



**AMERICAN PUBLIC TRANSPORTATION ASSOCIATION
Small Operations Committee**

**TRANSform Conference
Seattle Grand Sheraton
Cedar Room**

October 9, 2022 @ 12:00 am PDT

AGENDA

Time	Topic	Speakers
12:00 pm	Welcome & Update	Allan Pollock, Chair
12:10 pm	Capstone Project Presentations: Reinvigorating Customer Service Culture	Jeremiah Bryant Omnitrans Alicia Trost (BART) Charles Reeves (Port Authority of Allegheny County) Jamie Acton (Anchorage) Kathryn Wittman (TriMet)
12:25 pm	Approval of Bylaw Revisions	Allan Pollock and Alex Clifford
12:40 pm	Small Ops Survey – Review & Discussion Recommended 2023 Meeting Schedule	Allan Pollock
1:00 pm	2023 on the Hill & Pending Legislation HR 8294: Fuel Costs as Capital Expenses	Eric Bustos, APTA Alex Clifford
1:15 pm	New Business	All
1:30 pm	Adjourn	

Small Operations Committee Mission

To develop consensus recommendations to APTA
on issues that affect the long-term economic sustainability of small operators

Objectives

- Provide a forum for information sharing for small operators
- Work to ensure that small operations issues are considered in all federal legislation and regulations that affect APTA member organizations
- Promote issues that are of concern to small operators within the APTA organization
- Seek opportunities to work with other committees to promote APTA's goals



American Public Transportation Association

LEGISLATIVE UPDATE

APTA is focused on three major initiatives in fall 2022:

- aggressively advocating for public transportation investment in the Transportation, Housing and Urban Development, and Related Agencies Appropriations bill (THUD Appropriations bill);
- actively working to ensure successful implementation of the Infrastructure Investment and Jobs Act (IIJA) (P.L. 117-58), commonly referred to as the Bipartisan Infrastructure Law, and the Inflation Reduction Act (P.L. 117-169); and
- preparing a holistic outreach effort to every new and returning Representative and Senator in the new Congress, which begins in January 2023.

Aggressively Advocating for Public Transportation Investment in the THUD Appropriations Bill

In September 2022, Congress passed and President Biden signed the Continuing Appropriations and Ukraine Supplemental Appropriations Act, 2023 into law (P.L. 117-___). The Act provides continued funding for the federal government, including public transportation programs, at Fiscal Year (FY) 2022 funding levels through December 16. After the midterm elections, Congress may develop an Omnibus Appropriations bill that includes the 12 separate appropriations bills.

With regard to the THUD Appropriations bill, APTA is aggressively advocating that Congress provide the highest possible funding for public transportation and that it complete action on a bipartisan, bicameral agreement this fall. In March 2022, Congress provided \$20.5 billion for public transit in FY 2022, an increase of \$7.6 billion (58 percent) from the FY 2021 enacted level. Congress also provided \$16.6 billion for passenger and freight rail, an increase of \$13.7 billion (475 percent) from the FY 2021 enacted level.

In July 2022, the House of Representatives passed its THUD Appropriations bill (H.R. 8294), and the Senate introduced its companion version of the bill (S. 4670). Both the House and Senate THUD Appropriations bills appropriate the overwhelming majority of public transit and passenger rail authorizations of the IIJA. However, the House THUD Appropriations bill provides significantly more public transit and passenger rail funding than the Senate bill.

The House THUD Appropriations bill, together with the IJA's advance appropriations, provides **\$21.7 billion** for public transit in FY 2023, which exceeds the IJA authorization and is an increase of **\$1.2 billion (6 percent)** from the FY 2022 enacted level. The House bill provides **\$621 million** more for public transit than the Senate bill. The primary difference between the bills is funding for Capital Investment Grants (CIG). The House bill provides \$3.0 billion for CIG, equal to the IJA authorization, which is more than \$500 million more than the Senate THUD appropriation.

The House THUD Appropriations bill, together with advance appropriations, provides **\$17.1 billion** for passenger and freight rail in FY 2023, an increase of **\$489 million (3 percent)** from the FY 2022 enacted level. The House bill provides **\$164 million** more for passenger rail than the Senate bill. The House bill provides more funding for the Federal-State Partnership for Intercity Passenger Rail Grants and the Senate bill provides more funding for Amtrak Northeast Corridor grants. Both bills provide less than the \$19.9 billion authorized for passenger and freight rail in the IJA.

In addition, both House and Senate THUD Appropriations bills include important policy provisions. Both bills block the Rostenkowski Test to prevent a possible across-the-board cut of FY 2023 transit formula funds to each public transit agency. Both bills also prohibit the U.S. Department of Transportation (DOT) from impeding or hindering a project from advancing or approving a project seeking a CIG federal share of more than 40 percent. Finally, the Senate THUD Appropriations bill allows Consolidated Rail Infrastructure and Safety Improvements (CRISI) grants to be used for commuter railroad projects that implement or sustain positive train control systems. The House THUD Appropriations bill does not authorize commuter rail project eligibility for CRISI funds.

APTA is aggressively advocating that the FY 2023 THUD Appropriations bill fully fund the IJA and provide additional resources for targeted investments. APTA also urges Congress to appropriate at least **\$129 million** of emergency appropriations to the Federal Transit Administration's (FTA) Public Transportation Emergency Relief program (49 U.S.C. § 5324) to help public transit agencies offset the significant costs of providing emergency transportation services, rebuilding damaged infrastructure, and replacing vehicles destroyed from recent natural disasters, including floods, hurricanes, wildfires, and earthquakes. APTA continues to collect additional information from public transit agencies on unmet funding needs as a result of recent natural disasters.

Working to Ensure Successful Implementation of the Bipartisan Infrastructure Law and the Inflation Reduction Act

Bipartisan Infrastructure Law

On November 15, 2021, President Joseph Biden signed the IIJA into law. The IIJA provides \$108.2 billion for public transit over five years (FY 2022 through FY 2026), an increase of \$42.4 billion (64 percent) from current levels. These historic increases in public transit investment include \$91.2 billion of guaranteed funding (i.e., contract authority and advance appropriations) and \$17.0 billion of General Fund authorizations for CIG and other grants.

The legislation also provides \$102.1 billion for passenger and freight rail over five years, an increase of \$86.7 billion (561 percent) from current levels. These historic passenger rail investments include \$66.0 billion of guaranteed funding (advance appropriations) and \$36.1 billion of General Fund authorizations for Amtrak and other programs. In addition, the IIJA provides significant funding for multimodal investments (e.g., Rebuilding American Infrastructure with Sustainability and Equity (RAISE) and Mega grants) that include public transit and passenger rail as essential elements.

APTA is actively working with DOT on implementation of the Bipartisan Infrastructure Law. This year, APTA expects DOT to **advance \$18.4 billion of FY 2022 competitive grants** that include public transit and passenger rail eligibility, including:

- **Awards (\$5.5 billion).** To date, DOT and FTA have awarded \$5.5 billion of competitive grants, including \$2.3 billion for RAISE grants; \$1.1 billion for Low and No Emission Bus grants; \$547 million for Buses and Bus Facilities grants; and \$1.5 billion for INFRA grants.
- **Notices of Funding Opportunities (NOFOs) (\$5.3 billion).** DOT, FTA, and the Federal Railroad Administration (FRA) have issued numerous NOFOs for an additional \$5.3 billion of competitive grants that include public transportation eligibility, including: \$1.0 billion of Mega grants, \$350 million of All Stations Accessibility Program grants, and \$573 million for Railroad Crossing Elimination Grants.
- **Upcoming NOFOs (\$7.6 billion).** This fall, we expect FRA and FTA to issue an additional \$7.6 billion for competitive grants, including \$7.3 billion for the Federal-State Partnership for Intercity Passenger Rail program and \$300 million for the Rail Vehicle Replacement program.

In addition, DOT, FTA, FRA, and other agencies have issued Notices of Proposed Rulemaking, Guidance, Dear Colleague letters, and Requests for Information regarding IIJA implementation. APTA has actively engaged in this regulatory process and provided numerous Comments on IIJA implementation, including Comments on Buy America, CIG, Public Transportation Agency Safety Plan Safety Requirements, and Railroad Capital Projects.

To assist APTA members in tracking IIJA funding apportionments and competitive grant opportunities and policy actions, APTA has developed a [Smart Guide to the Bipartisan Infrastructure Law](#) on its website. The APTA Smart Guide includes funding and apportionment tables, section-by-section analyses, and DOT guidance, regulations, and NOFOs. Finally, the Smart Guide includes advocacy and media toolkits to help APTA members tell their Bipartisan Infrastructure Law success stories. APTA has also developed a [Regulatory Matrix](#) on its website to track all regulatory and other administrative action.

Inflation Reduction Act

On August 16, 2022, President Biden signed the Inflation Reduction Act of 2022 into law. The Act includes numerous important provisions that benefit public transportation, including alternative fuel tax credits and significant new investments in climate, zero-emission technology, equity, and environmental streamlining. The Inflation Reduction Act:

- Extends the excise tax credits for alternative fuels, biodiesel, and renewable diesel;
- Extends and substantially restructures the alternative fuel vehicle property credit;
- Establishes a new commercial clean vehicle tax credit; and
- Provides significant new investments in climate, zero-emission technology, equity, and environmental review, including \$27 billion for a Greenhouse Gas Reduction Fund; \$3.2 billion for Neighborhood Access and Equity Grants; and \$2 billion for Low-Carbon Transportation Materials Grants.

APTA is actively working with DOT, the U.S. Department of the Treasury, and other agencies on implementation of the Inflation Reduction Act. In particular, APTA is focused on implementation of the new commercial clean vehicle tax credit and the new grant programs. Section 13403 of the Act creates a new tax credit (up to \$40,000) for commercial clean vehicles (e.g., zero-emission buses). Commercial clean vehicles include battery electric and fuel cell vehicles. This 10-year tax credit takes effect in 2023. The section requires the Secretary of the Treasury to issue regulations or guidance as necessary to implement the provision. APTA is actively working to ensure that public transit agencies may benefit from this provision and receive a direct payment in lieu of a tax credit.

APTA is also working with agencies on implementation of several new programs created by the Inflation Reduction Act. For example, APTA wants to ensure public transportation eligibility under the new \$27 billion Greenhouse Gas Reduction Fund. This Fund will provide capital for both a national and state “green banks” to provide financial support for zero-emission technologies and projects that reduce or avoid greenhouse gas emissions. The Fund provides \$20 billion for a national green bank and \$7 billion to finance state and local green banks. Under the program, EPA will make competitive grants, loans, other financial assistance, and technical assistance available to states and local governments to enable communities, particularly low-income and disadvantaged communities, to reduce or avoid greenhouse gas emissions and deploy or benefit from zero-emission technologies.

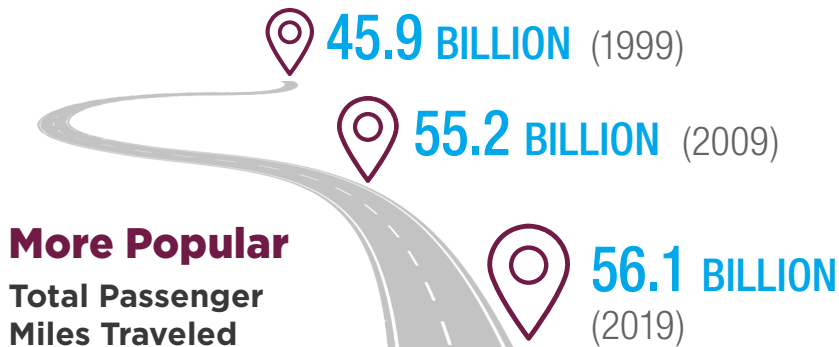
Preparing a Holistic Outreach Effort to the New Congress

Finally, APTA is preparing a holistic outreach effort to every new and returning Representative and Senator in the 118th Congress, which begins in January 2023. At the beginning of the new Congress, APTA will undertake a comprehensive outreach effort that includes:

- Sending each Member of Congress, totaling 541 offices, a personalized packet that contains background information about the public transportation industry; a copy of their Congressional District or State Transit Industry Footprint; and APTA's legislative priorities.
- Meeting with each new Representative and Senator to ensure that they understand our industry and APTA's priorities for the 118th Congress.
- Urging all APTA members to contact their new and returning Members of Congress to introduce themselves, outline the role that public transportation plays in your community and the nation's economy, and educate them on the need to honor the IIJA and provide increased investment in public transportation.

In addition, APTA continues to redouble our outreach efforts to build greater support for public transportation among Republican Members of Congress. In 2022, we are specifically focusing on 32 Republican Members of Congress (18 Representatives and 14 Senators), who are more likely to support public transportation or hold critically important leadership and committee positions. APTA will continue this targeted outreach in the 118th Congress. We will also continue efforts to expand APTA's grassroots advocacy tools, such as APTA's Advocacy Engagement Tool.

TODAY, PUBLIC TRANSIT IN AMERICA IS...



More Widespread

Public transit systems are...



1,159
Rural



1,043
Urban



4.5K+
Nonprofit

Expanding
Total Number of Rail Systems

58 1999
98 2019



>52% Increase in Rail Ridership Since 1999

More Balanced

Public transit trips are...



48%
By Rail

48%
By Bus



More Accessorized



79%
of buses have security cameras



77%
of buses have exterior bike racks



78%
of buses have automated stop announcements

Growing

From 1995 – 2019

23%
Increase in Population Growth

28%
Increase in Public Transit Ridership

Increase in Public Transit Ridership



More Efficient



Increase in Vehicle Miles Operated per Kilowatt-Hour over the Past 30 Years

Heavy Rail **11%**

Light Rail/Streetcar **48%**

Receiving More Investment

Transit Spending in the Private Sector



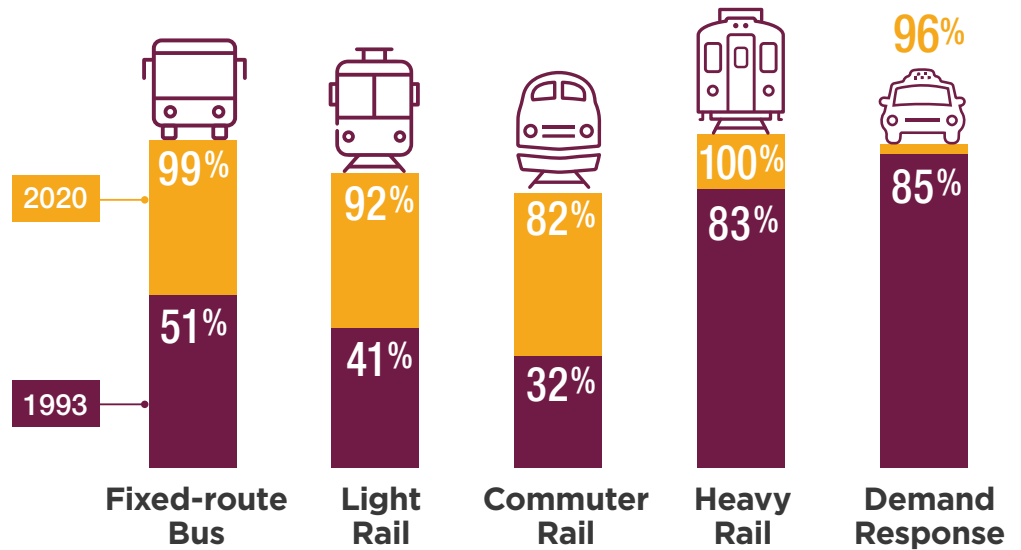
\$ Billions

TODAY, PUBLIC TRANSIT IN AMERICA IS...

More Accessible*

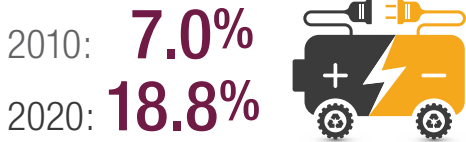
Share of **Accessible Public Transit Vehicles**

*transit system accessibility is also affected by station accessibility



Leading in Clean Technology

Share of **Hybrid Electric Buses**



(According to APTA's 2020 Vehicle Database)

Lowering Carbon Emissions



less **CO₂** emissions by using the subway rather than a car

(According to TCRP "Report 226: An Update on Public Transportation's Impacts on Greenhouse Gas Emissions")

Reducing Gasoline Consumption

6.0 BILLION

Gallons of Gas Saved

each year by using public transportation

(According to TCRP "Report 226: An Update on Public Transportation's Impacts on Greenhouse Gas Emissions")

Driving the Economy

87%

of trips on transit directly benefit the local economy

50% of trips are to and from work



37% of trips are to shopping and recreational spending

(According to APTA's "Who Rides Public Transportation")

Creating Jobs

448K+

people directly work for public transportation agencies

Long-term investment in public transit supports 50,000 jobs and \$382 million in tax revenue per \$1 billion invested

(According to APTA's "Economic Impact of Public Transportation Investment: 2020 Update")

Saving Lives

Cities with more than 40 annual public transit trips per person have **half the traffic fatality rate** of those with fewer than 20 trips per person



(According to APTA's "The Hidden Traffic Safety Report: Public Transportation")



THUD Appropriations

October 1, 2022

On July 20, the House of Representatives passed H.R. 8294, the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2023 (THUD Appropriations bill). On July 28, the Senate introduced its FY 2023 THUD Appropriations bill (S. 4670). The House and Senate THUD Appropriations bills will be the starting point for further negotiations to reach a bipartisan, bicameral agreement this fall.

APTA urges Congress to fully fund the IJJA's public transit and passenger rail investment in the FY 2023 THUD Appropriations bill and complete action on the bill this fall.

Public transportation is an **\$80 billion** industry that directly employs **450,000** workers and supports **millions** of private-sector jobs.

APTA urges Congress to provide at least **\$17.5 billion for public transit and \$6.7 billion for passenger rail in the THUD Appropriations bill to honor the promise of the Infrastructure Investment and Jobs Act (IIJA)**. When combined with the IIJA's advance appropriations, these amounts will fully fund the public transit and passenger rail investments of the Bipartisan Infrastructure Law.

Specifically, APTA urges Congress to provide at **least \$3.0 billion for Capital Investment Grants (CIG)** to help our communities begin to address the backlog of demand for more mobility choices. Today, **79 projects** across the nation are seeking **\$44 billion** of CIG funds.

For passenger rail, APTA urges full funding of the IIJA authorizations for Federal-State Partnership for Intercity Passenger Rail and CRISI grants, and **\$500 million for Railroad Crossing Elimination grants** to help address fatalities at the nation's more than 200,000 highway-rail grade crossings.



For every \$1 invested in public transportation, \$5 is generated in economic returns.



In addition, public transportation supports and creates approximately 50,000 jobs for every \$1 billion of investment.



Moreover, public transportation significantly reduces greenhouse gas emissions. A typical public transit trip emits 55 percent fewer greenhouse gases than driving alone.

APTA urges Congress to:

Fully fund the Infrastructure Investment and Jobs Act's public transit and passenger rail investments in the FY 2023 THUD Appropriations bill, including competitive grant programs, such as Capital Investment Grants, Railroad Crossing Elimination grants, Federal-State Partnership for Intercity Passenger Rail grants, RAISE grants, and other multimodal investments.



The Honorable Pete Buttigieg
Secretary of Transportation
1200 New Jersey Ave SE
Washington, DC 20590

October 3, 2022

Dear Mr. Secretary,

Thank you for your leadership in implementing the historic Bipartisan Infrastructure Law. This investment in our infrastructure comes as a critical time as the nation emerges from the COVID-19 pandemic and navigates ongoing supply chain and inflation issues.

The undersigned organizations, led by the Community Transportation Association of America's (CTAA), write today to bring awareness to a burgeoning crisis in the small bus industry that threatens the ongoing operations of rural, small-city, paratransit and non-emergency medical transportation providers across the nation. Today, the demand for small buses, particularly body-on-chassis vehicles, far outstrips supply with estimates of 20,000 small bus purchases currently backlogged.

We need your assistance in securing more chassis for the small bus marketplace so the trips to vital health care appointments (like dialysis); to congregate meal sites and grocery stores; to work and education; and to other social services that these types of buses typically serve can safely continue. In addition, the current environment creates an opportunity to promote flexibility, competition, and innovation by streamlining the procurement regulations for small buses.

Recent dialogue among transit agencies, state departments of transportation, bus dealers and bus manufacturers highlight the current state of the small bus marketplace:

- A survey of State Departments of Transportation (State DOTs) last month revealed that three quarters of State DOTs are feeling an unprecedented level of concern regarding standard vehicle replacements and maintaining a state of good repair,

with more than one-half of agencies having had a small bus purchasing contract or agreement terminated in 2022;

- Bus dealers predict the small bus backlog, nationally, to eclipse 20,000 in 2023, and expect full recovery of the market to take five to seven years;
- The largest small bus manufacturer currently has one of seven manufacturing facilities up-and-running, and can only meet 25 percent of demand; and
- Prices for these vehicles are running 30 percent to 70 percent above pre-pandemic levels.

With the Biden Administration's leadership in enacting the Infrastructure Investment and Jobs Act (IIJA), public transit providers have record levels of federal capital investment. However, the small bus manufacturing backlog and price inflation threaten to stifle the IIJA's impact on transit service delivery in communities across the country. The positive impact of the IIJA's generational infrastructure investment is surely threatened by this situation.

The undersigned transit industry partners are actively working together to collaborate and support each other throughout this challenging time. Working together, we have developed a number of potential solutions for your consideration, including:

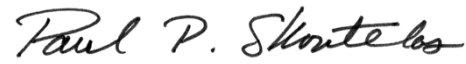
- Encourage chassis manufacturers, particularly Ford, to set aside units for vital public transportation and for small buses.
- Streamline current procurement regulations, with an emphasis on flexibility, because of the unprecedented nature of current small bus crisis. Use the vehicle backlog, nationally, to determine the timeframe for these procurement process changes.
- Expand the Federal Transit Administration's (FTA) proposed Buy America general nonavailability waiver for passenger vans (87 Fed. Reg. 43101) to include waiving Buy America requirements for small buses and vans when manufacturers are not able to guarantee delivery within 12 months or less of an order. Use this temporary waiver to incent manufacturers to locate production facilities in the United States.
- Offer clear guidance to FTA grantees on whether, when, and how to amend bus procurements or reprogram funds when vehicles as specified cannot be delivered under the terms of a procurement agreement.

In summary, we strongly encourage the U.S. Department of Transportation to help the public transit industry secure additional chassis for the small bus market. It is critical to our shared goal of ensuring that the Bipartisan Infrastructure Law provides unparalleled opportunities to all Americans. We would surely welcome any opportunity to discuss this critical subject further.

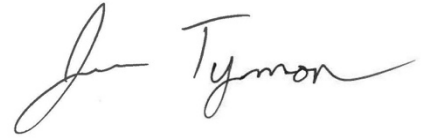
Sincerely,

Handwritten signature of Scott Bogren in black ink, featuring a stylized 'S' and 'B' followed by a horizontal line.

Scott Bogren
Executive Director
CTAA

Handwritten signature of Paul P. Skoutelas in black ink, written in a cursive style.

Paul P. Skoutelas
President and CEO
APTA

Handwritten signature of Jim Tymon in black ink, written in a cursive style.

Jim Tymon
Executive Director
AASHTO

Vermont Agency of Transportation
Barre, VT

Nebraska Association of Transportation
Providers
Milford, NE

Tennessee Public Transportation
Association
Nashville, TN

Georgia Transit Association
Marietta, GA

Transportation Association of Maryland
Linthicum, MD

Prairie Hills Transit
Spearfish, SD

TransAction Corporate Shuttles, Inc.
Woburn MA

New Mexico Department of Transportation
Santa Fe, NM

Call a Ride Service, Inc.
Lewistown, PA

Utah State University Aggie Shuttle
Logan, Utah

Southern Georgia Regional Commission
Georgia

Starkville Mississippi State Area Rapid
Transit
Mississippi State, MS

Rogue Valley Transportation District
Medford, OR

Ohio Department of Transportation
Ohio

Washington State Transit Association
Washington

River Bend Transit
Davenport, IA

Arkansas Transit Association
Arkansas

Mercer County Trade Trenton,
NJ

Oklahoma Transit Association
Oklahoma

Coordinated Transportation Solutions
Trumbull, CT

Alabama DOT
Alabama

Special Services Transportation Agency
Colchester, VT

Tri-Valley Transit
Middlebury VT

Claiborne County Human Resource Agency
Port Gibson, MS

Alaska Mobility Coalition
Anchorage, AL

Oklahoma Department of Transportation
Oklahoma City, OK

California Association for Coordinated
Transportation (CALACT)
Sacramento, CA

Fairmont-Marion County Transit Authority
Fairmont, WV

North Carolina Public Transit Association
North Carolina

Kentucky Public Transit Association
Kentucky

Illinois Public Transit Association
Illinois

Minnesota Department of Transportation
St. Paul, Minnesota

TPRG
Cocoa Beach, FL

Community Transportation Association of
the Northwest
Oregon and Washington

Community Transportation Association of
Virginia
Radford, Virginia

Missouri Public Transit Association
Missouri

Florida Public Transportation Association
Tallahassee, FL

The Bus Coalition
Nationwide

Michigan Public Transit Association.
Lansing, Michigan

Michigan Transportation Connection, Inc.
East Lansing

Upper Cumberland Human Resource
Agency
Cookeville Tennessee

California Department of Transportation
California

River Cities Public Transit
Pierre, South Dakota

Michigan Department of Transportation
Michigan

SporTran
Shreveport, LA

Maricopa Association of Governments
Phoenix, Arizona

NJ Transit Corp.
Newark, NJ

MDOT MTA
Maryland

Siouxland Regional Transit System
Sioux City, Iowa

South Dakota Department of
Transportation
Pierre, SD

Ionia Dial-A-Ride
Ionia, Michigan

Virginia Department of Rail and Public
Transportation
Richmond, Virginia

MIDAS Council of Governments
Fort Dodge, IA

Vermont Clean Cities Coalition
Burlington, VT

Division of Multimodal Transportation
Facilities, Division of Public Transit, West
Virginia Department of Transportation
Charleston, WV

South West Transit Association
Fort Worth, Texas

Texas Transit Association - TTA
Austin, Texas

MS Department of Transportation
Mississippi

Southeast Vermont Transit
Vermont

Gifford Health Care
Randolph, Vermont

Community Transit of Watertown/Sisseton,
Inc.
Watertown, SD

Two Rivers-Ottawaquechee Regional
Commission
Woodstock, Vermont

Senior Solutions Council on Aging
Southeastern, VT

Age Well, Inc.
Vermont

Upper Valley Services
Bradford, VT

Senior Solutions
Springfield, VT

Mississippi Public Transit Association
Natchez, Mississippi

Natchez Transit Regional Center
Natchez, Mississippi

Natchez Senior Citizen's Multipurpose
Center Natchez, Mississippi