

Federal Transit Administration

2013

Triennial Review

Workshop Workbook

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PILOT

10. PUBLIC COMMENT ON FARE AND SERVICE CHANGES

PART 1 – BASIC REQUIREMENT

Section 5307 grantees are expected to have a written locally developed process for soliciting and considering public comment before raising a fare or carrying out a major transportation service reduction.

AREAS TO BE EXAMINED

1. Existence and Application of a Locally Developed Process
2. Oversight

REFERENCES

49 USC Chapter 53, Federal Transit Laws

49 CFR Part 18, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments"

FTA C 9030.1D, "Urbanized Area Formula Program: Program Guidance and Application Instructions"

PART 2 – QUESTIONS FOR THE REVIEW

1. *What is the grantee's process for soliciting and considering public comments prior to a fare increase or a major service reduction? Please answer the following questions:*
 - a. *What is considered to be a "major" service reduction?*
 - b. *How are public comments solicited?*
 - c. *How are comments considered in the decision-making process?*
 - d. *How are these procedures documented?*
2. *Since the last review, has the grantee raised a fare or reduced service? Was the reduction considered major? Was the locally developed process followed? If not, what was done differently?*

EXPLANATION

Annually, Section 5307 grantees certify that they have a locally developed process to solicit and consider public comment prior to raising a fare or implementing major reduction in public transportation service. Grantees are expected to have a written policy that describes the public comment process. The grantee is responsible for defining a major service reduction. This can be defined as a standard, such as elimination of a route or reduction of "X" percent of service hours or miles.

The policy should provide an opportunity for a public hearing or meeting for any fare increase or major service reduction. It should describe how such meetings will be conducted and how the results will be considered. A public meeting is not mandatory; however, an opportunity for a public meeting in order to solicit comment must be provided. Some grantees offer an opportunity for public comment for all fare and service changes. This meets the requirement.

REFERENCES

49 CFR Chapter 53, Section 5307 (d)(1)(I) FTA C 9030.1D, Ch. IV, Section 8.k

SOURCES OF INFORMATION

Fare and Service Change policy(ies). Information provided to public on fare increases and service reductions. Transcripts from public hearings. Minutes of board meetings. Staff summaries or other internal memoranda that document the public participation process.

- 3. Do Section 5307 subrecipients have a process for soliciting and considering public comments prior to a fare increase or a major service reduction? How are these procedures documented? How does the grantee ensure that the subrecipients comply with public comment process requirements?***

EXPLANATION

The grantee must ensure that Section 5307 subrecipients have a process for obtaining public comment for fare increases and major service reductions. Either the grantee or its subrecipients are expected to have a written policy that describes the public comment process. The grantee must also ensure that subrecipients follow the process and consider public comment when they raise fares or implement major service reductions.

REFERENCES

49 CFR Chapter 53, Section 5307 (d)(1)(I)
49 CFR Part 18.37
FTA C 9030.1D Ch. IV, Section 8.k

SOURCES OF INFORMATION

Oversight policies and procedures. Subrecipient fare increases and/or major service reduction information.

11. HALF FARE

PART 1 – BASIC REQUIREMENT

For fixed route service supported with Section 5307 assistance, fares charged elderly persons, persons with disabilities or an individual presenting a Medicare card during off peak hours will not be more than half the peak hour fare.

AREAS TO BE EXAMINED

1. Half Fares
2. Proof of Eligibility
3. Internal and Public Information
4. Oversight

REFERENCES

49 USC Chapter 53, Federal Transit Laws (SAFETEA-LU)

49 CFR Part 18 “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments”

49 CFR Part 609 “Transportation for Elderly and Handicapped Persons”

FTA Circular 9030.1D, “Urbanized Area Formula Program: Program Guidance and Application Instructions”

USEFUL WEBLINKS

Medicare Eligibility

PART 2 – QUESTIONS FOR THE REVIEW

1. *What is the full fare? What is the half fare? During what hours are half fares available (all hours or off peak hours only)? Are there any fixed route services not included in the half fare program?*

EXPLANATION

Fares charged elderly persons, persons with disabilities, and Medicare cardholders during off peak hours for Section 5307 funded fixed route transportation must not be more than half the peak hours fare. If there are services such as neighborhood circulator and shuttle services with fares that are different from the grantee’s fare for its regular local service, separate half fares are needed for each type of service.

- a. The requirement is applicable to:
 - (1) All fixed route services, including service to sporting events, that operate in both peak and off peak hours and use or involve facilities and equipment financed with Section 5307 funds, whether the services are provided by the grantee directly, by a contractor, by a subrecipient, or by another entity that leases facilities and/or equipment from the grantee
 - (2) Any express and commuter service that operates beyond peak hours
 - (3) Fixed route services for which the grantee has not defined peak hours
 - (4) Fixed routes that operate with reduced fares in both the peak and off-peak.

- b. This requirement is not applicable to:
- (1) Demand responsive services, including route deviation services
 - (2) Services that operate only during peak hours, such as express and commuter routes
 - (3) Services that operate only in the off peak hours (e.g., lunchtime circulators and weekend routes to sporting events)
 - (4) Services funded with other FTA assistance that do not use Section 5307 funded equipment or are not operated out of Section 5307 funded facilities.
- c. "Elderly" by FTA regulations is to "at a minimum, include all persons 65 years of age or over." Grantees are permitted to use a definition that extends this fare to younger (e.g., 62 and over) persons. Persons with disabilities are defined by FTA as persons "who by reason of illness, injury, age, congenital malfunction, or other incapacity or temporary or permanent disability (including any individual who is a wheelchair user or has semi-ambulatory capabilities), cannot use effectively, without special facilities, planning, or design, mass transportation service or a mass transportation facility."
- d. Medicare is available for people age 65 or older, younger people with disabilities, and people with end stage renal disease (permanent kidney failure required dialysis or transplant).
- e. The grantee determines its peak hours. Peak hours can be seasonal. If the grantee determines it is not large enough, or demand is not strong enough, to identify or justify peak hour service, then its entire service should be defined as "off peak." In this instance, the grantee has two options:
- (1) Review ridership data and determine the peak ridership hours and develop a policy for half fare, or
 - (2) Choose not to determine a peak period and offer half fares during all hours.

REFERENCES

[49 USC Chapter 53, Section 5307 \(d\)\(1\)\(D\)](#)
[49 CFR 609.23](#)
[FTA C 9030.1D, Ch. IV, Section 8d](#)

SOURCES OF INFORMATION

Fare structure information.

Fare policies/tariffs and internal policy memoranda.

- 2. *For the half fare, what proof of eligibility is required at time of boarding for elderly persons? For persons with disabilities? For Medicare cardholders? If a special identification card is accepted as the sole basis for determining some or all eligibility, what are the procedures for obtaining the card? Does the grantee require any additional information from a Medicare cardholder? If yes, what?***

EXPLANATION

The half fare program, as applied, may require passengers to show proof of eligibility when they pay their fare in order to receive the half fare. Examples of proof of eligibility include a driver's license, Medicare card, special identification card, and ADA eligibility card. The grantee may require more than one piece of identification for determining age or disability-related qualifications.

- a. A grantee may require passengers to obtain a special identification card as the sole basis for paying the half fare. A valid Medicare card must be considered sufficient proof of eligibility for

obtaining the identification card. Obtaining a special identification card must be relatively easy. For example, though not strictly prohibited, requiring individuals to travel to a single office, which may be inconveniently located, is not consistent with the intent of this requirement.

- b. In order to ensure that the person presenting a Medicare card is the authorized individual, the grantee may request proof of identity (another card with a photograph). There is no specific prohibition against this, provided the grantee is not asking for further proof of eligibility from the Medicare cardholder but is only checking the validity of the Medicare card.

REFERENCES

49 USC Chapter 53, Section 5307 (d)(1)(D)
49 CFR 609.23
FTA C 9030.1D, Ch. IV, Section 8d

SOURCES OF INFORMATION

Public informational materials on fare program

3. How does the grantee inform its employees and the public that half fares are available?

EXPLANATION

A policy is not effective unless it is communicated to those who will carry it out and to those who can take advantage of it. Training documents and communication with operators and others responsible for implementing the fare program should demonstrate that the grantee has notified staff of the program and included the correct information.

- a. Public information should include half fare information, including Medicare eligibility, if it contains fare information. For example, if a brochure says the fare to ride the bus is \$1.00, it also should say that the fare for elderly persons, persons with disabilities, and Medicare cardholders is \$0.50 during off peak hours.
- b. Though it is not necessary to have a separate fare category for Medicare cardholders, the grantee's readily available public information must be clear that Medicare cards are accepted as proof of eligibility for the half fare program, including for persons who are not elderly.

REFERENCES

49 USC Chapter 53, Section 5307 (d)(1)(D)
49 CFR 609.23
FTA C 9030.1D, Ch. IV, Section 8d

SOURCES OF INFORMATION

Public Information, training manuals and documents, system maps, route timetables, web site

4. How does the grantee ensure that subrecipients, contractors, and lessees operating fixed route service supported with Section 5307 funds allow elderly persons, persons with disabilities, and persons with a Medicare card to pay, during off peak hours, one half the fare generally paid during peak hours?

EXPLANATION

The grantee is responsible for ensuring that subrecipients, contractors, and lessees that operate services to which the half fare requirement applies comply. The oversight program should ensure:

- a. that a half fare is offered for applicable services during off peak hours,

- b. that the definition of off peak hours is reasonable,
- c. Identification requirements allow eligible persons to obtain the half fare, and internal and public fare information show the half fare and eligibility, including Medicare cardholder eligibility.

REFERENCES

[49 USC Chapter 53, Section 5307 \(d\)\(1\)\(D\)](#)
[49 CFR 609.23](#)
[FTA C 9030.1D, Ch. IV, Section 8d](#)

SOURCES OF INFORMATION

Policies and procedures for oversight.

Monitoring data.

PROTOT