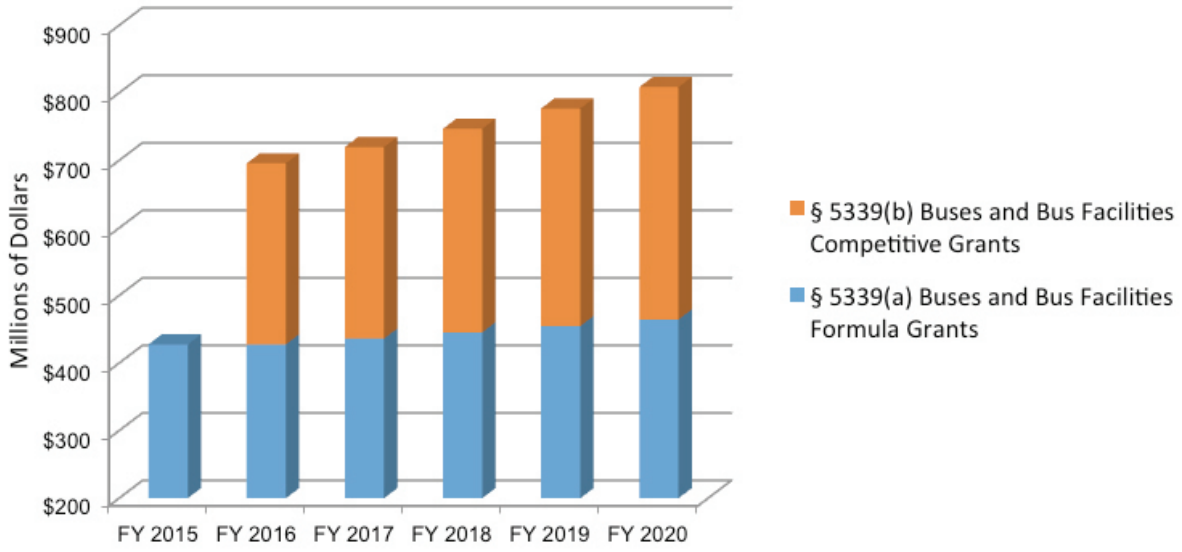
- The threshold for a small start project is increased so projects with a total cost of $300 million (changed from $250 million) and a federal share of $100 million (changed from $75 million) will qualify.
- The FAST Act allows an optional early rating for small start projects after completing the NEPA review process.
- Additional flexibility is provided under the definition of a small starts corridor-based bus rapid transit project regarding weekend service.
- The Act creates a special rule mandating that the costs of art and landscaping elements must be included when calculating the cost effectiveness of a project.
- Joint public transportation and intercity passenger rail project costs are eligible for funding under the Fixed-Guideway Capital Investment program. However, funding is limited to the costs associated with the public transportation project only.

Buses and Bus Facilities Grants (49 USC § 5339)

(Section 3017 of FAST Act)
Funded from the Highway Trust Fund/Mass Transit Account (HTF/MTA)

First, this program is renamed to be the "Buses and Bus Facilities Program" to emphasize the intention to support large scale procurements. To that goal, the FAST Act creates a new competitive grant program that did not exist under MAP-21 to support the existing formula grants. The overall program grows at a much higher rate than other major transit programs. Buses and Bus Facilities is authorized at a funding level of $696 million in FY 2016, increasing to $809 million by FY 2020. This is a 62.5 percent increase over the current funding in the first year and 89 percent over the life of the bill.

Figure 5: Buses and Bus Facilities



Formula Grants

The FAST Act continues the formula grants program, increasing funding from $428 million in FY 2016 to $465 million in FY 2020. Grants may be used to finance capital projects to replace, rehabilitate, and purchase buses and related equipment, including technological changes or innovations to modify low or no emission vehicles or facilities, and to construct other bus-related facilities. Grants must be made in accordance with the grant requirements in section either 5307 or 5311, depending on whether the grant is made in an urban or rural area.

The Act allows state and local government entities that operate fixed route bus service to be direct recipients of these funds, regardless of their designated recipient status. The Act also ensures that each state is allocated at least $1.75 million (from $1.25 million). The Act did not change the territory minimum allocation.

The Act includes a voluntary pilot program that allows states to pool Buses and Bus Facilities formula funding for urbanized areas with populations between 200,000 and 1 million. Under this pilot, states would be able to set an allocation plan to target the variable (lumpy) purchases that are often required to support agency transit asset management (TAM) plans. (For example, funds might be shifted from Agency A to support a large purchase for Agency B in the first year, then shifted from Agency B to Agency A in a later year.) Although the allocation for a recipient in an individual year might be higher or lower under the state allocation plan, each recipient is assured of receiving the same amount of funding it would otherwise receive cumulatively for Fiscal Years 2016-2020.

Competitive Grants

The Buses and Bus Facilities competitive grant program grows from $213 million in 2016 to $289 million by 2020. The program has a 10 percent rural set-aside. FTA is largely responsible with determining the criteria for successful applications, though the Act does require consideration of "the age and condition of buses, bus fleets, related equipment, and bus-related facilities." FTA's metrics and evaluation procedures must be disclosed up front, and the final scores for selected projects must also be disclosed.

Statewide applications are permitted on behalf of agencies within the state. A statewide application does not preclude individual agencies within that state from also submitting an application.

Low or No Emission Grants

The FAST Act also sets aside $55 million per year for grants to acquire or lease low and no emission buses. These funds can also be used to lease or construct new public transportation facilities, or rehabilitate or improve existing public transportation facilities, in order to accommodate low or no emission vehicles.

Procurement

(Section 3019 of FAST Act)

The FAST Act contains provisions that are designed to give transit agencies new, voluntary procurement opportunities for making rolling stock purchases. The new procurement opportunities are targeted for small system operators, but are available to systems of any size. A major feature of the FAST Act provisions is that agencies may participate in the new procurement opportunities regardless of whether the parties to the contract are in the same state.

First, the FAST Act authorizes agencies to purchase capital assets through cooperative procurements administered by a state. Second, the Act requires that DOT establish a pilot program with at least three designated "nonprofit cooperative purchasing organizations" that will act in an administrative capacity to carry out cooperative purchasing contracts. While the General Services Administration (GSA) is not authorized to establish a schedule for transit rolling stock, these nonprofit organizations may establish what have been referred to as "GSA-type" schedules. Once established, participants in the contract will have to submit a nonbinding notice of intent to participate.

Third, the FAST Act instructs FTA to establish a "Joint Procurement Clearinghouse" that will allow grantees to aggregate planned rolling stock purchases and identify joint procurement participants. The Clearinghouse might collect information from agencies on desired specifications such as bus size, engine type, floor type, and other attributes that would help identify joint procurement opportunities. No agency will be required to submit information to the Clearinghouse.

Finally, the FAST Act removes some current regulatory impediments for leasing of public transportation vehicles. The lease may cover the costs of rolling stock, financing costs, maintenance costs, and other associated costs. The terms of a lease agreement are negotiated by the grantee. The Act allows the removable power sources for use in zero emissions vehicles to be leased by themselves, which is intended to drive down the up-front procurement cost for these vehicles.

The decision to participate in any new procurement opportunity under the Act is voluntary. Agencies may simply continue to use RFPs, joint procurements, assignment of options, or any other procurement method available under FTA rules prior to the FAST Act. The bill also eliminates a current requirement to prove or demonstrate that leasing is more cost effective than owning before leasing can be funded.

Buy America

(Section 3011 of FAST Act)

The FAST Act increases the Buy America domestic content requirement for transit rolling stock from the current level of 60 percent to 65 percent in FY 2018 and to 70 percent by FY 2020. FTA regulations will set out the rules for contracts that span years with different domestic content requirements (for example, a contract that uses FY 2017 funds, but final delivery occurs in FY 2018). The legislation does not prescribe those details and leaves it for administrative regulations.

The FAST Act also requires the Secretary to include the cost of domestic iron or steel used in rolling stock frames and car shells not produced in the United States in the calculation of domestic content if the iron or steel is produced in the United States. Finally, the bill requires the Secretary, upon denial of a Buy America waiver, to issue a written certification that the steel, iron, or manufactured goods are produced in the United States in a sufficient and reasonably available amount, the item is of satisfactory quality, and include a list of known manufacturers in the United States from which the item can be obtained. Such waiver denials and written certifications must be publicly disclosed on the website of the Department of Transportation.

Public Transportation Safety Program (49 USC § 5329)

(Section 3013 of FAST Act)
Mix of funding between General Fund and Highway Trust Fund/Mass Transit Account (HTF/MTA)

The FAST Act continues a formula grant program, funded through a 0.5 percent takedown of urbanized area formula funds (Sec. 5307), to develop and operate state safety oversight programs. The Act clarifies and strengthens the authority given to Secretary of Transportation in MAP-21. Building on the national public transportation safety plan, the Act requires the establishment of Minimum Safety Standards for safe transit operations. The Act provides explicit authority to issue nationwide safety directives and clarifies FTA's authority to issue regulations that restrict or prohibit unsafe conditions or practices that create a substantial risk of death or personal injury. FTA is also given authority to withhold or direct federal funds for recipients that do not comply with Federal law regarding safety of the public transportation system.

The Act includes new instructions for FTA in instances where the FTA will temporarily administer a state safety oversight program until the state develops a compliant program that is certified by the Secretary. The Act clarifies that if a State Safety Oversight Agency (SSOA) fails to take sufficient corrective action, FTA may withhold funds for SSOA grants or take other appropriate corrective actions. The Act also specifies that if a state fails to achieve compliance within one year of FTA's determination, FTA may withhold Section 5307 funds.

Review of Public Transportation Safety Standards

(Section 3020 of FAST Act)

The FAST Act requires FTA to assess the need for minimum safety standards where current standards may be determined to be insufficient. FTA will review existing industry safety standards and protocols in use by rail fixed guideway systems including: written emergency plans and procedures for passenger evacuations; training programs to ensure public transportation personnel compliance and readiness in emergency situations; approved coordination plans; maintenance, testing, and inspection programs; and certification requirements for train and bus operators and control center employees. FTA must also review rail and bus safety standards, practices, or protocols as they relate to rail and bus design; the reduction of blindspots; protecting rail and bus operators from the risk of assault; crash avoidance and worthiness; and plans for fatigue management, among other issues.

After the review, FTA must consult with representatives of the public transportation industry and evaluate the need to establish additional Federal minimum public transportation safety standards. By December 2016, the Secretary must report the findings and evaluation, as well as a comprehensive set of recommendations and actions that the Secretary will take to address the recommendations.

Study on Evidentiary Protections

(Section 3021 of FAST Act)

In MAP–21, Congress directed the Federal Transit Administration (FTA) to establish a comprehensive Public Transportation Safety Program that will include implementation of Safety Management Systems (SMS). Experts agree that in order to best protect the safety and security of public transportation riders, transit systems must be able to produce comprehensive, confidential analyses that will not result in increased exposure to litigation.

The FAST Act does not provide statutory protection of safety-sensitive data collected by transit agencies from Freedom of Information Act (FOIA) or state sunshine law requests or from admission into evidence during lawsuits. The FAST Act does, however, require a study on evidentiary protection for public transportation safety program information. The Transportation Research Board of the National Academies will conduct the study and will evaluate whether it is in the public interest to withhold certain safety-sensitive data from discovery or admission into evidence in lawsuits. The Transportation Research Board is required to solicit public comments, and the final report is due by June 2017.

Rulemaking Process on Driver Assaults

(Section 3022 of FAST Act)

The Act requires the Secretary to initiate a rulemaking process on driver assaults. The notice of proposed rulemaking must consider different safety needs of drivers of different modes; differences in operating environments; the use of technology to mitigate driver assault risks; existing experience, from both

agencies and operators that are already using or testing driver assault mitigation infrastructure; and the impact of the rule on future rolling stock procurements and vehicles currently in revenue service.

The notice of proposed rulemaking must be issued within 90 days of the issuance of the report required in Section 3020 (Review of Public Transportation Safety Standards).

Transit Asset Management (49 USC § 5326)

Funded from the General Fund – subject to Annual Appropriations

The FAST Act doubles the amount of its Administrative funding it must spend on Sec. 5326, setting it at $2 million for each year FY 2016-2020, subject to appropriations. The Act did not make programmatic changes to this section.

The FAST Act creates a new voluntary opportunity for states to pool Buses and Bus Facilities formula funding to support transit asset management (TAM) plans for bus agencies. This program is described in the Buses and Bus Facilities section of this book.

Metropolitan and Statewide and Nonmetropolitan Transportation Planning (49 USC §§ 5303, 5304, 5305; 23 USC §§ 134, 135)

(Sections 3003 and 1201 of FAST Act)
Funded from the Highway Trust Fund/Mass Transit and Highway Accounts

The FAST Act authorizes a total of $681 million from FY 2016 – 2020 for states and Metropolitan Planning Organizations (MPOs) to carry out transportation-related planning, design, evaluation, and technical study activities with funding from the Mass Transit Account of the Highway Trust Fund. The Act adds several new requirements including provisions that: expand the scope of the planning process to include resiliency and reliability of the transportation network, mandate statewide transportation plans to include performance measures and targets, and emphasis the need for states and MPOs to solicit input from a wide range of regional transportation stakeholders when developing transportation plans. The Act also clarifies the selection process and role of the regional public transportation representatives on the MPO board of governing body.

The U.S. Department of Transportation planning programs are jointly administered by the FTA and Federal Highway Administration (FHWA). As so, the Act also provides an estimated $1.7 billion from FY 2016 – 2020 under the Federal Highway Administration (FHWA) for metropolitan planning activities funded from the Highway Account of the Highway Trust Fund.

Public Transportation Innovation (49 USC § 5312)

(Section 3008 of FAST Act)
Mix of funding between General Fund and Highway Trust Fund/Mass Transit Account (HTF/MTA)

The FAST Act authorizes $28 million each year for the Public Transportation Innovation program, totaling $140 million over the life of the bill. This section previously was appropriated $10.5 million in FY 2015, representing an increase of 166 percent. In addition to this funding, the FAST Act also authorizes an additional $20 million from the GF, which is subject to annual appropriations.

The eligible activities for this section include research; innovation and development; demonstration, deployment and evaluation; low or no emission vehicle component testing (low-no testing); and the Transit Cooperative Research Program (TCRP). The voluntary low-no testing program was a new program created in the FAST Act which requires FTA to publish a performance report on the assessments conducted. In the new law, TCRP was moved from funding through the GF to the MTA, which APTA has long advocated for. As such, the section where it was previously located, § 5313 was eliminated. The government share of the cost of a project under this section cannot exceed 80 percent, except in the case of low-no testing, which the government share cannot exceed 50 percent.

Technical Assistance and Workforce Development (49 USC § 5314)

(Section 3009 of FAST Act)
Mix of funding between General Fund and Highway Trust Fund/Mass Transit Account (HTF/MTA)

Under Section 3009, the FAST Act authorizes $14 million annually to carry out a range of technical assistance, workforce development, and education activities. Annual funding is provided to continue the operation of the National Transit Institute (NTI) at a public 4-year degree granting institution of higher learning. This section also allows for the Secretary to make grants to fund: the development of transit standards, technical assistance provided by qualified national non-profit organizations, employment training programs (including assistance to veterans and minority populations), apprenticeship programs, and other education programs. The Act also allows up to 0.5 percent of funding from Section 5307 to be utilized form workforce development activities.

Bus Testing Facilities (49 USC § 5318)

Funded from the Highway Trust Fund/Mass Transit Account (HTF/MTA)

The FAST Act does not make any changes to Section 5318. The Bus Testing Facilities program continues to be funded at $3 million per year to operate one bus testing facility, currently located at the Altoona Bus Research and Testing Center in Pennsylvania. New bus models must comply with performance standards such as maintainability, reliability, braking, structural integrity, fuel economy, emissions, and noise.

Positive Train Control Funding

(Section 3028 of FAST Act)
Funded from the Mass Transit Account of the Highway Trust Fund

The FAST Act authorizes $199 million in Fiscal Year 2017 to assist in financing the installation of positive train control systems. Funding under this section may be used to provide grants, direct loans, and loan guarantees by September 30, 2018. Assistance provided as a grant may not exceed 80 percent of total project costs. An applicant can request that awarded funding be used to pay the credit risk premium of a Railroad Rehabilitation and Improvement Financing (RRIF) loan approved to finance a positive train control installation project.

General Provisions (49 USC § 5323)

(Section 3011 of the FAST Act)

The Act modifies the definition of 'small purchase' for purposes of determining whether a purchase qualifies for a general public interest Buy America waiver. The Act sets the threshold for small purchases at $150,000, which allows agencies to take advantage of simplified small purchase procedures. Also, the Act now permits a recipient of assistance under Chapter 53 to utilize revenues from value capture financing mechanisms to fulfill local matching requirements for capital projects and operating costs.

Project Management Oversight (PMO) (49 USC § 5327)

(Section 3012 of the FAST Act)

The Fast Act specifies that the Secretary must develop additional project management oversight regulations that: (a) stipulate compliance oversight be limited to quarterly reviews unless the Secretary finds the grant recipient requires more frequent oversight and (b) delineate a process whereby grant recipients under more frequent oversight may return to quarterly reviews.

National Surface Transportation and Innovative Finance Bureau (49 USC § 116)

(Section 9001 of FAST Act)

The FAST Act establishes a new National Surface Transportation and Innovative Finance Bureau within DOT to administer the application processes for the TIFIA and RRIF credit programs, the new discretionary Nationally Significant Freight and Highway Projects program, the Private Activity Bonds (PABs) program and the State Infrastructure Bank (SIB) program. DOT describes this as a "one-stop shop for state and local governments to receive federal funding, financing or technical assistance." The Bureau will require value-for-money or comparable analyses for projects receiving credit assistance and will make these analyses publicly available. The Bureau must develop innovative financing best practices and will work to make the permitting process more efficient.

Federal Railroad Programs

Authorization of Appropriations of Federal Railroad Programs

The FAST Act is the first major surface transportation authorization bill to include a substantial rail title. The rail title authorizes high-speed, intercity, passenger, and freight rail funding and includes policy provisions addressing Amtrak organizational reforms, rail safety, and project financing and delivery.

Table 5: Intercity Passenger Railroad Funding Levels

P.L. 114-94 Authorization Section and Program Name	FAST Act Authorizations					
	FY 2016 (Millions of Dollars)	FY 2017 (Millions of Dollars)	FY 2018 (Millions of Dollars)	FY 2019 (Millions of Dollars)	FY 2020 (Millions of Dollars)	Five-Year Total (Millions of Dollars)
Total All Programs	**1,672.00**	**1,872.50**	**2,046.00**	**2,296.50**	**2,472.00**	**10,359.00**
Total Amtrak Funds	**1,452.00**	**1,502.00**	**1,600.00**	**1,700.00**	**1,800.00**	**8,054.00**
§ 11101(a) Northeast Corridor	445.00	469.00	510.00	552.00	595.00	2,571.00
§ 11101(g) Northeast Corridor Commission	5.00	5.00	5.00	5.00	5.00	25.00
§ 11101(b) National Network	998.00	1,024.00	1,083.00	1,141.00	1,198.00	5,444.00
§ 11101(f) State Supported Route Committee	2.00	2.00	2.00	2.00	2.00	10.00
§ 11101(d) Gulf Coast Working Group a	0.50	0.50	—	—	—	1.00
§ 11101(i) Small Business Participation Study a	1.50	1.50	—	—	—	3.00
§ 11102 Consolidated Rail Infrastructure and Safety Improvements	**98.00**	**190.00**	**230.00**	**255.00**	**330.00**	**1,103.00**
§ 11103 Federal-State Partnership for State of Good Repair	**82.00**	**140.00**	**175.00**	**300.00**	**300.00**	**997.00**
§ 11104 Restoration and Enhancement Grants	**20.00**	**20.00**	**20.00**	**20.00**	**20.00**	**100.00**
§ 11105 Amtrak Office of Inspector General	**20.00**	**20.50**	**21.00**	**21.50**	**22.00**	**105.00**

a Funded from funds made available for the Office of the Secretary of Transportation and the Federal Railroad Administration under P.L. 114-94, the FAST Act, Section 11310.

High-Speed, Intercity, Passenger, and Freight Rail Grants

(Various sections of FAST Act)
Funded from the General Fund – subject to Annual Appropriations

A total of $2.2 billion is authorized for Fiscal Years 2016 – 2020 for rail funding in the FAST Act through three main programs. Section 11102 (Consolidated Rail Infrastructure and Safety Improvements) authorizes $1.1 billion for grants for projects that aim to enhance safety, efficiency and reliability of passenger and freight rail transportation systems. There is broad project eligibility under Section 11102. Some eligible activities include deployment of railroad safety technology including positive train control systems, certain workforce development and training programs, rail-related research initiatives, rail line relocation and improvement projects, and regional rail and corridor service development planning.

Section 11103 (Federal-State Partnership for State of Good Repair) authorizes $997 million for grants for capital projects to replace or rehabilitate qualified railroad assets and ultimately reduce the current state of good repair backlog. Projects funded under Sections 11102 and 11103 may include enhancements to commuter rail service, however, each project, at a minimum, must demonstrate enhancements to intercity passenger rail service or assets.

Section 11104 (Restoration and Enhancement Grants) authorizes $20 million each year from FY2016 – 2020 for operating assistance to initiate, restore, or enhance intercity passenger rail service.

Lastly, section 11309 establishes new requirements for grants in excess of $1 billion awarded under 49 USC 244. Large capital project grant recipients must now: demonstrate that required funding for the applicable non-federal share is committed, submit a financial plan that identifies sources for required non-federal funding for subsequent segments of the current project, and demonstrate that the current project will result in an operationally independently segment, transportation facility, or transportation asset.

Amtrak Grants

(Section 11101 of FAST Act)
Funded from the General Fund – subject to Annual Appropriations

A total of $8.05 billion of funding is authorized for Amtrak grants from FY2016 – 2020. The FAST Act departs from the previous Amtrak funding allocation method of capital and operating grants and now provides funding that corresponds with the primary Amtrak business lines—the Northeast Corridor and the National Network. A total of $2.596 billion is authorized for Amtrak projects associated with the Northeast Corridor and $5.454 billion for projects along the Amtrak National Network. Additionally, a total of $105 million is authorized from FY2016 – 2020 for the Amtrak Office of the Inspector General.

Amtrak Reforms

(Sections 11201 – 11215 of FAST Act)

The Act also includes several Amtrak administrative and managerial reforms and organizational directives. Amtrak is required to develop a new accounting methodology that aligns revenues and costs of, at a minimum, activities of the Northeast Corridor and the National Network. This minimum requirement mirrors the new Amtrak grant allocation structure established in Section 11101.

Additionally, Amtrak must utilize an external, independent organization to develop and recommend objective methods for Amtrak to employ when determining their schedule of intercity passenger rail routes and services. The Amtrak Board of Directors will have the discretion to select which proposed methods are adopted. The bill also directs Amtrak to seek proposals from qualified entities to develop a plan to monetize and/or generate revenue from right of-way and real estate assets owned, controlled, or managed by Amtrak.

Next, the Act requires the Secretary of Transportation to establish a State-Supported Route Committee formed from representatives of Amtrak, the U.S. Department of Transportation, and States. The Committee will serve as a platform for all parties to discuss and plan rail service operations, cost-sharing, and related issues.

The bill also mandates that Amtrak publish a, fiscally restrained, 5-year business line plan and 5-year asset plan on February 5th of each year. The business plan will be comprised of individual plans for: (A) Northeast Corridor train services; (B) state-supported routes operated by Amtrak; (C) long-distance routes operated by Amtrak; and (D) ancillary services operated by Amtrak, including commuter operations. The asset plan will include the following asset categories: infrastructure, passenger rail equipment, stations, and national assets. Plans will be submitted to Congress and the U.S. Secretary of Transportation.

Lastly, Amtrak is required to submit a station development report to the Senate Commerce, Science, and Transportation Committee and the House Transportation and Infrastructure Committee. The report must include recommendations to expand economic development adjacent to Amtrak stations and terminals and to enhance accessibility into and within Amtrak stations and terminals. The report must also analyze the fiscal impact of establishing additional Amtrak stops.

Rail Safety Provisions

The FAST Act includes several significant rail safety provisions affecting freight, intercity and commuter railroads. Key highlights include:

Rail Safety Action Plans

Section 11406 of the FAST Act mandates that all railroad carriers providing intercity passenger rail or commuter passenger rail service develop speed limit action plans that identify potential speed and approach hazards and propose warning and enforcement actions (i.e. modified train control or signal systems, installation of signage or alerters, etc.). Each plan must include milestones and target dates for implementing recommended speed control actions.

Section 11401 requires that certain states complete highway-rail grade crossing action plans. These plans must list highway-rail grade crossing locations where multiple or recent accidents have taken place or sites that may be at risk for accidents. Finally, each plan must identify specific strategies for improving safety at highway-rail grade crossings. Additionally, section 11404 directs the U.S. Secretary of Transportation to conduct a study of the possible effectiveness of positive train control and related technologies on reducing collisions at highway-rail grade crossings and submit the report to Congress.

Rail Safety Rulemakings

The Secretary is directed to promulgate a number of rules related to rail safety. Section 11407 calls for a rule to require a working alerter in the controlling locomotive of each intercity rail passenger or commuter rail passenger train. Alternative technologies or practices may be permitted if the Secretary deems them equivalent to or superior to the use of working alerters.

Next, section 11408 requires the Secretary to initiate a rulemaking to require the implementation of redundant signal protection for maintenance-of-way work crews who depend on a train dispatcher to provide signal protection. The Secretary can opt to exempt all track segments that operate under a certified positive train control system or other safety technology or practice equivalent or superior to redundant signal protection.

Section 11411 compels the Secretary to promulgate regulations to require all public intercity rail passenger and commuter rail passenger carriers to install inward- and outward-facing image recording devices in all controlling locomotive cabs and cab car operating compartments. This section also includes language regarding preservation of data, equipment tampering, and recording protections.

Lastly, the Secretary must evaluate current track inspection regulations and consider if commuter railroad operators providing service in high density areas should be required to complete more frequent track inspections than operators serving non-high density areas. The Secretary may promulgate rules to expand track inspection regulations if deemed necessary.

Freight-Commuter Rail Shared-Use Study

(Section 11311 of FAST Act)

The FAST Act mandates that the Secretary of Transportation complete a freight-commuter rail comprehensive shared-use study that will include an evaluation of rail liability requirements and arrangements. The rail liability portion of the study will consider: (a) whether to expand statutory liability limits to additional parties; (b) whether to revise the current statutory liability limits; (c) whether current insurance levels of passenger rail operators are adequate and whether to establish minimum insurance requirements for such passenger rail operators; and (d) whether to establish alternative insurance models, including other models administered by the Federal Government.

Passenger Rail Liability Cap

(Section 11415 of FAST Act)

The FAST Act increases the maximum aggregate allowable award for all rail passenger claims for an accident from $200 million to $295 million per incident for Amtrak and commuter rail operators. This increased liability cap was made retroactively applicable to the May 2015 Amtrak derailment near Philadelphia, PA. The Act also mandates adjustments to the liability cap every five years to reflect changes in the Consumer Price Index-Urban. While the limit does not preempt or change existing state liability caps, some of which are lower, it effectively raises the cap for most commuter rail operations.

Rail Project Delivery and Financing Provisions

Project Delivery Enhancements
(Sections 11501 – 11504 of FAST Act)

The Act includes provisions aimed at reducing federal administrative barriers that stifle and lengthen project delivery. Section 11502 (Treatment of Improvements to Rail and Transit Under Historic Preservation Requirements), eliminates added administrative processes often associated with completing projects near or within historic sites. Section 11503 (Efficient Environmental Reviews), permit the Secretary to incorporate those project expediting procedures that currently apply to Federal Highway Administration projects into the Federal Railroad Administration project review process. This section also requires the Secretary to promulgate rules to propose new categorical exclusion guidelines for railroad projects. And, section 11504 (Railroad Rights-of-Way), directs the Secretary to submit a proposed exemption of railroad rights-of-way from review to the Advisory Council on Historic Preservation, consistent with the exemption for interstate highways approved in March 2005.

Railroad Rehabilitation and Improvement Financing (RRIF) Program Reforms

(Sections 11601 – 11611 of FAST Act)

The FAST Act adds several provisions intended to enhance the accessibility and administration of the Railroad Rehabilitation and Improvement Financing (RRIF) credit program including provisions that mirror language governing the Transportation Infrastructure Finance and Innovation Act (TIFIA) credit program. The Act did not modify the statutory limitation on the amount of loans outstanding that the U.S. Department of Transportation is authorized to commit of $35 billion.

Section 11603 expands the program's pool of eligible applicants to now include joint ventures comprised of RRIF eligible applicants such as a railroad, local government, or state. Section 11604 expands the program's set of eligible activities to now include project planning and design. Certain transit-oriented development (i.e., commercial or housing development –physically or functionally related to a passenger rail or multimodal station) is also permitted if its project costs include private investment and a 25 percent non-federal match.

Section 11605 outlines various RRIF program administration improvements. All applicants will now be informed no later than 30 days after their application is received if their application package is complete or incomplete. Applicants will now also receive an approval or rejection notification within 60 days from the date their application was deemed complete. FRA will post a RRIF dashboard on their website, with monthly updates that provide project information on each application along with application status.

Section 11606 alters RRIF loan repayment terms. Previously, repayment terms were within 35 years from the date of loan execution and now are the lesser of 35 years from the date of project completion or the estimated useful life of the infrastructure. In addition, the Secretary is allowed to defer loan repayments up to a year if the borrower is unable to make scheduled payments. Also, RRIF loans now will not be allowed to be subordinated to other project debt in a bankruptcy-related event except under limited circumstances.

Section 11607 allows for non-federal sources such as states, local governments, or quasi-governmental entities to fund the upfront credit risk premium costs of RRIF loans. It also authorizes the Secretary to accept pledges of revenue streams and investment grade credit ratings—in addition to the value if tangible assets—in assessing loan risks and determining the amounts of required credit risk premium payments.

Section 11608 authorizes the Secretary to enter into a master credit agreement to make one or more direct loans (or loan guarantees) at future dates for a program of related projects. Such an agreement, which is intended to simplify the application process for a sponsor of a large, multi-faceted capital program or a bundle of smaller projects, would establish the maximum amount and other general terms and conditions of future loans. The commitment of loans (obligation of funds) would be contingent on those future projects satisfying all the usual federal requirements for RRIF-assisted projects.

Lastly, RRIF loan requests to fund the installation of positive train control systems will be given priority consideration.

Federal Highway Programs

Authorization of Appropriations of Federal Highway Aid Programs

The FAST Act authorizes $225.2 billion from FY 2016 to FY 2020 for Federal-Aid Highway Program contract authority from the Highway Trust Fund. The authorization includes $43.1 billion in FY 2016, and increases to $47.1 billion in FY 2020. The Highway Program includes:

- National Highway Performance Program (NHPP)
- Surface Transportation Block Grant Program (STBG)
- Highway Safety Improvement Program (HSIP)
- Congestion Mitigation and Air Quality Improvement Program (CMAQ)
- National Highway Freight Program (new)
- Nationally Significant Freight and Highway Projects (new)
- Metropolitan Planning Program
- Surface Transportation Block Grant Program Set-Aside (Formerly Transportation Alternatives Program)

The funding distribution among states remains the essentially the same as MAP-21 apportionments. States will receive a 5.1 percent increase in contract authority in the first year, and subsequent annual increases ranging from 2.1 percent to 2.4 percent over the span of the bill.

Surface Transportation Block Grant Program (STBG) (23 USC § 133)

(Section 1109 of FAST Act)

The Surface Transportation Program is renamed the Surface Transportation Program Block Grant Program (STBG). This program continues to be a flexible funding source for a range of transportation

projects including transit capital projects and transit safety infrastructure improvements and programs. The bill retains project eligibility for any type of project that was allowed before passage of the FAST Act. Funding increases from $11.1 billion in FY 2016 to $12.1 billion in FY 2020.

The amount of funding that is sub-allocated to metropolitan areas on the basis of population increases from the current 50 percent to 55 percent over the term of the bill. The remaining funds can be used to fund projects anywhere in the state (regardless of population).

The Transportation Alternatives (formerly Transportation Enhancements) is now a set-aside within the STBG. It is funded at $835 million to $850 million per year. Previous eligibilities, such as infrastructure projects for improving non-driver access to public transportation and enhanced mobility, pedestrian, bicycling, and environmental projects continue to be eligible.

Congestion Mitigation and Air Quality Improvement (CMAQ) Program (23 USC § 149)

(Section 1114 of FAST Act)

The Congestion Mitigation and Air Quality Improvement (CMAQ) program supports surface transportation projects and other related efforts to help meet the requirements of the Clean Air Act. Funding is available for projects that reduce congestion and improve air quality. Along with the Surface Transportation Program, states and MPOs have the opportunity to "flex" CMAQ funds to help support transit projects.

This program is funded from $2.3 billion in FY 2016 to $2.5 billion in FY 2020. The FAST Act makes a small number of changes to the CMAQ program, including clarifying that funds may be to be used to maintain ambient air quality standards, not just to reach those standards. The Act also expands the diesel retrofit program to include port related equipment and vehicles, as well as providing a specific exemption for low population states for certain particulate matter requirements.

Transportation Infrastructure Finance and Innovation Act (TIFIA) (23 USC §§ 601-609)

(Section 2001 of FAST Act)

The Transportation Infrastructure Finance and Innovation Act program (TIFIA) provides credit assistance in the form of secured loans (and potentially loan guarantees and lines of credit) to help finance surface transportation projects of national and regional significance. Funding for TIFIA was significantly increased in MAP-21, peaking at $1 billion in FY 2014. The FAST Act funds the program at a much lower level, $275 million in FY 2016, increasing to $300 million in FY 2020. However, it is important to note that DOT has a large carryover funding balance from prior TIFIA authorizations that, together with the new FAST Act authorizations, will be available to fund a significant volume of new loans in coming years.

In general, TIFIA requires that projects cost at least $50 million to be eligible for credit assistance under the program, but the FAST Act adds a significant exception to this rule that transit oriented development (TOD) projects are only required to be expected to cost $10 million to be eligible. The reduced threshold is also set for rural projects and local infrastructure projects.

In line with APTA recommendations designed to make financing for small and rural transit projects more effective, the Act allows states to apply for TIFIA assistance to capitalize state infrastructure banks that establish rural projects funds. The Act also changes the definition of rural projects to be any area other than an urbanized area with more than 150,000 people (changed from a city with more than 250,000 people).

Ferry Boat and Ferry Facilities

(Various sections of the FAST Act)

Section 1112 continues the Construction of Ferry Boats and Ferry Terminal Facilities formula program within the Federal Highway Administration (FHWA). The program is authorized annually at $80 million from FY 2016 – 2020 with funding from the Highway Trust Fund (other than the Mass Transit Account). Additionally, the Act continues the discretionary Passenger Ferry Boat Program within the Federal Transit Administration (FTA) with an annual authorization at $30 million from FY 2016 – 2020 with funding from the Mass Transit Account of the Highway Trust Fund. Lastly, Section 1109 establishes funding eligibility for ferry boats and ferry terminal facilities projects under the Surface Transportation Block Grant Program.

National Highway Performance Program (23 USC § 119)

(Section 1106 of FAST Act)

The National Highway Performance Program (NHPP) is the largest federal-aid highway program, funded from $22.3 billion in FY 2016 to $24.2 billion in FY 2020. This program largely supports projects improve the condition and performance of the National Highway System. The FAST Act made only a few changes to this program, including allowing states to use NHPP funds to pay subsidy and administrative costs associated with TIFIA loans. The Act also added eligibility for some bridges not on the National Highway System.

Intelligent Transportation Systems (ITS)

(Title VI of FAST Act)

The FAST Act is the first Surface Transportation bill to include an Innovation Title to set federal policy and funding for Intelligent Transportation Systems (ITS). ITS technology includes intelligent vehicles, intelligent infrastructure, and the creation of an intelligent integrated transportation system. The Innovation Title incorporated programs that were previously authorized in other titles, such as the University Transportation Centers (UTC) program.

The Title includes $125 million per year for Highway Research and Development, $100 million per year for ITS research; $72.5 million to $77.5 million per year for the UTC program; $67.5 million per year for a Technology and Innovation Deployment Program; $60 million per year Advanced Transportation and Congestion Management Technologies Deployment Program; $26 million per year for the Bureau of

Transportation Statistics; and $24 million per year for Training and Education. ITS is also added as an eligibility for other FHWA programs, such as the Surface Transportation Block Grant Program and the National Highway Freight program.

APTA has long advocated for a user-based, sustainable revenue source for the Highway Trust Fund, and a subset of highway research funds ($15 million in FY16 and $20 million each year from FY17-FY20) will be used for grants to states that demonstrate user-based alternative revenue mechanisms, such as vehicle miles travelled (VMT) user fees.

National Highway Freight Program (23 USC §167)

(Section 1116 of FAST Act)

The new formula National Highway Freight Program (NHFP)—funded from $1.1 billion to $1.5 billion per year—will support infrastructure improvements on a designated National Highway Freight Network. The Fast Act requires the Federal Highway Administration, states, and MPOs to designate a National Highway Freight Network. The network will include Interstates, rural and urban freight corridors, and other roads that are critical for freight movement. The FAST Act distributes NHFP funds to states by the existing formula as a set-aside of state formula apportionments.

States must develop a comprehensive freight plan and are directed to include multimodal freight components. States may obligate up to 10 percent of their NHFP funds for public and private freight rail, ports, and intermodal facilities in accordance with a state freight investment plan.

Nationally Significant Freight and Highway Projects (23 USC §117)

(Section 1105 of FAST Act)

The FAST Act creates a new competitive discretionary grant program for freight projects of national or regional significance. These funds will primarily go toward large highway and bridge projects, though intermodal projects do have eligibility. This program is funded from $800 million in FY 2016 to $1 billion in FY 2020.

Unlike the TIGER discretionary grant program, which is appropriated with general funds, the Nationally Significant Freight and Highway Projects (NSFHP) program is funded out of the Highway Trust Fund. Project costs must be reasonably anticipated to exceed $100 million—which is much larger than the minimum project costs for TIGER grants—although 10 percent of the NSFHP funds are set-aside for smaller projects.

Eligible projects are limited to highway, bridge, railway-highway grade crossing, grade separation, freight rail, freight intermodal, or projects "within the boundaries of a public or private freight rail, water (including ports), or intermodal facility and that is a surface transportation infrastructure project necessary to facilitate direct intermodal interchange, transfer, or access into or out of the facility." The Act caps the total amount of funds that can go to intermodal projects to $500 million over the life of the bill.

The discretionary grant's share of the total project costs cannot exceed 60 percent, but other federal funds can be added for a maximum federal share of 80 percent. The Act also requires that 25 percent of the awards go to rural areas.

Why Innovative Financing and Revenue?

Traditional Sources Reach Limits

The role of public transportation in American life continues to grow. The number of light rail systems grew by 278 percent, and the number of commuter rail systems is up 73 percent, since 1980. The market is responding. A study released by APTA and the National Association of Realtors reveals that, during the last recession, residential property values performed 42 percent better on average if they were located near public transportation with high-frequency service.

Operators around the nation have responded to calls for more advanced technologies. Systems have rolled out real-time arrival information, which allows riders to know the precise time that a bus or train will arrive at a station. Fare technologies have improved, allowing customers to pay with a touch of a credit card or smart phone. These efforts have made public transportation a viable option for even more people. However, even the most cost-efficient systems will have increased costs from these efforts.

Political Realities

As public transportation has responded to consumers, the funding environment has shifted. Traditional sources of revenue for public transit, such as general revenues, sales and property taxes have been impacted by the changes in how goods and services are purchased, and by the macroeconomic environment. Furthermore, public transportation has had to compete with other worthy causes—such as education, public safety, and debt service—leading to additional pressures on transit operators. Operators have turned to innovative funding and financing to address the growing gap.

Need to Increase Yields

As transit boards across the nation consider innovative financing and funding solutions, one of the most important concerns is the ability of new sources to generate the yield necessary to merit the implementation and political costs associated with pursuing a new option.

Importance of Mode-Share Shift

Another concern that boards should consider is the ability of the revenue source in question to affect the mode share of public transit in the community. The mode share has important implications in the ability to garner support for additional revenue and service expansions and in shifting general public sentiment toward public transportation.

The funding sources chosen can influence commuter behavior toward greater use of transit. Consciously being aware of the types of revenue that has this effect can make the job of governing as a board member easier over the medium and long-term and can establish a lasting legacy of results.

Broad Reach Justifies Broad Support

One general theme provides the reasoning for the use of innovative funding: though these sources are innovative because they have not been used for public transit on a wide scale before, the benefits of public transit have a broad impact on society, and it is therefore justified to use these sources.

Types of Innovative Finance and Revenue

Innovative financing and revenue options can be divided into four major categories: 1) emerging opportunities, which are broad based taxes and fees which have rarely been used for transit, but offer the possibility of significant yields; 2) project value capture, which seeks to share in the increased revenue enjoyed by private businesses that locate near transit facilities; 3) market-based user fees, which includes various forms of fees and tolls levied on auto users in an attempt to create a balanced transportation network with robust mobility options; and 4) financing, which provides debt to enhance project delivery, offering the potential to speed implementation which can lead to cost savings.

Type 1: Emerging Opportunities

These types of taxes and fees include: employer/payroll taxes, rental car fees, vehicle lease fees, parking fees, mortgage recording fees, corporate franchise taxes, hotel/motel taxes, and utility fees. Out of these fees and taxes, the biggest impact on mode share shift—making transit a more popular option in your community versus other modes—is parking fees. Though parking fees are often managed by local jurisdictions or a separate parking authority, these fees are the most likely of this type to influence mode choice and positively impact farebox revenues. Transit authorities can also engage local jurisdictions to receive a portion of the parking fees collected, making this an even more attractive option for the bottom line of a transit agency. Unfortunately, this path is also the most politically difficult of the emerging opportunities.

Type 2: Project Value Capture

Project value capture refers to the three primary techniques used to recoup some of the gains experienced by the private sector due to proximity to transit. These include: 1) joint development agreements, in which there is either some form of cost-sharing that benefits the transit agency, or there is revenue provided that supports transit service; 2) value capture, which is the process of capturing some portion of the increase in property value caused by a transit improvement in order to help defray the cost of that improvement. This can be accomplished through the use of tax-increment finance districts that encompass the area likely to benefit from the proposed transit investment; and 3) impact fees, which are assessments that typically are charged as one-time debits to improve transportation facilities in order to accommodate the anticipated increased use of those facilities. When accompanied with transit supportive land-use policies that allow for additional density, project value capture can have a substantial impact on mode share in community.

Type 3: Market-Based User Fees

These types of user fees typically are meant to address the poor operational conditions of the nation's congested roadway network by sending market signals regarding the best times, routes, and overall usage of the personal automobile. These user fees have some of the best potential available to affect mode share shift and improve farebox recovery ratios, even if transit agencies do not receive direct revenue from these sources. However, these techniques are also among the most politically difficult to enact. These include: 1) tolling; 2) congestion pricing, which is the practice of varying tolls based on the level of congestion, as well as the location of congestion, in order to allow for a better flow of traffic and enhanced livability, and 3) Vehicle Miles Traveled fees, which taxes automobile users based on the distance they travel.

Type 4: Financing

Financing Is Not Revenue

Though financing has become a popular topic for discussion, and there are a number of financing mechanisms, the Transportation Infrastructure Finance and Innovation Act (TIFIA) chief among them, it should be noted that financing mechanisms are by and large project delivery mechanisms that utilize future revenue in order to expedite current projects. This process necessitates an available future revenue source that can be utilized to pay off the loan or bond buyers.

Mode Share Shift?: If Used Accelerate a Suite of Projects

As a result, financing will likely only significantly shift mode share, and therefore positively impact farebox recovery if the financing is used to accelerate a suite of projects that will provide significant new transit options in a greatly reduced period of time.

Types and Terms

Two types of financing are currently receiving the most attention: 1) direct loans, such as TIFIA; and 2) tax credit bonds, such as Build America Bonds, and the proposed America Fast Forward bond program.

TIFIA

TIFIA provides loans at low-interest rates and relatively easy repayment terms. Though the program has been mostly utilized for toll projects, some significant transit projects have been funded, including San Francisco's Transbay Transit Terminal, Denver's Union Station, and Los Angeles Crenshaw light rail line.

Build America Bonds/America Fast Forward

Though discontinued, the Build America Bond program offered participants significant savings over traditional tax exempt bonds. As a result, there is a push to once again provide tax credit bonds, the latest proposal is known as America Fast Forward.

The ADA Commitment: Mobility and Independence

In response to transit board members' desires to learn more about accessibility in public transit and best practices regarding implementation of the ADA, APTA's Transit Board Members Committee created an ADA subcommittee. Its mission is to assist transit board members in becoming more effective policymakers regarding ADA related issues. Developed by Easter Seals Project ACTION and APTA, the handbook, *ADA Essentials for Transit Board Members,* is a great resource.

The handbook is available on APTA's website at: www.apta.com/resources/bookstore/Documents/1_ADA%20Handbook_Jan2011.pdf

The handbook is also available at the Easter Seals Project ACTION website: www.projectaction.org/ResourcesPublications/BrowseOurResourceLibrary/ResourceSearchResults.aspx?org=a2GSpnDbruI=&query=Essentials

For resources and information, you'll want to view the section, "What is the Americans with Disabilities Act (ADA)?" at this Easter Seals Project ACTION URL: www.projectaction.org/TransportationtheADA/WhatistheADA.aspx

Summary of the ADA Law and Background

The Americans with Disabilities Act of 1990 (ADA), increasingly recognized as one of the most significant federal civil rights bills enacted in the 20th Century, guaranteed equal opportunity for people with disabilities in employment, public transportation, and public accommodations (such as stores, shopping malls, restaurants, hotels, government services, and telecommunications). All programs, activities, and services provided or made available by state and local government including public transportation are prohibited from discriminating on the basis of disability, regardless of whether or not those entities receive federal financial assistance.

The law is comprised of four titles addressing various types of discrimination. Title I bans discrimination in employment; Title II covers state and local government services; Title III focuses on goods, services, places of public accommodation, and commercial facilities; and Title IV covers telecommunications. The ADA Title II covers publicly funded transportation, such as bus, rail, and ferries that offer service on a regular basis. The ADA does not include air travel for persons with disabilities because the Air Carrier Access Act of 1986 addresses accommodation of passengers with disabilities in commercial air carriers.

Since the passage of the ADA, reliance on accessible public transportation continues to grow. Thanks to advances in technology and expansion of accessible transit services, public transit riders with disabilities have enjoyed increased freedom, choice, mobility and independence. In the past, the primary destinations for a rider with a disability tended to have been medical facilities or other essential services. Now, destinations are as varied as those of non-disabled riders, including work, school,

shopping and recreational destinations. As a direct result of the ADA, countless persons with disabilities have successfully transitioned to living independently in their own homes and have made significant contributions to the economic vitality of their communities.

Public transportation agencies have come a long way in providing service to persons with disabilities. From 1995 to 2011, the percentage of buses that are accessible increased from 60 percent to 99 percent. In the same period, the accessible portion of the commuter rail fleet went from 43 percent to 85 percent, the light rail fleet from 49 percent to 88 percent, the heavy rail fleet from 83 percent to 99 percent, and the trolleybus fleet from 47 percent to 100 percent. Vehicles with automated stop announcements represent 53 percent of the nation's bus fleet, 30 percent of the commuter rail fleet, 55 percent for heavy rail, and 73 percent for light rail.

The following is a summary of some of the ADA's fundamental transit provisions:

- All new public transportation buses and rail cars must be accessible to individuals with mobility, hearing, and vision disabilities.
- Retrofitting old vehicles was not mandatory.
- When purchasing or leasing used or remanufactured buses, good faith efforts must be made to procure accessible vehicles.
- Requirements are the same when private contractors provide public transport service.
- Accessibility features are required to assist persons with mobility, sensory, and cognitive disabilities.

Bus Service

- Buses must have a lift or ramp as a means of providing access to wheelchair users and at least two wheelchair securement devices. Standees and other individuals with disabilities who are not using wheelchairs must be allowed to use the lift or ramp to enter the vehicle.
- All wheelchairs that fit on the lift and their users shall be transported, even if the securement does not fit the wheelchair. The driver must assist with securing the wheelchair upon request or when necessary.
- Providers must have regular maintenance checks of lifts, ramps, and kneeling features. When an accessibility feature is out of order, reasonable steps must be taken to accommodate individuals who would have used the feature and repair the feature promptly. If the headway to the next accessible vehicle is longer than 30 minutes, the agency must provide prompt transportation.
- Operators must report an inoperative feature and the agency must remove the vehicle from service by the next day. If no spare vehicle is available and service levels would be reduced without the vehicle with the inoperable accessibility feature, the vehicle may remain in service five days in a service area of 50,000 or less in population, or three days in an area of more than 50,000 population.
- The operator must allow a person to board using the lift, ramp, or kneeling feature unless the feature cannot be used or would be damaged at the stop, or the stop is unusable altogether.
- The operator may not require individuals with disabilities to use the priority seats, but must ask others to move from them or the securement locations when needed.

- Bus stops along fixed routes must be announced at transfer points, major intersections, destinations, any requested stop, and at intervals along the route sufficient to all persons with vision disabilities to be oriented to their locations.

Paratransit Service Near Fixed-Route Bus Lines

- With the exception of commuter bus routes (e.g., limited stops suburb to downtown) and university transportation, complementary paratransit service for those unable to use fixed-route services must be available within ¾ mile on each side of the fixed bus route or core areas near routes. The hours and days of service must be the same as the fixed-route service and there are no restrictions relating to trip purpose.
- If an attendant is needed to travel, the attendant rides free. In addition, one associate may ride at the same fare as the eligible rider.
- The fares may not be more than twice the full fixed-route fare (not a discounted fare). Higher fares are permitted for bulk trips guaranteed to social service agencies.
- Paratransit service is not required beyond the point of 'undue financial burden'—a term that is strictly interpreted by the U.S. DOT.
- Eligibility to ride the paratransit service is functional; residency is not a factor. Eligibility must be determined within 21 days of completed application or the riders have presumptive eligibility. The process may include testing or functional evaluations and there is an appeals process. The passenger must receive written documentation of their eligibility. Visitors who provide eligibility documentation from another city or have documentation of residence and disability (if it is not apparent) may ride paratransit for 21 days in a 1-year period.

  Category 1, Eligibility—people with physical or mental impairments who cannot use the fixed-route buses—includes, for example, people with cognitive disabilities who don't know where to get off the bus or how to get to their destination without help or blind persons who have not had mobility training to get to their destination.

  Category 2—people who can use an accessible bus—includes, for example, a wheelchair user who transfers from an accessible route to a non-accessible route.

  Category 3—people with specific impairments that prevent travel to or from the boarding or alighting location—includes, for example wheelchair users who cannot travel to the fixed-route buses when it snows and need paratransit, but can use the regular bus otherwise.

- Eligibility may vary for different trips or at different times.
- Suspensions of passenger eligibility may be made for repeatedly missing trips and there must be an appeals process.

Rail Service

- On Amtrak/intercity rail, the number of wheelchair spaces must equal twice the number of cars on the train, but no more than four spaces per car. Accessible dining cars should adjoin accessible passenger cars.
- All stations must be accessible by 2010—20 years after the 1990 ADA law was enacted.
- All new passenger stations must be accessible and older key stations must be retrofitted for accessibility unless an exception was granted.
- On commuter, rapid, and light rail, new cars must be accessible. There must be at least one accessible car per train.
- Key stations—where passenger boardings are 15 percent or more above average for the system—must be made accessible, with extensions for extraordinarily expensive modifications . . . from 1993 to 2013 (20 years) for commuter rail and to 2023 (30 years) for rapid and light rail.

Level Boarding—Commuter & Intercity Rail Stations

- The idea of enhanced accessibility and increased mobility options for riders with disabilities has the industry's full support. The intention is to provide service in the most integrated setting that is reasonably achievable.
- Rail station requirements for new or altered commuter, intercity and high-speed stations platforms:
- Where no track through station is shared with freight, full-length level-entry boarding is required
- Where track through station is shared with freight, a passenger railroad must meet performance standard:
  - Passengers with disabilities, including wheelchair users, can access each accessible train car that other passengers can access
  - If it cannot provide full-length level-entry boarding at such a station, a passenger railroad can choose to meet performance standard through use of car-borne lifts, station-based lifts, or mini-high platforms (with multiple stops if needed)
  - Railroad must provide plan to FTA or FRA explaining how its chosen means of meeting performance standard will work

Paratransit Service Near Rail

- Paratransit is required for light rail and rapid rail within a 1.5-mile diameter (¾ mile radius) circle around each station. At end stations and outlying areas, the diameter may be widened to three miles.
- Service is required to any point in one circle to any point in another circle.
- Eligibility is the same as for bus, except for persons who can use an accessible rail system but key stations are not yet accessible. Transit agencies' obligations are only to provide transportation between concentric circles centered on key stations.

Factors and Best Practices Regarding ADA Implementation

Significant and challenging factors of service that transit board members and their agencies work with include:

- Financial Resources & Increasing Efficiency—ADA transportation providers must balance their financial resources with the demands for paratransit services and zero-denial policy. Rising fuel and labor-related costs have resulted in an increasingly significant financial commitment for transit systems. One transit system reported that its paratransit service cost 18 percent of its operating budget and represented only three percent of passenger boardings. Meeting all of the demand for paratransit service with quality customer service while maintaining a budget is a continual, good-faith effort.

- Pedestrian Environment, Planning, and Zoning—Many locations are setting a high priority for developing the environments and services that people with disabilities need to get around. Zoning and community design must consider areas in which services are close by and accommodations are available for people with disabilities of all ages and with varying degrees of disability. Planning projects in land use and transportation need to prioritize the mobility of these populations and provide pedestrian accessibility. When people are close to work, medical care, grocery and drug stores, restaurants, shopping, and entertainment, many don't need a car and transit can be more frequent and cost-effective.

- Bus and Rail Stop Announcements—Implementing the bus stop announcement requirements continues to be a challenge for many fixed-route bus and rail systems and can be an impediment to travel for individuals with both vision and mobility disabilities.

  Bus—Without purchasing automated bus stop-calling technology, one provider worked with the operators union to agree on a new secret rider program to monitor the drivers' stop calling. At first, the secret riders only collected and shared the information, providing a grace period so everyone could become comfortable with the system. Only after the grace period expired were the results used in connection with employee discipline—initial warnings, then citations, then work suspensions or eventually, termination. The success rate in bus stop-calling is often well over 90 percent. Performance below 75 percent is subject to discipline.

  Rail—With center platforms and north/south trains on either side of one station, visually impaired riders had no way to know which side was which. The agency arranged for male voices to announce trains in one direction and female voices to announce trains going the other direction.

- Wheelchair Size & Securement—Wheelchair securement issues include the difficulty of securing some mobility devices and ensuring that operators properly secure them. With the growing trend of funding agencies mandating purchase of the least expensive wheelchair, and therefore often larger wheelchair, transporting such wheelchairs may become an issue if the wheelchair cannot fit on the vehicle ramp or lift.

The Department of Transportation final rule, Transportation for Individuals with Disabilities at Intercity, Commuter, and High Speed Passenger Railroad Station Platforms; Miscellaneous Amendments, 49 CFR Parts 37 & 38, Docket OST-2006-23985 (in the Federal Register Sept. 19, 2011 at: www.gpo.gov/fdsys/pkg/FR-2011-09-19/pdf/2011-23576.pdf) included the following:

- If the service provider's equipment (lift and space inside the vehicle) will safely accommodate a wheelchair of greater size and weight than the "common wheelchair" definition (maximum 600 lbs. including the passenger, dimensions 30 × 48 in.) the provider should carry the passenger in her or his wheelchair.
- Limitations on carrying the larger or heavier wheelchair and passenger must be based on actual risks rather than speculations or generalizations.
- Wheelchairs are now defined as three- *or more* wheeled devices (versus the previous three or four wheels).
- A new category of "other powered mobility devices" (OPMD) is not necessarily required to be accommodated but should be served unless there is a limitation due to safety requirements. The transportation provider bears the burden of proof in this case.
- To justify a limitation of providing service to a passenger with a disability, the provider must show that the passenger and/or mobility device would present a direct threat to the safety or health of others (not to her or himself) that cannot be eliminated by modifying policies or procedures.

- Paratransit Managers and Employees—Many transit agencies are challenged to recruit and retain paratransit service managers and ensure that they have parity in pay, benefits, and status in the organization. Some systems noted that there is a discrepancy between the wages and benefits of paratransit and fixed-route operators.

- Eligibility—If transit agencies provide only full-time paratransit or no eligibility, rather than some form of conditional or functional trip-by-trip eligibility, riders tend to fear losing their paratransit eligibility and tend not to try using the fixed-route service.

The U.S. DOT and FTA have provided regulations and policy guidance. In the *Federal Register*, September 6, 1991, DOT published 49 CFR Parts 27, 37 and 38, Transportation for Individuals with Disabilities; Final Rule, implementing the transportation provisions of the ADA. Other amended rules have been issued.

Other information board members may want to review:

- The FTA is in a two-year process of issuing 12 chapters of guidance regarding the ADA to clarify and offer examples of good practices.
- The U.S. DOT final rule, Transportation for Individuals with Disabilities at Intercity, Commuter, and High Speed Passenger Railroad Station Platforms; Miscellaneous Amendments, 49 CFR Parts 37 & 38, Docket OST-2006-23985 (in the *Federal Register,* Sept. 19, 2011 at: www.gpo.gov/fdsys/pkg/FR-2011-09-19/pdf/2011-23576.pdf).

- U.S. DOT Disability Law Guidance, Questions and Answers Concerning Wheelchairs and Bus and Rail Service, at www.fta.dot.gov/12325_15055.html
- Disability Rights Education and Defense Fund (DREDF) Topic Guides on ADA Transportation available at www.dredf.org/transportation/ on these subjects:
    - Equipment Maintenance
    - Stop Announcement and Route Identification
    - Eligibility for Paratransit
    - Telephone Hold Time in ADA Paratransit
    - Origin to Destination Service in ADA Paratransit
    - On-time performance in ADA Paratransit
    - No-shows in ADA Paratransit

The ADA services are about people. These specific types of personal services require cooperation of transit agencies and people with disabilities. If providers want the customer to come first, they will remember that each rider has an individual experience. Customer service can be very personal and rewarding; the industry is full of examples of excellent, accessible passenger service.

Please see references for this chapter: 3, 7, 8, 42, 70

Strategic Planning

Boards take the lead role in the strategic planning process, helping to create the future by defining the organization's vision, mission, core values, challenges, opportunities, long- and short-term goals, policies, objectives, processes, and performance evaluation. It's a fresh look . . . a flexible, continuous, and participative process, whether the agency is a small, medium, or large transit provider.

Often, a board retreat is the preferred setting for this collaborative work; this was the case for three-quarters of transit systems surveyed (see below).

From the TCRP Synthesis, *Strategic Planning and Management in Transit Agencies* and the project's 2005 industry survey, transit systems created and used strategic plans as follows:

- All multimodal or large systems with more than 500 buses
- 9 in 10 (90 percent) of medium-sized systems with 101-500 buses
- Three-quarters (74 percent) of smaller transit agencies with 100 or fewer buses

The use had substantially increased over the past 15 years. In 2005, the average was 82 percent of agencies using strategic planning compared with an average of 59 percent in the mid-1980s.

The benefits reported included creating a new vision for the agency; encouraging board and staff members to take a more long-range view; developing new services and restructuring existing services; guiding policymakers and implementers; prioritizing programs and projects; becoming more customer- and market-focused; gaining the input and support of key external stakeholders; and justifying the need for increased funding.

The strategic planning process focuses on three main areas: services, the staff and board, and external relations. Agencies regard their strategic plans as living, evolving, flexible documents and many update their strategic plans annually. Implementing the plan is an important process that should be part of the plan itself.

Examples of portions and summaries of the strategic plans of some APTA-member transit systems may be viewed at: www4.trb.org/trb/onlinepubs.nsf under TCRP Synthesis Reports 59. One transit system's strategic plan is a 1-page document organized into the three main areas above.

About two-thirds of transit agencies employed a consultant's services to conduct pre-retreat interviews; create, disseminate, and analyze questionnaires; summarize the trend analyses and data; and facilitate discussions at the staff level and board retreat.

What is the process? Typically, these are the steps:

1. **Planning to plan**
   This includes the time frame desired for the process through its conclusion, deciding who should be involved, their roles, the series of meetings, their formats, and scheduling. Will there be a task force to drive the process? The task force normally includes a board subcommittee and

the CEO. Will there be a facilitator? How will the facilitator be selected and what will his or her role be? What shall be the deliverables?

The process must be part of the budget which includes staff and facilitator time, expenditures for listening sessions and retreats, AV equipment, food, telephone conference calls, etc.

2. **Analyzing facts and trends**
   These may include: the agency's statistical performance data; business results; results of rider/nonrider, stakeholder, and board surveys and interviews; labor trends and human resources; stakeholder and advocacy analyses; summaries of public hearings, complaints, and public comments; external, demographic, political, social, and economic trends and events; and benchmark comparisons with other transit services and private-sector companies. This analysis helps to answer, "Where are we and what is likely to be ahead of us?"

   One method suggested was to first ask the staff what the board's goals are and second, to ask the board members themselves. A difference in their answers was an immediate indicator about future planning and communications and enabled the facilitator to gain an independent sense to help the agency become a cohesive team.

3. **Assessing the agency's strengths, weaknesses, opportunities, and threats (SWOT analysis)**

4. **Creating the organizational vision and writing it down as a vision statement**
   Some fill in their ideas: "If we were successful in X years, the world would look like this . . . and our mission to accomplish this vision would be . . . "

5. **Developing a mission statement, goals, and objectives**
   The advice is to make early decisions on the meaning of words rather than continue the debate about the difference between the vision and mission, or goals and objectives.

   One organization's strategic goals were to: create a safety conscious culture throughout the agency, its customers and business partners; improve transit services; attract, develop, and retain employees; create a positive image of the organization; deliver quality capital projects on time and within budget; provide leadership for the region's mobility agenda through responsive planning and resource allocation; and improve the efficiency and effectiveness of the agency.

   Often, the board is not involved in the setting of objectives, assigning the tactical work of objectives and action steps to staff members. The board will want to review the work to see that the objectives are specific, measurable, attainable, results-oriented, and time-determined (SMART).

6. **Identifying core values**
   For examples, included in its strategic plan, APTA's core values are:
   - Leadership
   - Integrity
   - Excellence

- Diversity
- Inclusiveness
- Fairness and Equity
- Teamwork
- Professionalism
- Accountability

7. Defining the strategic issues facing the agency

8. Forming strategic initiatives to manage the issues

9. Clarifying the desired outcomes

10. Writing the plan

Shorter, concise statements are best. Shorter plans are better than longer ones.

11. Planning to implement the plan

- Written agreement about when and how to update the strategic plan with milestones to report progress and evaluate the plan's success will help ensure that the plan will be implemented.
- Quarterly staff reports to the board are recommended.
- Board committees that are responsible for leadership in the specific areas should plan to relate their work to the strategic plan and report accordingly to the full board.
- Community members who will help move the transit system's goals forward should be identified. Specific staff and board members would be assigned to stay in touch with them.

Annual plan updates should be scheduled so that the strategic plan reflects changes and new opportunities that arise.

Please see references for this chapter: 32, 33, 37, 38

MPOs

What is a Metropolitan Planning Organization?

An MPO is transportation policy-making and planning organization with representatives of local, state and federal government and transportation authorities. MPOs serve as a forum for cooperative decision-making involving key stakeholders. It is a federal requirement in Census urbanized areas of 50,000 or more in population.

The policy committee or board is the designated MPO, not the staff.

MPOs can stand alone or be part of a broader council of governments, while others could be part of state departments of transportation.

MPO Structure

Policy Committees and Boards

For Transportation Management Areas (areas with more than 200,000 in population), the MPO shall consist of local elected officials, officials of public agencies that administer or operate major modes of transportation in the metropolitan area, including representation by providers of public transportation, and appropriate state officials.

For all MPOs, designation occurs by agreement between the governor and local governments representing at least 75 percent of the population including the largest incorporated city.

Policy committees determine their own representation and decision-making procedures; some require consensus, others require a majority.

Planning or Technical Committees

Many MPO structures have a planning or technical committee that serves as an advisory body to the MPO board for transportation issues, technical in nature.

The technical committee is where much of the "action" occurs. The committee oversees MPO technical work and develops recommendations on projects and programs for MPO board consideration.

Many committees have standing subcommittees, for example Transportation Improvement Program, transit, and program administration to name a few.

In typical MPO structure, MPOs have a community advisory committee which acts in an advisory capacity to an MPO board as liaison to the public. It may assist in managing and organizing public meetings and comments. They may include representatives of stakeholder and advocacy groups like neighborhood, environmental, bicycle and pedestrian, or transit users.

Why Have an MPO?

Planning's job is to elicit the region's shared vision for the future. It requires an examination of the region's future investment alternatives. Transportation investment means allocating scarce transportation funding resources that achieve outcomes that move toward the vision.

There are several federally required products. These include: the Long Range Transportation Plan (LRTP), the Unified Planning Work Program, Transportation Improvement Program (TIP), and Public Participation Plan. Other federal requirements include a Coordinated Public Transit-Human Services Transportation Plan and in TMAs, a congestion management Process. In Clean Air Act non-attainment areas, MPOS must develop an air quality plan. The LRTP and the TIP are subject to conformity analysis.

Advocacy

Highly visible in their communities, transit board members have access and the ability to work with local leaders, neighborhood groups, organizations, and the media. Their messages support public transportation's contribution to mobility, quality of life, and economic growth, giving evidence of its benefits. The results of the board's advocacy will be greater understanding, transit use, and support.

The advice is to determine the outcomes your agency wants from board communications and outside relationships and what the board member must do to achieve them. Board members will be calling county council presidents, for example, to discuss transit's benefits and convey reasons to support transit.

APTA's advocacy website for the public is at www.publictransportation.org.

Following are persuasive positions for board members to advocate the benefits of public transit—with audiences of riders and non-riders, legislators, voters, and nearly everyone.

Public Transportation Benefits Everyone & the Majority Say They Want Public Transportation: Where Public Transportation Goes, Community Grows

Public transportation improves the quality of life in communities across the country by providing safe, efficient and economical service. It is a vital component for a healthy economy. It benefits the people who use it, but also the community.

In 2014, APTA developed a new advocacy campaign—Where Public Transportation Goes, Community Grows. This is based on research that shows Americans understand that public transportation, in addition to providing mobility and creating jobs, also spurs community growth. Campaign materials can be found at www.publictransportation.org.

The average approval rate for transit/multimodal ballot measures over the last 10 years is 71 percent. Transportation ballot measures pass at twice the rate of all other ballot measures.

Some of the most significant benefits of public transportation are:

Eases Traffic Congestion

Public transportation helps to alleviate the congestion on our nation's increasingly crowded network of roadways. According to a *Texas Transportation Institute Urban Mobility Report*, public transportation reduces traffic delays and costs in America's 85 largest urban areas. In America's most congested areas, transit saved travelers more than one billion hours in travel time. Without public transportation, travel delays would have increased by 27 percent.

Creates and Sustains Jobs

The public transportation industry creates—and sustains—jobs for the nation's economy. In addition to about 400,000 people directly employed by the public transportation industry or directly-related areas—engineering, construction, manufacturing and retail industries—other jobs are created.

Provides Access to Jobs

Almost half of the nation's Fortune 500 companies are headquartered in America's transit-intensive metropolitan areas. Examples of cities where companies have located near public transportation are many and include Chicago, Atlanta, and Dallas. Businesses tied to public transportation are experiencing easier employee recruitment, more employee reliability, and less absenteeism and turnover.

Stimulates Economic Development

A new study, *Economic Impact of Public Transportation Investment,* reveals that for every $1 invested in public transit $4 in economic returns is generated. Investment in public transportation will lead to more than 50,700 jobs per $1 billion invested, with 28,900 jobs per $1 billion attributed to productivity gains enjoyed by households and businesses.

Boosts Real Estate Values

Real estate—residential, commercial and business—served by public transportation can command higher rents and maintain higher value than similar properties not as well served by transit. The study released by APTA and the National Association of Realtors (2013), *The New Real Estate Mantra, Location Near Public Transportation*, found that between 2006 and 2011, residential sales prices (near transit) outperformed the region as a whole by over 40 percent in five regions studied: Boston (heavy and commuter rail, bus and BRT), Chicago (heavy/commuter rail and bus), Minneapolis-St. Paul (newer light and commuter rail and bus), Phoenix (newer light rail and bus), and San Francisco (legacy rail and commuter rail). The recession during that period had emphasized the economic implication of housing choices in relation to transportation.

Fosters More Livable Communities

Studies have shown that consumers are willing to pay more for housing located in areas that are walkable, higher density, and have a mix of uses with access to jobs and transit. Public transportation facilities are natural focal points for communities that encourage economic and social activities and strengthen neighborhood centers so they are economically stable, safe, and productive. When people ride public transportation or walk, contact with neighbors tends to increase, helping bring a community closer. Transit-friendly walkable communities reduce reliance on cars and promote higher levels of physical activity. These settings may generate half the automobile trips of similarly sized modern day suburbs.

Provides Mobility for Seniors

By the year 2025, 18 percent of the U.S. population will be 65 and over, and about one in five people 65 and older do not drive. Public transportation is often the only viable way for some senior citizens to get

around. With the coming 'silver tsunami,' of an older population, meeting their transportation needs is a major community objective and a national goal. Public transportation services, including regular route service and mini-buses, represent a lifeline for seniors, linking them with family, friends and a vibrant life. The 2005 White House Conference on Aging ranked ensuring that older Americans have transportation options among the top three priorities.

Provides Access for Rural Areas

Public transportation is equally important to America's rural heartland, where 40 percent of residents have no access to public transportation services and another 25 percent have very little access. Transportation service is critical for rural America's 30 million transit-dependent persons, including senior citizens, low-income families and people with disabilities.

Improves Air Quality

Public transportation plays a vital role in reducing pollution, producing 95 percent less carbon monoxide, more than 90 percent fewer volatile organic compounds, and nearly half as much carbon dioxide and nitrogen oxides for every passenger mile traveled as compared to traveling with private vehicles.

Reduces Energy Consumption

Americans living in areas served by public transportation save 865 million hours in travel time and 450 million gallons of fuel annually in congestion reduction alone. *(Reference 49)*

Saves Money

Public transportation saves money. The average household spends 17.5 cents of every dollar on transportation, 94 percent of which is for buying, maintaining, and operating cars, the largest expense after housing. America's poorest households spend more than 40 percent of take-home pay on transportation. *(Reference 60)* Using transit reduces the needs for additional cars. Annual costs for public transportation are far less than the costs of owning or leasing a car.

Enhances Mobility During Emergencies

The availability of public transportation in emergencies has proven to be critical in maintaining basic mobility and safety for individuals in harm's way. Public transportation has maintained service, helped evacuate threatened areas, and transported emergency personnel during emergencies. One city admitted that it would be impossible to evacuate, should everyone be driving away from an emergency area on the roads and highways; traffic would be generally at a standstill.

Ensures Safety

Public transportation continues to be one of the safest modes of travel in the U.S. Safe travel is a high priority of public transportation systems, federal, state and local governments and APTA. While no one wants to think of fatalities, FTA data show that from 2003 to 2008, deaths per 100 million miles

of passenger travel were 1.42 deaths for motor vehicles (cars, trucks), 0.06 deaths for commuter rail, 0.05 deaths for transit buses, and 0.03 deaths for Amtrak. *(Reference 59)*

The public transportation industry and APTA continue to promote partnerships in safety and security. APTA's safety and security management programs and peer reviews are recognized internationally and provide leadership in program development, benchmarking of effective practices, and delivery of safety and security program audits of transit systems. These comprehensive programs examine every area of transit planning, construction, acquisition, operations and maintenance to ensure the safety of our public transportation passengers and employees.

Why Is Public Transportation Safe?

- Transit vehicle operators are highly trained to drive defensively and anticipate potential safety problems.
- Public transportation vehicles are generally much larger and more substantially built than personal automobiles or vans.
- Most people on rail cars and busways travel on separate rights-of-way.
- Light rail, commuter rail and cable cars encounter grade crossings, many of which are protected by crossing gates.
- Passengers ride approximately 3-4 feet above the ground, offering protection from the most common area of impact.
- Providing more security than roadways, many transit systems feature new visual, voice and data communications systems linking vehicles, stations and riders with state-of-the-art operations centers.

Growing Investment Needs

America's transportation system has 4 million miles of roads, 117,000 miles of rail, 600,000 bridges, 11,000 miles of public transit including more than 5,000 miles of rail transit, more than 3,000 rail stations, 19,000 airports, and 26,000 miles of commercially navigable waterways. As much of that infrastructure was built decades ago, every American, elected official, and business must care about the future of our transportation network. *(Reference 61)*

Well designed infrastructure investments raise economic growth, productivity, and land values. Now there is little direct private investment in highway and transit systems due to the current method of funding infrastructure which lacks mechanisms to attract and repay direct private investment in specific infrastructure projects. Proposals to create conditions for greater private sector co-investment in infrastructure projects include a national infrastructure bank. The U.S. Department of the Treasury estimated that about 90 percent of the jobs created by investing in transportation infrastructure would be middle class jobs defined as those paying between the 25th and 75th percentile, mainly in the construction and manufacturing sectors and retail trade. *(Reference 62)*

Funds to Build and Operate Public Transportation

Public transportation funds come from two main sources, capital and operating. Capital funds are used to finance infrastructure needs such as new construction and rehabilitation of existing facilities. Operating funds provide income for operational expenses. In 2011, public transit was a $58 billion industry with $41.3 billion in operating expenditures and $16.7 billion spent on capital investments. *(Reference 3)*

Summary

It is evident that public transportation is a key piece of our nation's transportation system. Congestion is increasing, gas prices are high, and people in record numbers are choosing to use public transportation. People are saying they want more public transportation and they are willing to pay for it, even if it means paying more taxes.

Clearly, America's public transportation network is an economic engine moving the country forward in the 21st Century.

Sources: APTA *Fact Book* and Reference 58

Talking with Congressional Representatives, Senators, and Staff

Many board members know the elected officials who represent them in the U.S. House of Representatives and Senate. One idea to position requests is to frame them in terms of investment rather than funding. Ideas to help board members in working with their representatives follow:

- Work first with APTA to learn the national perspective. Association members have been successful by speaking with one voice. APTA can offer advice on both sides of the issues and help overcome objections.
- Come with three issues that are important to one's agency. This helps focus members on a manageable number of priority issues. By giving members a cause to rally around, they will be more enthusiastic.
- Have talking points, leave briefs and materials. Practice and try role playing.
- Make sure your message is succinct and clear and to the point. Focus on the quality of the meeting.
- Discuss how legislation affects your system, e.g., cutting funding means eliminating X number of routes, and name the areas affected.
- Call congressional offices to schedule meetings. No Mondays or Fridays. Congressional staff pays attention to calls from home and are more likely to assign more senior staff to meet with constituents. Whoever schedules congressional visits should have real contacts and relationships.
- Also make appointments at the Federal Transit Administration or the Federal Railroad Administration.
- A coalition of Chamber members and transit representatives shows solidarity and support. Tie-in with other community groups.
- Make sure everyone gets to their meetings.

- Talk to everyone whether or not they support transit. Know when the members of Congress votes are truly up for grabs.
- Plan related events on the Hill or not far away, so people in your group aren't walking too far.
- Try to get appointments with key agency people—Department of Energy, Department of Education.
- Don't ask for support, ask for action. And provide a reason why it is urgent to act soon.

Mobility Management: Better Integrating Our Travel Options

Personal mobility is among the most valued aspects of the American lifestyle. Historically, however, each component of our surface transportation network—auto use on streets and highways, public transportation, rail, as well as pedestrian and non-motorized facilities—has been developed and operated through varied, often competing arrangements involving both public and private ownership, management and investment.

Mobility management encompasses all of the transportation options within a region:

- by focusing on personalized, customer-oriented services
- by integrating transportation options with user lifestyle needs

Mobility management balances the travel needs of individual users with the operational needs of the entire transportation system. It brings together all transportation modes and makes best use of investment in existing transportation infrastructure. *(Reference 66)* The goal is a seamless transportation network that integrates and coordinates travel information, fare and payment systems as well as the vehicles and personnel that provide services, regardless of who owns the transportation assets.

The emerging challenge for public transportation agencies and transit board members is to consider whether the transit agency's mission should be enlarged from 'traditional' bus, rail and paratransit operations to a broader, more strategic mission of 'managing mobility' by playing a lead role in integrating the full range of personal transportation services, resources and decision-making on a community or region-wide basis. As an example, members of the Canadian Urban Transit Association (CUTA) have embraced this broader vision: "To inspire and influence the evolution of integrated urban mobility."

Recent research here and abroad illustrates how long-standing independence among modes of travel and providers is giving way to cooperative, mutually beneficial ***partnerships*** and ***coordination*** that better reflect and serve customer and community needs. *(References 67 and 68)* Transit agencies in areas as large as San Francisco, CA and Denver, CO and as small as Tompkins County (Ithaca, NY) and others have embraced the broader strategic responsibility to integrate and expand the availability of services. They are leading efforts to manage mobility across modes, across jurisdictions and across organizations while continuing to oversee operation of traditional transit services. *(Reference 69)* To support the broader mobility management role and mission, transit agencies are also embracing other fundamental changes, including:

- Adoption of customer-based measures of performance
- Increased collaboration among various service providers and other interests and actors
- Increased integration among partners of assets, services, information systems, resources, personnel, business systems and functions among partners
- Enhanced information technology to link transit agencies, partners and customers
- Changes in organizational structure to better align the organization with the mobility management mission

Initiatives in any or all of these areas are likely to enhance the transit agency's ability to better manage mobility with the purpose of enhancing the customers' travel experiences while operating more effectively and efficiently in meeting agency goals and community mobility needs.

Please see references for this chapter: 66 to 69.

Sustainability

Introduction

Sustainability, at its core, is a way to make our communities more livable by integrating and balancing economic, social and environmental needs. The transit agency, with its role in linking communities and enabling environmental- and cost-effective mobility, inherently incorporates many of the central concepts of sustainability.

- Employing practices in design and capital construction, such as using sustainable building materials, recycled materials, and solar and other renewable energy sources to make facility infrastructure as 'green' as possible
- Employing practices in operations and maintenance such as reducing hazardous waste, increasing fuel efficiency, creating more efficient lighting and using energy-efficient propulsion systems
- Employing community-based strategies to encourage land use and transit-oriented development designed to increase public transit ridership and promote active transportation activities
- Employing best practices for enhancing training and development pertaining to environmental awareness opportunities
- Incorporating safety and emergency preparedness into best practices to ensure well-being of employees and transit patrons
- Realizing co-benefits of sustainability, including cost savings and increased operational efficiency
- Increasing customer satisfaction and welfare to enhance the choice of transit over modes

APTA Sustainability Commitment

Sustainability initiatives at the agency may reside in any number of departments—environmental compliance, finance, maintenance, community relations, quality assurance, operations, and corporate safety. As sustainability initiatives are generally cross-cutting in nature and require collaboration across the agency, a sustainability "program" that is facilitated by one (or at most two) departments may be more appropriate. It is important to recognize and publicize this notion that sustainability requires the cooperation and participation of all levels of an organization, where every facet and department within an agency has the ability to influence internal and/or external sustainability efforts.

Transit board members, should whenever feasible, advocate for the development of a sustainability program considering agency-specific constraints and culture. An agency's commitment to a core set of actions on sustainability, such as those in APTA's Sustainability Commitment, reflects an agency's larger dedication to the environmental, social, and economic welfare of the agency's staff and the community it serves.

APTA's Sustainability Commitment includes the following core principles:

1. Making sustainability a part of your organization's strategic objectives
2. Identifying a sustainability champion within the organization coupled with the proper human and/or financial resources and mandates
3. Establishing an outreach program (awareness-raising and education) on sustainability for all staff of your organization
4. Undertaking a sustainability inventory of your organization

Safety: A Safe Trip, A Safe Work Place

Public transit as an industry prides itself as the safest means of transportation, and it's a responsibility of transit board members to assure that the promise of a safe trip and a safe work place is being delivered to our customers and employees. How does a board member fulfill this responsibility?

It's a matter of setting the tone that helps create a positive safety culture for the organization. What distinguishes an agency with a good safety record isn't necessarily the age and condition of its equipment but rather the attitude that its employees bring to the job. Safety awareness means not only safe actions but taking responsibility for the actions of others—noticing things that need to be fixed and bringing them to someone's attention. Spreading this culture throughout the organization begins at the top and filters through each level.

Larger, more complex systems may want to create a board safety committee. Board members aren't out there doing safety reviews of buses or rail track, but they need to energize the process. Include safety performance data as part of your routine review of agency performance and the board's performance agreement with its chief executive officer. Be sure you know who provides that oversight for your agency and take note of their recommendations. As you visit facilities, be sensitive to their condition—a clean and neat workplace is likely to be a safe one.

Keep safety in mind as you make budget decisions, keeping equipment in a state of good repair and staffing at levels where schedules can be met without fatigue-generating overtime. Take ownership of the agency's System Safety Plan through board action and understanding of the actions it calls for. See to it that any accidents or incidents are investigated so that corrective actions can be taken. When bad things do happen, you can't ignore them or simply look to place blame. Board members must understand the underlying causes and know that the public understands that they are being dealt with.

When good things happen, which should be most of the time, celebrate the victories—schedule recognition for the agency's safety champions . . . the multi-million mile operators and the accident-free work places that set the examples for their peers.

And finally, remember that APTA is here to help. APTA's safety audit programs and peer review panels are tailored to the needs of various size properties and can provide your agency with benchmarking of its performance as compared with its peers. When your neighbors ask you what a board member does, tell them that your top priority is assuring that every rider gets to the end of the ride and every employee gets to the end of the work day in the same condition they were at the beginning. It's what they expect and deserve.

General Acronyms

AAR	Association of American Railroads
AASHTO	American Association of State Highway and Transportation Officials
ACT	Association for Commuter Transportation
ADA	Americans with Disabilities Act
AMPO	Association of Metropolitan Planning Organizations
ANSI	American National Standards Institute
APA	American Planning Association
APTA	American Public Transportation Association
APTF	American Public Transportation Foundation
AREMA	American Railway Engineering and Maintenance of Way Association
ARTBA	American Road and Transportation Builders Association
ASCE	American Society of Civil Engineers
ASTM	American Society for Testing and Materials
ATM	Americans for Transportation Mobility
ATSC	American Transit Services Council
ATU	Amalgamated Transit Union
CENELEC	European Committee for Electrotechnical Standardization
CFTE	Center for Transportation Excellence
COMTO	Conference of Minority Transportation Officials
CTAA	Community Transportation Association of America
CUTA	Canadian Urban Transit Association
DOT	Department of Transportation
EIA	Electronics Industry Association
FHWA	Federal Highway Administration
FRA	Federal Railroad Administration
FTA	Federal Transit Administration
IACVB	International Association of Convention and Visitor Bureaus
IBEW	International Brotherhood of Electrical Workers
IBTTA	International Bridge, Tunnel and Turnpike Association

IEC	International Electrotechnical Commission
IEEE	Institute of Electrical and Electronics Engineers
IISTPS	Norman Mineta International Institute for Surface Transportation Policy Studies
ISAC	Information Sharing and Analysis Center
ISO	International Standards Organization
ISTEA	Intermodal Surface Transportation Efficiency Act
ITE	Institute of Transportation Engineers
ITI	Intermodal Transportation Institute (University of Denver)
ITRE	Institute for Transportation Research and Education at North Carolina State University
ITS	Intelligent Transportation Society of America
MAP-21	Moving Ahead for Progress in the 21st Century
MTI	Mineta Transportation Institute
NACo	National Association of Counties
NAPTA	National Alliance of Public Transportation Advocates
NARC	National Association of Regional Councils
NARUC	National Association of Regulatory Utility Commissioners
NAS	National Academies of Sciences
NATSA	North American Transit Services Association
NATSCO	North American Transit Supply Corporation
NCSL	National Conference of State Legislatures
NEMA	National Electrical Manufacturers Association
NFPA	National Fire Prevention Association
NLC	National League of Cities
NOAA	National Oceanic and Atmospheric Administration
NPRM	Notice of Proposed Rulemaking
NTD	National Transit Database
NTI	National Transit Institute (Rutgers University)
PPS	Project for Public Spaces
PRESS	Passenger Rail Equipment Safety Standards
PTI	Pennsylvania Transportation Institute at Penn State University
R~V	Rail~Volution
SAE	Society of Automotive Engineers

STPP	Surface Transportation Policy Project
TCIP	Transit Communication Interface Profile
TCRP	Transit Cooperative Research Program (sponsored by FTA)
TDC	Transit Development Corporation
TRB	Transportation Research Board
TSA	Transportation Security Administration (Homeland Security)
TTCI	Transportation Technology Center Inc. (subsidiary of the AAR)
TWU	Transport Workers Union
UITP	International Association of Public Transport
U.S. DOT	U. S. Department of Transportation
WATIR	Washington Area Transit Industry Representatives
WTS	Women's Transportation Seminar

Glossary

Definitions are grouped by topic in these categories:

- General Definitions
- Employee and Labor Definitions
- Energy Use and Vehicle Power Definitions
- Financial—Capital Expense Definitions
- Financial—Operating Expense Definitions
- Financial—Passenger Fare Structure Definitions
- Financial—Revenue Definitions
- Infrastructure—Passenger Station Definitions
- Infrastructure—Rights of Way and Maintenance Facility Definitions
- Mode of Service Definitions
- Operating Data—Service Supplied Definitions
- Passenger Data—Service Consumed Definitions
- Service Availability and Commute Mode Definitions
- Vehicle Characteristics Definitions
- Vehicle Equipment Definitions

General Definitions

Public Transportation (also called **transit**, **public transit**, or **mass transit**) is transportation by a conveyance that provides regular and continuing general or special transportation to the public, but not including school buses or charter or sightseeing services.

Transit Agency (also called **transit system**) is an entity (public or private) responsible for administering and managing transit activities and services. Transit agencies can directly operate transit service or contract out for all or part of the total transit service provided. When financial and oversight responsibility is with a public entity, it is a **public transit agency**. When more than one mode of service is operated, it is a **multimodal transit agency**.

Employee and Labor Definitions

Capital Employee is a transit agency employee whose labor hour cost is reimbursed under a capital grant or is otherwise capitalized. Generally, only large transit agencies have such employees. Employees of contractors and suppliers of products are not included.

Employee is a person who works for a transit agency, including employees of providers of purchased transportation service.

Employee Compensation is the sum of the amount of pay employees receive in salaries and wages plus the cost to the transit agency of fringe benefits to employees and employment related tax payments. Only compensation for employees of the transit agency is included; compensation for employees of purchased transportation service providers is reported in purchased transportation expense.

Fringe Benefits are payments to employees for time not actually worked and the cost of other employee benefits to the transit agency. Payment for time not actually worked includes payments to the employee for vacations, sick leave, holidays, and other paid leave. Other benefits include transit agencies payments to other organizations for retirement plans, social security, workmen's compensation, health insurance, other insurance, and other payments to other organizations for benefits to employees. Only fringe benefit payments for employees of the transit agency are included; fringe benefit payments for employees of purchased transportation service are reported in purchased transportation expense

General Administration Employee is an operating employee who is an executive, professional, supervisory, or secretarial transit system person engaged in general management and administration activities: preliminary transit system development, customer services, promotion, market research, injuries and damages, safety, personnel administration, general legal services, general insurance, data processing, finance and accounting, purchasing and stores, general engineering, real estate management, office management and services, general management, and planning.

Non-Vehicle Maintenance Employee is an operating employee who is an executive, professional, supervisory, or secretarial transit system person engaged in non-vehicle maintenance, a person providing maintenance support to such persons for inspecting, cleaning, repairing and replacing all components of: vehicle movement control systems; fare collection and counting equipment; roadway and track; structures, tunnels, and subways; passenger stations; communication system; and garage, shop, operating station, general administration buildings, grounds and equipment. In addition, it includes support for the operation and maintenance of electric power facilities.

Number of Employees is the number of actual persons directly working for a transit agency, regardless of whether the person is full-time or part-time. Persons employed by agencies contracting to the transit system are not counted.

Operating Employee is an employee engaged in the operation of the transit system. Operating employees are classified into four categories describing the type work they do: general administration, non-vehicle maintenance, vehicle maintenance, and vehicle operations.

Salaries and Wages are payments to employees for time actually worked. Only salaries and wages for employees of the transit agency are included; salaries and wages for employees of purchased transportation service providers are reported in purchased transportation expense.

Total Compensation is the sum of salaries and wages and fringe benefits. Only compensation for employees of the transit agency is included; compensation for employees of purchased transportation service providers is reported in purchased transportation expense.

Vehicle Maintenance Employee is an operating employee who is an executive, professional, secretarial, or supervisory transit system person engaged in vehicle maintenance, a person performing inspection and maintenance, vehicle maintenance of vehicles, servicing functions for revenue and service vehicles, and repairing damage to vehicles resulting from vandalism or accidents.

Vehicle Operations Employee is an operating employee who is an executive, professional, or supervisory transit system person engaged in vehicle operations, a person providing support in vehicle operations activities, a person engaged in ticketing and fare collection activities, or a person engaged in system security activities.

Energy Use and Vehicle Power Definitions

Alternate Power is fuel or electricity generated from fuel that is substantially not petroleum.

Electric Power Consumption is the amount of electricity used to propel transit vehicles, also called **propulsion power**. Does not include electricity used for lighting, heating, or any use other than propulsion power.

Fossil Fuel is any fuel derived from petroleum or other organic sources including diesel fuel, compressed natural gas, gasoline, liquefied natural gas, liquid petroleum gas or propane, and kerosene.

Generated by Transit System [electric power] is propulsion power generated in facilities owned by the transit agency of a company of which the transit system is a subsidiary. These data were last reported in 1957. Prior to that time electric railways had been owned by power generation companies.

Purchased [electric power] power is propulsion power purchased from commercial power generation companies that are not affiliated with the electric railway. These data were last reported in 1957. Prior to that time electric railways had been owned by power generation companies.

Financial—Capital Expense Definitions

Capital Expenses are expenses related to the purchase of equipment. Equipment means an article of non-expendable tangible personal property having a useful life of more than one year and an acquisition cost which equals the lesser of: the capitalization level established by the government unit for financial statement purposes or $5,000. Capital expenses do not include all expenses which are eligible uses for federal capital funding assistance; some of those expenses are included with operating expenses in the National Transit Database accounting system used herein.

Facilities capital expenses include administration, central/overhaul maintenance facilities, light maintenance and storage facilities, and equipment of any of these items.

Other capital expenses include furniture, equipment that is not an integral part of buildings and structures, shelters, signs, and passenger amenities (such as benches) not in passenger stations.

Rolling Stock capital expense is expense for the revenue vehicles used in providing transit service for passengers. The term revenue vehicles includes the body and chassis and all fixtures and appliances inside or attached to the body or chassis, except fare collection equipment and revenue vehicle movement control equipment (radios). For rubber tired vehicles, it includes the cost of one set of tires and tubes to make the vehicle operational, if the tires and tubes are owned by the transit agency.

Financial—Operating Expense Definitions

Operating Expenses are the expenses associated with the operation of the transit agency, and classified by function or activity and the goods and services purchased. It is the sum of either the functions or the object classes listed below.

An **Operating Expense Function** is an activity performed or cost center of a transit agency. The four basic functions are:

General Administration includes all activities associated with the general administration of the transit agency, including transit service development, injuries and damages, safety, personnel administration, legal services, insurance, data processing, finance and accounting, purchasing and stores, engineering, real estate management, office management and services, customer services, promotion, market research and planning.

Non-Vehicle Maintenance includes all activities associated with facility maintenance, including: maintenance of vehicle movement control systems; fare collection and counting equipment; structures, tunnels and subways; roadway and track; passenger stations, operating station buildings, grounds and equipment; communication systems; general administration buildings, grounds and equipment; and electric power facilities.

Vehicle Maintenance includes all activities associated with revenue and non-revenue (service) vehicle maintenance, including administration, inspection and maintenance, and servicing (cleaning, fueling, etc.) vehicles.

Vehicle Operations includes all activities associated with the subcategories of the vehicle operations function: transportation administration and support; revenue vehicle operation; ticketing and fare collection; and system security.

An **Operating Expense Object Class** is a grouping of expenses on the basis of goods and services purchased. Nine Object Classes are reported as follows:

Casualty and Liability Costs are the cost elements covering protection of the transit agency from loss through insurance programs, compensation of others for their losses due to acts for which the transit agency is liable, and recognition of the cost of a miscellaneous category of corporate losses.

Employee Compensation is the sum of "Salaries and Wages" and "Fringe Benefits."

Fringe Benefits are the payments or accruals to others (insurance companies, governments, etc.) on behalf of an employee and payments and accruals direct to an employee arising from something other than a piece of work.

Materials and Supplies are the tangible products obtained from outside suppliers or manufactured internally. These materials and supplies include tires, fuel and lubricants. Freight, purchase discounts, cash discounts, sales and excise taxes (except on fuel and lubricants) are included in the cost of the material or supply.

Other Operating Expenses is the sum of taxes, miscellaneous expenses, and expense transfers.

Purchased Transportation is transportation service provided to a public transit agency or governmental unit from a public or private transportation provider based on a written contract. Purchased transportation does not include franchising, licensing operation, management services, cooperative agreements or private conventional bus service.

Salaries and Wages are the pay and allowances due employees in exchange for the labor services they render in behalf of the transit agency. The allowances include payments direct to the employee arising from the performance of a piece of work. Also called "Labor."

Services include the labor and other work provided by outside organizations for fees and related expenses. Services include management service fees, advertising fees, professional and technical services, temporary help, contract maintenance services, custodial services and security services.

Utilities include the payments made to various utilities for utilization of their resources (e.g., electric, gas, water, telephone, etc.). Utilities include propulsion power purchased from an outside utility company and used for propelling electrically driven vehicles, and other utilities such as electrical power for purposes other than for electrically driven vehicles, water and sewer, gas, garbage collection, and telephone.

Total Operating Expense is the sum of all the object classes or functions.

Financial—Passenger Fare Structure Definitions

Adult Base Cash Fare is the minimum cash fare paid by an adult for one transit ride; excludes transfer charges, zone or distance charges, express service charges, peak period surcharges, and reduced fares.

Magnetic Fare Cards are a single piece of paper, cardboard, or some other material with a magnetic strip good for a limited number of trips, unlimited rides during a fixed time period, or a monetary value that is altered by machine removal of some or all of the stored value as each trip is taken.

Passenger Fares are revenue earned from carrying passengers in regularly scheduled and demand response service. Passenger fares include: the base fare; zone premiums; express service premiums; extra cost transfers; and quantity purchase discounts applicable to the passenger's ride.

Passenger Fares Received per Unlinked Passenger Trip is "Passenger Fares" divided by "Unlinked Passenger Trips."

Peak Period Surcharge is an extra fee required during peak periods (rush hours).

Smart Fare Cards are a single piece of paper, cardboard, plastic, or some other material with a small computer chip good for one or more trips that is usually not surrendered but altered by machine removal of some or all of the stored value as each trip is taken.

Transfer Surcharge is an extra fee charged for a transfer to use when boarding another transit vehicle to continue a trip.

Zone or Distance Surcharge is an extra fee charged for crossing a predetermined boundary.

Financial—Revenue Definitions

Directly Generated Funds are any funds generated by or donated directly to the transit agency, including passenger fare revenues, advertising revenues, concessions, donations, bond proceeds, parking revenues, toll revenues from other sectors of agency operations such as bridges and roads, and taxes imposed by the transit agency as enabled by a state or local government. Some directly generated funds are funds earned by the transit agency such as fare revenues, concessions, and advertising, while other directly generated funds are financial assistance such as taxes imposed by the transit agency. Directly generated funds are listed in two categories in operating funding sources:

(1) **Agency funds, other** are directly generated funds that do not come from taxes.
(2) **Government funds, directly generated** are directly generated funds that come from taxes.

Federal Assistance is financial assistance from funds that are from the federal government at their original source that are used to assist in paying the operating or capital costs of providing transit service.

Local Assistance is financial assistance from local governments (below the state level) to help cover the operating and capital costs of providing transit service. Some local funds are collected in local or regional areas by the state government acting as the collection agency but are considered local assistance because the decision to collect funds is made locally.

Passenger Fare Revenue is revenue earned from carrying passengers on regularly scheduled and demand response service. Passenger fares include: the base fare; zone premiums; express service premiums; extra cost transfers; and quantity purchase discounts applicable to the passenger's ride. Passenger Fare Revenue is listed only for operating revenue sources.

State Assistance is financial assistance obtained from a state government(s) to assist with paying the operating and capital costs of providing transit services.

Total Government Funds is the sum of federal assistance, state assistance, local assistance, and that portion of directly generated funds that accrue from tax collections, toll transfers from other sectors of operations, and bond proceeds.

Infrastructure—Passenger Station Definitions

ADA Accessible Stations are public transportation passenger facilities in compliance with the Americans with Disabilities Act, which essentially means wheelchairs have an unobstructed path from the station entrance to all platforms via elevators or ramps, that equipment and amenities such as vending machines and telephones are accessible, and that the vision and hearing-impaired are accommodated with audio and visible signals or announcements and Braille alternatives.

All-day Auto Parking Space are spaces in parking facilities or on nearby streets reserved or intended for transit passenger automobiles and other personal vehicles that are available for a full normal work day, -normally 10 hours or more.

Automated Vehicle Status Displays are electronic video display equipment that automatically provides information on the status of vehicles on routes serving that station.

Bicycle Spaces are small spaces in parking facilities or on nearby streets or sidewalks reserved or intended for transit passenger bicycles. The total is the sum of the number of slots in bicycle racks (not the number of racks) and the capacity of all bicycle lockers (one bicycle per locker is assumed unless capacity was reported as two bicycles).

Concessions are officially authorized sales units such as newsstands or newspaper boxes, food stands or food vending machines, convenience stores, dry cleaners, ATM machines, or musicians performing with a permit. Concessions do not include such services in nearby locations such as those on the ground floor of an adjacent office building that are off the station property and not officially authorized.

Informational Video Displays are electronic video display equipment that provide information other than vehicle status, such as advertising, news, or public service messages. It may also provide vehicle status information.

Motorcycle Spaces are small spaces about 3 feet wide and 6 feet long in parking facilities or on nearby streets reserved or intended for transit passenger motorcycles, mopeds, and motor scooters.

Part-day Auto Parking Spaces are spaces in parking facilities or on nearby streets reserved or intended for transit passenger automobiles and other personal vehicles that are available for less than a normal work day, such as 9 a.m. to 3 p.m. mid-day parking or 30-minute kiss-and-ride parking.

Passenger Stations are passenger boarding/alighting facilities with a platform, but do not include on-street or curb stops. For bus and trolleybus, they include transit centers, stations on transit malls, and stations on busways.

Public Address Systems are equipment used to make announcements to passengers—either from a station attendant or from a central control facility.

Restrooms are restroom facilities officially designated for passenger use. Restrooms do not include stations with private restrooms available only to transit staff.

Security Cameras are cameras which monitor the station, bus transfer area, and/or parking facility to provide information to station and security personnel.

Infrastructure—Rights-Of-Way And Maintenance Facility Definitions

Directional Route Miles is the mileage of the route public transit vehicles traverse in revenue service measured in each direction. One mile of track(s) or lanes with service in two directions would be two directional route miles regardless of the number of tracks or lanes of roadway. Yard and service tracks or roadways are not counted.

Directional Route Miles of Lane, Controlled Right-of-Way are directional route miles on lanes restricted for at least a portion of the day for use by transit vehicles and other high occupancy vehicles.

Directional Route Miles of Lane, Exclusive Right-of-Way are directional route miles on lanes reserved at all times for transit use and/or other high occupancy vehicles.

Directional Route Miles of Lanes, Mixed Traffic are directional route miles of lanes used for transit operations that are mixed with pedestrian and vehicle traffic.

General Purpose Maintenance Facilities are facilities used for inspecting, servicing and performing light maintenance work upon revenue vehicles such as brake adjustments, engine degreasing, tire work, minor body repairs, and painting.

Heavy Maintenance Facilities are facilities used for performing heavy maintenance work on revenue vehicles such as unit rebuilds, engine overhauls, significant body repairs, and other major repairs.

Lane Miles, Controlled Right-of-Way are miles of lanes restricted for at least a portion of the day for use by transit vehicles and other high occupancy vehicles.

Lane Miles, Exclusive Right-of-Way are miles of lanes reserved at all times for transit use and/or other high occupancy vehicles.

Maintenance Facilities are areas where buildings maintenance activities are conducted including garages; shops such as body shops, paint shops, machine shops, and operations centers.

Miles of Lane is a measure of the amount of roadway traversed by fixed-route bus transit systems where each lane is counted separately regardless of the number of lanes on a roadway. The term is also used for the waterway distance traversed by ferryboats.

Miles of Track is a measure of the amount of track operated by rail transit systems where each track is counted separately regardless of the number of tracks on a right-of-way.

Mode of Service Definitions

Mode is a system for carrying transit passengers described by specific right-of-way, technology, and operational features.

Aerial Tramway is a mode of fixed-guideway transit service where a passenger car is suspended from an overhead cable or cables and is pulled between (normally two) stations by another cable.

Automated Guideway Transit (also called **personal rapid transit**, **group rapid transit**, or **people mover**) is a mode of fixed-guideway transit service where single vehicles or short trains, electrically powered with rail, beam, or concrete guideways, provide distributor or shuttle service without an on-board operator.

Bus is a mode of roadway transit service (also called **motor bus**) characterized by roadway vehicles powered by diesel, gasoline, battery or alternative fuel engines contained within the vehicle. Vehicles operate on streets and roadways in fixed-route or other regular service. Types of bus service include **local service**, where vehicles may stop every block or two along a route several miles long. When limited to a small geographic area or to short-distance trips, local service is often called **circulator**, **feeder**, **neighborhood**, **trolley**, or **shuttle service**. Other types of bus service are **express service**, **limited-stop service**, **commuter bus**, and **bus rapid transit (BRT)**.

Bus Rapid Transit (BRT) is a type of bus transit service characterized by vehicles operating on separate rights-of-way with high-frequency service, low-floor vehicles, stations, traffic signal priority or pre-emption, and other operating improvements which increase their speed and passenger capacity. Portions of the service may be non-fixed-guideway. To be reported in the National Transit Database high-frequency service must operate at least 14 hours per day with 10 minute peak period and 15 minute base period headways.

Cable Car is a mode of fixed-guideway rail transit service where passenger cars or short trains are pulled by a cable buried in the ground between the guide rails. The cable is continuously moving and the cable car stops by being disengaged by the vehicle operator from the cable.

Commuter Bus is a type of bus transit service that provides high-speed longer distance service to commuters for their daily journey-to-work, typically using over-the-road type buses and operating during peak periods with multi-trip ticketing. Commuter Bus service reported in the National Transit Database must operate at least five miles with closed doors for at least one section of its route.

Commuter Rail is a mode of fixed-guideway transit service (also called **metropolitan rail**, **regional rail**, or **suburban rail**) characterized by an electric or diesel propelled railway for urban passenger train service consisting of local short distance travel operating between a central city and adjacent suburbs. Service must be operated on a regular basis by or under contract with a transit operator for the purpose of transporting passengers within urbanized areas, or between urbanized areas and outlying areas. Such rail service, using either locomotive hauled or self propelled railroad passenger cars, is generally characterized by multi-trip tickets, specific station to station fares, railroad employment practices and usually only one or two stations in the central business district. Intercity rail service is excluded, except for that portion of such service that is operated by or under contract with a public transit agency for predominantly commuter services. Most service is provided on routes of current or former freight railroads.

Demand Response is a mode of roadway transit service (also called **paratransit** or **dial-a-ride**) characterized by the use of comprised of passenger automobiles, vans or small buses operating in response to calls from passengers or their agents to the transit operator, who then dispatches a vehicle to pick up the passengers and transport them to their destinations. The vehicles do not operate over a fixed route or on a fixed schedule except, perhaps, on a temporary basis to satisfy a special need; and typically, the vehicle may be dispatched to pick up several passengers at different pick-up points before taking them to their respective destinations and may even be interrupted en route to these destinations to pick up other passengers. The following types of operations fall under the above definitions provided they are not on a scheduled fixed-route basis: many origins-many destinations, many origins-one destination, one origin-many destinations, and one origin-one destination.

Ferryboat is a mode of fixed-guideway transit service provided by vessels operating over a fixed water route between terminals. To be counted as transit service on these tables the ferry must operate in or near an urban area with frequent trips that allow commuting between parts of the area on a typical work day schedule. Portions of intercity ferryboat service are included in the National Transit Database if they are operated by or under contract to a public agency with predominately commuter service where at least 50 percent of passenger trips are taken by persons going both directions on a single day.

Fixed-Guideway is a grouping of transit services that have physical fixed-guideway such a rails, concrete channels, or overhead cables or operates on a fixed-route waterway such as ferryboats. Fixed-Guideway modes reported on the fixed-guideway tables of this report include **aerial tramway**, **automated guideway transit**, **cable car**, **commuter rail**, **ferryboat**, **heavy rail**, **hybrid rail**, **inclined plane**, **light rail**, **monorail**, and **streetcar**. Trolleybus and bus on exclusive or controlled-access rights-of-way are considered fixed-guideway in the National Transit Database for data that are used in some formulas which distribute federal financial assistance.

Fixed-route Bus is a type of bus transit service that includes typical bus service operated on a fixed or partially-fixed route. Fixed-route bus service includes all bus service other than **bus rapid transit** or **commuter bus** service. It includes all types of bus service designated as **local bus**, **circulator**, **feeder**, **neighborhood**, **trolley**, **shuttle**, **express**, or **limited-stop service**.

Heavy Rail is a mode of fixed-guideway transit service (also called **metro**, **subway**, **rapid transit**, or **rapid rail**) operating on an electric railway with the capacity for a heavy volume of traffic. It is characterized by high speed and rapid acceleration passenger rail cars operating singly or in multi-car trains on fixed rails; separate rights-of-way from which all other vehicular and foot traffic are excluded; sophisticated signaling, and high platform loading.

Hybrid Rail is a mode of fixed-guideway transit service which operates on railroad tracks that are part of the national railroad system, but does not have all commuter railroad operating characteristics. Vehicles are typically light rail type or diesel multiple units which do not meet Federal Railroad Administration standards and must therefore operate with temporal separation from freight railroad traffic.

Inclined Plane is a mode of fixed-guideway transit service which is a railway operating over exclusive right-of-way on steep grades (slopes) with powerless vehicles propelled by moving cables attached to the vehicles and powered by engines or motors at a central location not on board the vehicle. The special tramway type of vehicles has passenger seats that remain horizontal while the undercarriage (truck) is angled parallel to the slope.

Light Rail is a mode of fixed-guideway transit service (also called **streetcar**, **tramway**, or **trolley**) operating lightweight passenger railcars singly (or in short, usually two-car or three-car, trains) on fixed rails in right-of-way that is not separated from other traffic for part or much of the way. Light Rail vehicles are typically driven electrically with power being drawn from an overhead electric line via a trolley or a pantograph; driven by an operator on board the vehicle; and may have either high platform loading or low level boarding using steps.

Monorail is a mode of fixed-guideway transit service which is an electric railway of guided transit vehicles operating singly or in multi-car trains. The vehicles are suspended from or straddle a guideway formed by a single beam, rail, or tube.

Publico is a mode of roadway transit service with passenger vans or small buses operated on fixed routes but no fixed schedules. They are a privately owned and operated vehicles which regulated through a public service commission, state or local government. Only Publicos operated in San Juan, Puerto Rico, are included in the National Transit Database.

Roadway Modes is a grouping of transit modes which operate on public streets and highways. Roadway modes include **bus rapid transit**, **commuter bus**, **demand response**, **fixed-route bus**, **publico**, **trolleybus**, and **vanpool**. **Trolleybus** and **bus** service on exclusive or limited-access roadways is considered fixed-guideway for purposes of federal funding formula distributions.

Streetcar is a type of light rail transit service that operates primarily in city streets rather than exclusive rights-of-way and normally provides more distributor service rather than longer-distance service when compared to regular light rail service. Beginning in 2011, Streetcar data are differentiated from other light rail service.

Trolleybus is a mode of roadway transit service (also called **trolley coach**) using vehicles propelled by a motor drawing current from overhead wires via a connecting pole (called a trolley pole) from a central power source not on board the vehicle. Trolleybus is included in fixed-guideway service in NTD data used for the distribution of some federal funding formula programs.

Vanpool (Transit Agency Brokered Service Only) is a mode of roadway transit service with ridesharing by prearrangement using vans or small buses providing round trip transportation between the participant's homes or prearranged boarding points and a common and regular destination. Data included in this report are the sum of vanpool data reported in the National Transit Database and do not include any data for vanpools not listed in the National Transit Database. Vanpool service reported in the NTD must be operated by a public entity, or a public entity must own, purchase, or lease the vehicle(s). Vanpool included in the NTD must also be in compliance with mass transit rules including Americans with Disabilities Act

(ADA) provisions, be open to the public and that availability must be made known, and use vehicles with a minimum capacity of seven persons.

Other Fixed-Guideway Modes of transit service not listed separately on modal tables include **ferryboat**, **aerial tramway**, **automated guideway transit** (also called **personal rapid transit**, **group rapid transit**, or **people mover**), **cable car**, **inclined plane**, and **monorail**. Not all of these modes of service are included in Other Fixed-Guideway Modes on each table; note clarifications in footnotes for modes that are included. Some older Other Fixed-Guideway Modes data may include undifferentiated roadway data.

Operating Data—Service Supplied Definitions

Average Vehicle Speed is the average speed in miles per hour for a vehicle while in revenue service; calculated by dividing vehicle revenue miles by vehicle revenue hours.

Revenue Service is the operation of a transit vehicle during the period in which passengers can board and ride on the vehicle. Revenue service includes the carriage of passengers who do not pay a cash fare for a specific trip as well as those who do pay a cash fare; the meaning of the phrase does not relate specifically to the collection of revenue.

Revenue Vehicle is a transit vehicle which carries passengers.

Vehicle Revenue Hours are the hours traveled when the vehicle is in revenue service (e.g., the time when a vehicle is available to the general public and there is an expectation of carrying passengers). Vehicles operated in fare-free service are considered in revenue service. Revenue service excludes school bus service and charter service. For conventionally scheduled services, vehicle revenue hours include running time and layover/recovery time.

Vehicle Revenue Miles are the miles traveled when the vehicle is in revenue service (e.g., the time when a vehicle is available to the general public and there is an expectation of carrying passengers). Vehicles operated in fare-free service are considered in revenue service. Revenue service excludes school bus service and charter service. For conventionally scheduled services, vehicle revenue miles are comprised of running miles available to passengers only, "deadhead" miles are not included.

Vehicle Total Hours are the hours a vehicle travels from the time it pulls out from its garage to go into revenue service to the time it pulls in from revenue service, including "deadhead" miles without passengers to the starting points of routes or returning to the garage. It is often called platform time. For conventional scheduled services, it includes both revenue time and deadhead time.

Vehicle Total Miles are all the miles a vehicle travels from the time it pulls out from its garage to go into revenue service to the time it pulls in from revenue service, including "deadhead" miles without passengers to the starting points of routes or returning to the garage. It is often called platform miles. For conventional scheduled services, it includes both revenue miles and deadhead miles.

Passenger Data—Service Consumed Definitions

Average Passenger Load is the average number of passengers aboard a vehicle for its entire time in revenue service including late night and off-peak hour service as well as peak rush hour service; calculated by dividing passenger miles by vehicle revenue miles.

Average Trip Length is the average distance ridden for an unlinked passenger trip; calculated by dividing passenger miles by unlinked passenger trips.

Boardings per Mile is the average number of persons who board a vehicle while the vehicle is in revenue service; calculated by dividing unlinked passenger trips by vehicle revenue miles.

Passenger Miles is the cumulative sum of the distances ridden by all passengers.

Unlinked Passenger Trips is the number of times passengers board public transportation vehicles. Passengers are counted each time they board vehicles no matter how many vehicles they use to travel from their origin to their destination and regardless of whether they pay a fare, use a pass or transfer, ride for free, or pay in some other way. Also called **boardings**.

Service Availability and Commute Mode Definitions

Commuters are persons travelling to work.

Household is a U.S. Census term for the group of all people who occupy a particular housing unit as their usual residence, or who live there at the time of the Census interview and have no usual residence elsewhere. The usual residence is the place where the person lives and sleeps most of the time.

Means of Transportation to Work is the usual travel mode in the previous week for a commuter answering the Census survey. Only a single mode can be reported even if the respondent uses multiple modes. The respondent is directed to select the mode used for the longest distance. No selection instruction is provided for respondents who use different modes on different days.

Railroad is a U.S. Census transit mode name that is the same as "Commuter Rail" as used by APTA and the FTA.

Streetcar or Trolley Car is a U.S. Census Transit mode name that is the same mode as "Light Rail" as used by APTA and the FTA.

Subway or Elevated is a U.S. Census transit mode name that is the same mode as "Heavy Rail" as used by APTA and the FTA.

Vehicle Characteristics Definitions

Accessible Vehicles are transit passenger vehicles that are accessible to, are usable by, and provide allocated space and/or priority seating for individuals who use wheelchairs.

Alternate Fuel Powered Vehicles are vehicles powered by fuel that is substantially not petroleum.

Average Vehicle Age is the number of years old all revenue vehicles are divided by the number of vehicles. The years of age are counted as one-half year for the year in which a vehicle was built plus one year for each calendar year since then.

Federal Transit Administration Minimum Useful Life is the age a revenue vehicle must be before an agency can receive federal financial assistance to replace that vehicle. The useful life varies by type of vehicle and may be shorter than stated for vehicles with excess use measured by miles travelled.

Revenue Vehicle (also called a passenger **vehicle**) is a vehicle in the transit fleet that is available to operate in revenue service carrying passengers, including spares and vehicles temporarily out of service for routine maintenance and minor repairs. Revenue vehicles do not include service vehicles such as tow trucks, repair vehicles, or automobiles used to transport employees.

Revenue Vehicles Available for Maximum Service are vehicles that a transit agency has available to operate revenue service regardless of the legal relationship thorough which they are owned, leased, or otherwise controlled by the transit agency. Also called **vehicles owned and leased**.

Revenue Vehicles Used in Maximum Service is the largest number of vehicles an agency uses to provide service at any time during a typical day; also called **peak period vehicles**.

Vehicle Equipment Definitions

Automated Stop Announcement is an automated system that announces upcoming stops.

Automatic Passenger Counter equipment counts passenger boardings/alightings but is not part of the farebox.

Automatic Vehicle Location or GPS equipment allows a vehicle to be electronically located or tracked by local sensors or satellites.

Exterior Bicycle Rack equipped vehicles can carry bicycles of racks outside of the vehicle such as on the front of a bus or the open deck of a ferryboat.

Passenger-Operator Intercom equipped vehicles have an intercom system that allows passengers and the vehicle's or train's operator to communicate with each other.

Public Address System is a one-way audio announcement system that allows the vehicle operator to communicate with passengers.

Restroom is a restroom on board the transit vehicle and available for passenger use.

Security or CCTV Type Camera equipped vehicles have cameras installed inside the vehicle for security purposes.

Self-propelled vehicles have motors or engines on the vehicle that supply propulsion for the vehicle. Fuel may be carried on board the vehicle such as diesel fueled buses or supplied from a central source such as overhead wire power for light rail vehicles.

Traffic Light Preemption equipped vehicles are able to, either automatically by sensors or as a result of operator action, adjust traffic lights to provide priority or a green light.

Two-Way Radio equipped transit vehicles have a two-way radio system that allows the vehicle operator and the operating base or control center to communicate with each other.

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