



AGENDA

TRANSIT OPERATORS ADVISORY COMMITTEE (TRANSCOM)
Thursday, September 10, 2015, 1:30 P.M.
Camarillo City Hall, Administrative Conference Room
601 Carmen Drive, Camarillo, CA

- | | |
|----------------|---|
| Item #1 | CALL TO ORDER |
| Item #2 | INTRODUCTIONS AND ANNOUNCEMENTS |
| Item #3 | PUBLIC COMMENTS |
| Item #4 | AUGUST 13, 2015 MEETING MINUTES – PG. 2 <ul style="list-style-type: none">• Approve the August 13, 2015 meeting minutes. |
| Item #5 | FTA PROPOSED RULE REGARDING ADA FARES – PG. 4 <ul style="list-style-type: none">• Discuss possible VCTC comment regarding FTA proposed rule regarding ADA fares. |
| Item #6 | ADA CERTIFICATION AND MILEAGE REIMBURSEMENT PROGRAM UPDATE – PG. 7 <ul style="list-style-type: none">• Receive and file the monthly ADA Certification Services Reports and Mileage Reimbursement Program update. |
| Item #7 | ADJOURNMENT |

In consideration of our host, the City of Camarillo, please exit this meeting quietly through the Exit door located directly right of the Administrative Conference Room, not back through front section of Camarillo City Hall. Thank you.

**MINUTES OF THE
VENTURA COUNTY TRANSPORTATION COMMISSION (VCTC)
TRANSIT OPERATORS ADVISORY COMMITTEE (TRANSCOM)**

August 13, 2015

1. Call to Order

Claire Johnson-Winegar called the meeting to order at 1:33 p.m. A quorum was present. Self-introductions were performed and the following people were present:

Bill Golubics	Camarillo	Andrew Lorenzana	CSUCI
Ray Porras	CSUCI	Devon Cichoski	Celtis Ventures
Andy Mikkelsen	Gold Coast Transit Dist.	Claire Johnson-Winegar	Gold Coast Transit Dist.
Margaret Heath	Gold Coast Transit Dist.	Vanessa Rauschenberger	Gold Coast Transit Dist.
Shaun Kroes	Moorpark	Drew Lurie	Ojai
Jason Lott	Port Hueneme	Cesar Hernandez	Santa Paula
Joseph Briglio	SCAG	Anne Louise Rice	SCRRA
Alex Portlier	Thousand Oaks	Mark MacDougall	Thousand Oaks
Mike Houser	Thousand Oaks	Kathy Connell	Ventura County
Ben Cacatian	VCAPCD	Aaron Bonfilio	VCTC Intercity Bus
Ellen Talbo	VCTC	Kara Elam	VCTC
Peter De Haan	VCTC	Treena Gonzalez	VCTC
Vic Kamhi	VCTC		

Chair Vanessa Rauschenberger arrived shortly after the meeting began.

2. Introductions and Announcements

Gold Coast Transit District (GCTD) had service changes effective July 26 and Steve Rosenberg is acting General Manager while Steve Brown is out of the office. Moorpark City Transit had service changes effective August 10. A representative from BYD will be demonstrating a 40' electric bus after the meeting. VCTC staff provided updates on the status of a long term Federal transportation authorization, as well as the new Federal Grants database set to be deployed on Oct. 1. Thousand Oaks Transit is adding an additional bus to the "green" route in late September, producing bid specifications for 30' CNG buses, has the Transit Master Plan kick off meeting scheduled and provided updates on the performance of the new ECTA Intercity Service.

3. Public Comments

No public comments were made.

4. May 14, 2015 Meeting Minutes – Action

Mike Houser moved to approve the May 14, 2015 meeting minutes. The motion was seconded by Kathy Connell. A voice vote was taken and the motion passed unanimously.

5. Revision to Metrolink Proposition 1B Transit Security Capital Program – Action

Discussion was had on the recent completion of the Tunnel 26 Security project, two new projects proposed by Metrolink to improve security and the potential, future use of Moorpark Station as a layover facility if commuter-friendly trains to Santa Barbara need a layover point in Moorpark. Shaun Kroes requested the City of Moorpark be included in all meetings which progress increases in trains at the Moorpark Station/yard as residents have concerns about noise and traffic. Mike Houser moved to approve transferring the \$262,000 unused balance of Tunnel 26 Security Improvement project to the Moorpark Yard and Station projects. The motion was seconded by Aaron Bonfilio. A voice vote was taken and the motion passed unanimously.

6. FY 2015/16 Program of Projects – Action

Staff provided a copy of the revised Program of Projects (POP). Bill Golubics moved to approve the FY 2015/15 POP. The motion was seconded by Kathy Connell. A voice vote was taken and the motion passed unanimously.

7. Status of Federal STP and CMAQ Projects

No CMAQ or STP funds are in danger of lapsing. Staff advised that once there is a Federal Authorization, the shelf list projects will be added to the project listing for 15/16. Staff requested agencies provide status updates on CMAQ projects.

8. Radio Antenna Upgrades

Discussion was had regarding the grant funds obtained by VCTC and Thousand Oaks for an emergency communications system for Transit Operators. TRANSCOM suggested forming a Work Group to develop an RFP, identify a lead agency for sites/licenses and to expeditiously move the project forward with the intent that the \$225,000 received to date does not lapse.

9. Discussion on FTA Rule Regarding ADA Reasonable Modifications of Policy and Practices

Discussion was had on the FTA Final Rule regarding ADA reasonable modifications of policies and practices. Staff will be bringing the Heritage Valley Transit Service Policy Advisory Committee a recommendation to approve implementation of a similarly presented process for ADA Reasonable Modifications of Policies and Practices.

10. Tsunami Awareness Preparedness Training

Discussion was had on an upcoming Tsunami Awareness Preparedness training course on September 10, 2015 at 8:00 a.m. located at 800 South Victoria Avenue in Ventura.

11. ADA Certification and Mileage Reimbursement Program Update

The May, June and July 2015 ADA certification Services Reports were provided to TRANSCOM. Currently, the ADA Certification Work Group meets to review the ADA Certification Services and TRANSCOM will continue to receive the monthly ADA reports as well as verbal updates on the Mileage Reimbursement Program.

12. Adjournment – Action

Chair Vanessa Rauschenberger moved to adjourn the meeting at 2:52 p.m. A voice vote was taken and the motion passed unanimously



Item #5

September 10, 2015

MEMO TO: TRANSIT OPERATORS ADVISORY COMMITTEE
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: FTA PROPOSED RULE REGARDING ADA FARES

RECOMMENDATION:

- Discuss possible VCTC comment regarding FTA proposed rule regarding ADA fares.

BACKGROUND:

FTA has issued a notice (attached) of a proposed rule to allow increased flexibility in setting fares for complementary ADA paratransit service. The current regulation provides that the fare shall not exceed twice the fare that would be charged for an individual paying full fare for a similar trip on the fixed route system. However, in areas with multiple transit providers having varying fares, it is often difficult to ensure that the fare for an ADA trip is never more than twice the fare for the same fixed-route trips, which could then mean that the ADA fare for the entire service area must be no more than twice the lowest fare for any bus in the service area. The proposed change would allow an alternative method whereby the fare would be no more than double the average fixed-route fare based on a random sampling of recent paratransit trips. Such a change would facilitate a simpler paratransit system fare structure, possibly employing a zone system.

FTA is requesting comments on the proposed change, and VCTC staff is prepared to submit comments describing the situation in Ventura County particularly with regard to recent efforts to consolidate and simplify paratransit services. The comment would then describe how the proposed change would provide another option for simplifying paratransit fares in Ventura County with its multiple fixed-route bus systems.

beyond those imposed by state law. For that reason, this proposed action:

- Is not a significant regulatory action subject to review by the Office of Management and Budget under Executive Orders 12866 (58 FR 51735, October 4, 1993) and 13563 (76 FR 3821, January 21, 2011);
- does not impose an information collection burden under the provisions of the Paperwork Reduction Act (44 U.S.C. 3501 *et seq.*);
- is certified as not having a significant economic impact on a substantial number of small entities under the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*);
- does not contain any unfunded mandate or significantly or uniquely affect small governments, as described in the Unfunded Mandates Reform Act of 1995 (Pub. L. 104-4);
- does not have Federalism implications as specified in Executive Order 13132 (64 FR 43255, August 10, 1999);
- is not an economically significant regulatory action based on health or safety risks subject to Executive Order 13045 (62 FR 19885, April 23, 1997);
- is not a significant regulatory action subject to Executive Order 13211 (66 FR 28355, May 22, 2001);
- is not subject to requirements of Section 12(d) of the National Technology Transfer and Advancement Act of 1995 (15 U.S.C. 272 note) because application of those requirements would be inconsistent with the CAA; and
- does not provide EPA with the discretionary authority to address, as appropriate, disproportionate human health or environmental effects, using practicable and legally permissible methods, under Executive Order 12898 (59 FR 7629, February 16, 1994).

In addition, the SIP is not approved to apply on any Indian reservation land or in any other area where EPA or an Indian tribe has demonstrated that a tribe has jurisdiction. In those areas of Indian country, the rule does not have tribal implications as specified by Executive Order 13175 (65 FR 67249, November 9, 2000), nor will it impose substantial direct costs on tribal governments or preempt tribal law.

List of Subjects in 40 CFR Part 52

Environmental protection, Air pollution control, Incorporation by reference, Intergovernmental relations, Nitrogen dioxide, Ozone, Reporting and recordkeeping requirements, Volatile organic compounds.

Authority: 42 U.S.C. 7401 *et seq.*

Dated: August 5, 2015.

Heather McTeer Toney,

Regional Administrator, Region 4.

[FR Doc. 2015-20497 Filed 8-19-15; 8:45 am]

BILLING CODE 6560-50-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

49 CFR Part 37

[Docket DOT-OST-2015-0075]

Transportation for Individuals With Disabilities; Service Criteria for Complementary Paratransit Fares

AGENCY: Office of the Secretary (OST), U.S. Department of Transportation (DOT).

ACTION: Notice of petition for rulemaking; request for comments.

SUMMARY: This document seeks public comments on a petition for rulemaking from Access Services concerning the Department's regulations implementing the Americans with Disabilities Act (ADA) with respect to the method of determining the fare for a trip charged to an ADA paratransit eligible user. The petition asks the Department to revise its regulation to allow for a "coordinated" or two-tier fare structure. The current regulation provides that the fare shall not exceed twice the fare that would be charged to an individual paying full fare for a similar trip on the fixed route system.

DATES: Comments must be received by September 21, 2015.

ADDRESSES: Please submit your comments by only one of the following methods:

- **Online:** Use the Federal eRulemaking portal at <http://www.regulations.gov> and follow the instructions for submitting comments.
- **U.S. Mail:** Send your comments to the Docket Management Facility, U.S. Department of Transportation, 1200 New Jersey Avenue SE., W12-140, Washington, DC 20590-0001.
- **Hand Delivery or Courier:** Go to Room W12-140 on the ground floor of the West Building, U.S. Department of Transportation headquarters, 1200 New Jersey Avenue SE., between 9 a.m. and 5 p.m. Eastern-time, Monday through Friday except Federal holidays.
- **Telefax:** Send your comments to 202-493-2251.

Instructions: All comments must include the docket number for this rulemaking: DOT-OST-2015-0075. Submit two copies of your comments if you submit them by mail. For

confirmation that DOT received your comments, include a self-addressed, stamped postcard. All comments received will be posted without change to <http://www.regulations.gov>, including any personal information provided. Please see the Privacy Act heading under "Supplementary Information," below, for Privacy Act information pertinent to any submitted comments or materials, and you may review DOT's complete Privacy Act Statement published in the **Federal Register** on April 11, 2000, at 65 FR 19477.

Docket Access: For access to background documents and comments received in the rulemaking docket, go to <http://www.regulations.gov> or to the U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Room W12-140, Washington, DC 20590 between 9:00 a.m. and 5:00 p.m., Monday through Friday except Federal holidays.

FOR FURTHER INFORMATION CONTACT: Jill Laptosky, Attorney-Advisor, Office of General Counsel, U.S. DOT, 1200 New Jersey Ave. SE., Washington, DC 20590, phone: (202) 493-0308, or email, Jill.Laptosky@dot.gov; or Bonnie Graves, Assistant Chief Counsel for Legislation and Regulations, Office of Chief Counsel, Federal Transit Administration, same address, phone: (202) 366-4011, or email, Bonnie.Graves@dot.gov.

SUPPLEMENTARY INFORMATION: On March 4, 2015, the U.S. Department of Transportation (DOT) received a petition for rulemaking from Access Services, the Americans with Disabilities Act (ADA) complementary paratransit provider for 44 fixed route transit providers in Los Angeles County, California. Access Services uses a "coordinated" or two-tier fare structure where it generally charges \$2.75 for one-way trips up to 19.9 miles, and \$3.50 for one-way trips of 20 miles or more. In some cases, these fares exceed twice the fixed route fare. The DOT's ADA regulation at 49 CFR 37.131(c) provides that the fare for a trip charged to an ADA paratransit eligible user of the complementary paratransit service shall not exceed twice the fare that would be charged to an individual paying full fare for a trip of similar length, at a similar time of day, on the entity's fixed route system. In recent triennial reviews of some fixed route providers in Los Angeles County, the Federal Transit Administration (FTA) has made findings that the ADA paratransit fares exceed twice the fixed route fare. In other words, some paratransit riders are paying more for ADA paratransit fares than they should be under the Department's existing regulations.

Access Services' petition for rulemaking has been placed in the docket. Access Services asserts in its petition that its two-tier fare structure is simple for riders to understand and easy for Access Services and its providers to implement. In its petition, Access Services requests that the Department propose amending its ADA regulations to allow for a coordinated fare structure as follows:

Proposed Amendment to DOT ADA Regulations

The Access Services proposes the following addition to 49 CFR 37.131(c) on service criteria for complementary paratransit:

- Alternatively, the maximum fare that may be charged by an entity which administers a coordinated paratransit plan for 20 or more fixed route members pursuant to 49 CFR 37.141 and approved pursuant to 49 CFR 37.147 shall be no more than twice the regional average fixed-route fare determined as follows:

- The entity may calculate a regional average fixed-route fare by obtaining a statistically-valid, random sample of its recent paratransit trips, calculating the applicable fixed-route fare for those

trips and averaging the results. The sample may be subdivided by distance to determine the regional average fixed-route fares for trips of a certain mileage.

The Department's regulations at 49 CFR 5.11 permit any person to petition the Secretary to amend a rule. It is solely within the discretion of the Secretary to grant or deny such a petition, and the Secretary has not yet decided whether or not to grant or deny the Access Services' petition. In order to supplement the information provided by Access Services in support of its petition for rulemaking, the Department is requesting public comments on the issue presented in the petition. The Department will use this collective information in the development of the technical review that will serve as the basis for determining whether to grant or deny the petition.

The Department is especially interested in hearing from individuals who use ADA complementary paratransit services in order to better understand how they would be impacted if the Department adopted the Access Services' language or similar language. Would a more simplified tiered fare system, set by the local

transit agencies, be beneficial to individuals with disabilities using public transportation in regions with multiple fixed route providers? Would any tiered system need to be capped at a certain amount (*e.g.*, twice the fare on a comparable fixed route trip)? How many tiers would be unmanageable for individuals with disabilities?

The Department is also interested to hear from ADA complementary paratransit providers throughout the country. How do these paratransit providers, particularly in regions with many fixed-route operators, currently determine fares in order to comply with the Department's current regulations? What procedures or best practices do they use? What challenges do ADA complementary paratransit providers face in setting fares under the current regulations? How many fixed-route providers do you coordinate with?

Issued in Washington, DC, this 29th day of July 2015, under authority delegated in 49 CFR 1.27(a).

Kathryn B. Thomson,
General Counsel.

[FR Doc. 2015-20467 Filed 8-19-15; 8:45 am]

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Item #6

September 10, 2015

MEMO TO: TRANSIT OPERATORS ADVISORY COMMITTEE
FROM: PETER DE HAAN, PROGRAMMING DIRECTOR
SUBJECT: ADA CERTIFICATION SERVICES AND MILEAGE REIMBURSEMENT PROGRAM UPDATE

RECOMMENDATION:

- Receive and file the monthly ADA Certification services report and Mileage Reimbursement Program update.

DISCUSSION:

The August 2015 ADA Certification Services Report from Mobility Management Partners, Inc. (MMP) will be provided at the meeting.

MMP received Section 5310 funding to expand its services to include the development and implementation of a pilot volunteer driver mileage reimbursement program in cooperation with the Area Agency on Aging and other agencies serving the needs of the county's senior population. MMP will provide an oral update on the Mileage Reimbursement Program (MRP).