

Far West Texas/El Paso Regional Transportation Coordination Committee Enhanced Transportation for the Elderly & Persons with Disabilities

Section 5310 Program Plan

August 25, 2014

Project Purpose and Objective

The new federal transportation law, Moving Ahead for Progress – Twenty-first Century (MAP-21), requires that projects selected for Enhanced Mobility for Seniors and Persons with Disabilities funding under 49 U.S.C. 5311 are included in locally developed, coordinated public transit-human services transportation plans and that the plan was developed and approved through a process that included participation by seniors; individuals with disabilities; representatives of public, private, non-profit transportation and human services providers and members of the public.

The purpose of this plan is to fulfill this MAP-21 requirement by outlining the requirements and potential activities associated with the §5310 program, identifying the mobility needs of seniors and persons with disabilities, assessing existing services directed to these populations and establishing mobility priorities for the affected populations. The plan objective is to adopt a *Regional Plan* amendment that formalizes these priorities and institutes specific parameters to guide rural and urbanized §5310 project selection.

As outlined in the FY 2014 Far West Texas/El Paso Regional Transportation Coordination Workplan, this §5310 plan will undertake to confirm mobility needs of seniors and persons with disabilities; assess existing services and MAP-21 consequences; prepare a draft plan establishing §5310 priorities for Committee Review and prepare a final §5310 plan as an amendment to the *Regional Plan* for Adoption by the Stakeholder Committee and use by the El Paso MPO and TxDOT for project solicitation and selection.

Under MAP-21, Section 5310 is the only program that still has this coordinated plan requirement. However, recipients and subrecipients with remaining JARC and New Freedom funds must continue to certify that projects are included in a coordinated plan. FTA Circular 9070 1G states that “while the overall objectives of the Section 5307, Section 5311, and Section 5310 programs differ (that is, the objectives of Sections 5307 and 5311 are to provide transportation to the general public in urbanized and rural areas and the objective of Section 5310 is to serve seniors and individuals with disabilities in both rural and urbanized areas), there are parallels that make it desirable for designated recipients and states to consider all resources and plan for their use in a complementary way. FTA expects local transit providers to participate in the development of a coordinated public transit-human service transportation plan”. Greater detail about §5310 planning and program development requirements appears in **Appendix 1**.

Background

The Enhanced Mobility of Seniors and Individuals with Disabilities Program, outlined in 49 U.S.C. Section 5310 of the U.S. Transportation Code plays a key role in helping communities address the mobility needs of a population segment that is more likely to be dependent on public transportation.

The goal of the Section 5310 program is to improve mobility for seniors and individuals with disabilities throughout the country by removing barriers to transportation services and expanding the transportation mobility options available. Toward this goal, the Federal Transit Administration (FTA) provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of this population in large urbanized, small urbanized and rural areas. The program requires coordination with other federally assisted programs and services in order to make the most efficient use of federal resources.

The Section 5310 program authorizes formula funding to states and designated recipients. In Far West Texas, the El Paso MPO is the designated recipient for urbanized §5310 funds and TxDOT will continue to distribute §5310 funds for the rural portion of the region.

The program provides grant funds for capital and operating expenses to recipients for:

- Public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;
- Public transportation projects that exceed the requirements of the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101 et seq.);
- Public transportation projects that improve access to fixed-route service and decrease reliance on complementary paratransit; and
- Alternatives to public transportation projects that assist seniors and individuals with disabilities with transportation.

Eligible project expenses include capital, operating, and administrative costs. However, at least 55 percent must be used on capital based public transportation projects *planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable*, often referred to as “Traditional 5310 Projects.” At most, 45 percent can be spent for any other eligible purpose, including capital and operating expenses, and New-Freedom-type projects. Program administration is limited to 10 percent of project costs. **Appendix 2** contains extensive excerpts from FTA Circular 9070 1G detailing eligible §5310 activities and expenses.

There is a 50 percent match requirement for operating expenses and a 20 percent match for capital expenses. Local match requirements are lowered to 15 percent when purchasing ADA/CAA vehicles and 10% for certain vehicle equipment and facilities. **Appendix 3** provides greater federal share/local match requirements from FTA Circular 9070 1G.

History

The Section 5310 program was established in 1975 as a discretionary capital assistance program. In cases where public transit was unavailable, insufficient, or inappropriate, the program awarded grants to private nonprofit organizations to serve the transportation needs of seniors and persons with disabilities. Increasingly, FTA guidance encouraged and required coordination of the program with other federal human service transportation programs. In lieu of purchasing vehicles, the acquisition of service in order to promote use of private sector providers and coordination with other human service agencies and public transit providers, was made an eligible expense under the Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA).

In 2005, Congress enacted SAFETEA-LU. SAFETEA-LU introduced the requirement that Section 5310 projects be derived from a locally developed, coordinated public transit-human services transportation plan.

Congress enacted The Moving Ahead for Progress in the 21st Century Act (MAP-21) on July 6, 2012, and the law became effective on October 1, 2012. MAP-21 repealed the New Freedom program (49 U.S.C. 5317) and merged the New Freedom program into the Section 5310 program. As a result of this merger of programs, activities eligible under the New Freedom program are now eligible under Section 5310, and, consistent with Section 5317, funds are apportioned among large urbanized areas, small urbanized areas, and rural areas, instead of only to states, as the law previously provided. The apportionment is based on the population of seniors and individuals with disabilities in large UZAs, small UZAs, and rural areas.

In addition to the types of projects eligible under the traditional Section 5310 program and the former New Freedom program, a new eligible activity is public transportation projects that improve access to fixed-route service and decrease reliance by individuals with disabilities on complementary paratransit. Consistent with the type of projects eligible under the former New Freedom program, MAP-21 expanded the eligible activities to include operating expenses.

MAP-21 requires that not less than 55 percent of a recipient's Section 5310 funds be available for capital projects that are "traditional" Section 5310 projects - those public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. A recipient may use more of its Section 5310 funds for these capital projects, but may not use less. The following performance measures will be used by the FTA to fulfill its obligations under MAP-21. While these measures will not be used to assess individual grants, they provide an indication of how the FTA views each of the Section 5310 program emphasis areas.

Traditional Section 5310 Project Measurement

(1) Gaps in Service Filled. Provision of transportation options that would not otherwise be available for seniors and individuals with disabilities measured in numbers of seniors and people with disabilities afforded mobility that would not have transportation service without program support as a result of traditional Section 5310 projects implemented in the current reporting year.

(2) Ridership. Actual or estimated number of rides (as measured by one-way trips) provided annually for individuals with disabilities and seniors on Section 5310 supported vehicles and services as a result of traditional Section 5310 projects implemented in the current reporting year.

Other Section 5310 Project Measurement

(1) Increases or enhancements related to geographic coverage, service quality, and/or service times that impact availability of transportation services for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.

(2) Additions or changes to physical infrastructure (e.g., transportation facilities, sidewalks, etc.), technology, and vehicles that impact availability of transportation services for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.

(3) Actual or estimated number of rides (as measured by one-way trips) provided for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year.

Project Selection

Among other duties, the direct or designated recipient of §5310 funds are responsible for:

- Planning for future transportation needs, and ensure integration and coordination among diverse transportation modes and providers;
- Developing project selection criteria consistent with the coordinated planning process;
- Notifying eligible local entities of funding availability;
- Soliciting applications from potential subrecipients;
- Certifying that all projects are included in a locally developed, coordinated public transit-human service transportation plan developed and approved through a process that included participation by seniors; individuals with disabilities; representatives of public, private, and nonprofit transportation and human service providers; and other members of the public;
- Certifying that to the maximum extent feasible, services funded under Section 5310 are coordinated with transportation services assisted by other federal departments and agencies;

The El Paso MPO is the designated recipient of §5310 funds for urbanized El Paso and TxDOT is the direct recipient of §5310 funds for the rural area.

This plan is intended to provide guidance to the El Paso MPO and TxDOT in the planning of enhanced transportation services for seniors and persons with disabilities, adopting project selection criteria, ensuring that selected projects are consistent with and included in the Regional Plan and appropriately coordinated with other transportation services.

**The Mobility Needs of Seniors and Persons with Disabilities
in El Paso & Far West Texas**

Like many areas of Texas and the nation, Far West Texas and El Paso have an aging population where a much higher percentage of the elderly are surviving to much older ages often living many years beyond their ability to drive. The region also has an uncharacteristically high percentage of persons with disabilities and is witnessing trends like the increase in persons with end stage renal disease that will likely result in growing numbers dependent of transportation as a result of a disability. The return of wounded warriors deployed from Ft. Bliss to overseas conflicts adds to the number of persons who may also be dependent on specialized transportation.

Regional Population Characteristics

The following chart depicts the number and percentage of the elderly and persons with disabilities in each of the six counties in the region compared to the incidence of that population segment to Texas as a whole.

The Elderly & Persons with Disabilities in Far West Texas/El Paso Counties

County	Brewster	Culberson	Hudspeth	Jeff Davis	Presidio	Rural Total	El Paso	Texas
Population	9,081	2,361	3,253	2,247	7,614	24,556	778,070	
# Individuals 65 to 74	931	144	286	394	772	2,527	44,344	
% Individuals 65 to 74	10.3	06.1	08.8	17.6	10.1	10.3	05.7	6.0
# Individuals > 74	577	99	193	246	652	1,767	37,065	
% Individuals > 74	6.4	4.2	5.9	10.9	08.6	07.2	04.8	4.3
Total > 64	1,508	243	479	640	1424	4,294	81,409	
% > 64	16.6	10.3	14.7	28.5	18.7	17.5	10.5	10.3
Population > 17	7243	1668	2261	1915	5553	18,640	538,695	
# Individuals > 17 w/disability	1,595	395	626	653	1878	5,144	85,583	
% Individuals > 17 w/disability	22.0	23.7	27.7	34.1	33.8	27.6	15.9	11.0
#Individuals > 17 w/ambulatory difficulty	1000	227	381	376	1167	3151	52,984	
% Individuals > 17 w/ambulatory difficulty	13.8	13.6	16.9	19.6	21.0	16.9	9.8	8.3
Total Transit Dependent	2361	587	854	945	2320	7067	130,360	
% of Area Population	26.0	24.9	26.3	42.1	30.5	28.8	16.8	16.5

Source: U.S. Census Bureau, 2008-2012 American Community Survey

The table estimates a Total Transit Dependent Population of 14,134 in the six rural counties and 130,360 in El Paso County. While the percentage of transit dependent persons is only slightly higher in El Paso County (16.8%) than for the State of Texas (16.5%), the incidence of transit dependent ranges from a low of 24.9% in Culberson County to 42.1% in Jeff Davis County indicating a sustained need for appropriate mobility services in the rural counties.

Supplemental Needs Survey

To obtain more qualitative information about their mobility needs, a one page survey was distributed in March 2014 to targeted organizations serving seniors and persons with disabilities throughout the six-county region. The Area Agency on Aging and Health and Human Services Commission Region 10 were engaged to encourage agencies and organizations to respond. Completed surveys were received from the Department of Aging and Disability Services, the Department of Assistive and Rehabilitative Services, El Paso Community College, the Wellington Chew Senior Center, the El Paso County Senior Nutrition Program, Big Bend Regional Medical Center and the Texas A&M University Colonia Program. The survey cannot be considered a statistically representative survey of the mobility needs of seniors or persons with disabilities but was a means of gathering input of the mobility needs from the perspective of organizations structured to address the many needs of these populations. The survey transmittal letter, survey instrument and summary of findings appear in **Appendix 4**.

By and large, survey respondents in El Paso indicated that the elderly and persons with disabilities need transportation services beyond that which is currently available, especially for those not covered by Medicaid provided transportation services. Forty-seven percent of respondents noted that public transportation services are cost prohibitive for their clients, especially if they have to pay for a companion. Three respondents noted the limited services hours, especially in the rural areas of El Paso County and stated that the distance their client would have to walk to use that service is a hardship. Others commented on the limitations inherent in having to schedule trips in advance and several commented that demand-response services like Sun Metro's LIFT often arrive late making it hard to rely on that system for getting to medical appointments. One respondent recommended the use of stipends to supplement the cost of taxi or van service to help seniors remain more active and be able to age in place. Three respondents noted that more seniors would be able to participate in senior center activities if more transportation services were affordable and available.

Since the rural counties' general public transportation services operate on a demand-response, curb-to-curb approach, it already operates in a way that is very conducive to the needs of the elderly and persons with disabilities. Nevertheless, rural county respondents also noted the need for more affordable transportation and for trips that originate at a reasonable time in the morning for non-medical appointment trips.

Regional Plan Identified Needs

Most of these findings affirm various mobility needs identified in the Far West Texas/El Paso Regional Transportation Coordination Plans submitted to TxDOT in 2006 and 2011 and point to persistent gaps in service to this population. The more recent Updated Regional Plan noted gaps related to low fixed-route service frequency, long distance to nearest stop and high fares. The Metropolitan Policy Program of the Brookings Institution report: Missed Opportunity: Transit and Jobs in Metropolitan America ranked El Paso' urbanized fixed route system very high (fourth best) for service coverage metric of 94.3% but an overall service frequency of 17.2 minutes (ranking 71st place out of 100). The plan also

noted the cost barrier and advance scheduling requirement as gaps in the urban demand-response system. The supplemental survey also affirmed rural gaps identified in the plan especially the early service hours, cost of service and advance scheduling requirements. These gaps affect all riders but may disproportionately affect riders that are elderly or have disabilities.

A significant element of the Updated Regional Plan's needs assessment was the findings of the Accessibility Coalition which met in 2008 to focus specifically on the mobility needs of persons with disabilities. Among the Coalition's findings were the lack of appropriate on-bus announcements, pathway barriers, difficult to read monitors and signage and other accessibility issues; limited fixed-route service frequency; a cumbersome paratransit eligibility process and lack of passenger shelters. Most of these items are currently being addressed by Sun Metro. Like the more recent Supplemental Needs Survey, the Accessibility Coalition recommended the use of accessible taxi cabs to augment paratransit services which may be in jeopardy with the loss of New Freedom funds.

MAP-21 Impact

The adoption of MAP-21 in 2012 changed the landscape for many local public transportation programs. Among the changes was the elimination of the §5317 New Freedom program that provided discretionary transportation equipment, facilities and operating funding for new services for persons with disabilities that went above and beyond complementary ADA paratransit requirements. In El Paso, numerous projects were funded in the previous five years that provided such services including curb-to-curb demand response services in rural El Paso County, same day and will-call premium paratransit services in Sun Metro's urban service area. Some of these projects have already ended and others will continue to operate only until the funds are expended or expire after the three year grant period.

Since the 2007-2009 funding cycle, \$4,568,123 has been awarded to area transportation providers under the New Freedom program with \$653,908 ending this year and \$1,009,112 ending in FY 2015. Over that time \$1,706,016 was devoted to capital expenditures, \$2,494,961 to operating expenses, and \$278,365 to preventive maintenance. About \$90,000 has been programmed for a combination of information technology and mobility management.

Annual New Freedom awards to the region have averaged about \$900,000. It is unknown what the region's urbanized §5310 allocation will be, but last year TxDOT was only able to award \$42,000 in such funds for rural §5310 activities.

Importantly, New Freedom grants have allowed a highly coordinated system that allows greater mobility options for users and greater flexibility for providers. Much of Sun Metro Lift's ability to provide premium same day and will-call services are built on New Freedom resources. New Freedom funds are used to contract with non-profit and for-profit providers to handle paratransit overflow and improve on-time performance, an approach recommended in the Regional Plan and affirmed in the Supplemental Survey.

Additionally, New Freedom has allowed the purchase of over \$1.7 million in new vehicles, preserving other funds for operating expense which could be exacerbated by other MAP-21 provisions that have changed vehicle replacement programs.

Fortunately under MAP-21, the §5310 program allows greater flexibility to contract with a wide array of providers to maintain a more flexible system. It also requires that no less than 55% of funds are used for

“traditional capital” expenses which limits flexibility but may be necessary to maintain appropriate fleet replacement and maintenance resources.

A continuing emphasis in §5310 is the provision of enhanced mobility services to seniors and persons with disabilities “where no other alternative exists.” While the appeal to use §5310 to create a more flexible and responsive system is understandable, it is important to view such enhancements in the context of the possible cost of a complete lack of mobility options for some or many in the targeted population.

Recommendations

Given the current level of need and projected growth in the region’s elderly and disabled populations and the shifting of resources available to address those needs and future uncertainties related to fuel costs, it is important to maintain a high degree of flexibility to be able to deftly adjust to changing circumstances. Therefore the following priorities and project selection criteria are offered as guidelines that may require frequent adjustment as a result of changing conditions and refinement based on the measurement of project effectiveness.

Mobility Priorities for the Elderly and Persons with Disabilities

The following priorities are divided between the urban and rural counties based on §5310 funding sources and the differences between the transportation systems and resources in each area. The priorities are listed in descending order with the highest priority listed first. The order of priorities attempts to factor in the 55% traditional and 45% new project requirements of MAP-21.

Rural Conditions

All rural general public, Medical Transportation Program and subscription services (nutrition center) service provided by Big Bend Community Action Committee (BBCAC) are currently provided on a demand-response, curb-to-curb or door-to-door basis which lends itself to populations targeted by the §5310 program. Their services mix passengers from multiple programs to increase service efficiency which is critically important given the extremely long distances of most of their trips. BBCAC contracts with area cities and community organizations to provide mid-day congregate meal transportation also maximizing the use of existing transportation resources, particularly vehicles. Since their services are operated in such an integrated way that is friendly to the elderly or disabled rider, §5310 resources should be prioritized to sustain this model of service delivery.

Big Bend Regional Medical Center (BBRMC) also operates a §5310 vehicle as part of its Senior Circle program, providing a vital link to senior activities that might otherwise be inaccessible. While BBRMC does not provide daily service, it is also important to BBCAC’s daily service. To balance these needs, it is recommended that rural §5310 funding be awarded for vehicle replacement, preventative maintenance and operating costs for BBCAC to maintain its current service mix for the elderly and persons with disabilities in the five rural counties. However, as BBRMC vehicle replacement needs approach, BBRMC should be awarded funds for successive years in a cumulative amount necessary to purchase appropriate replacement vehicles. This approach will require TxDOT to “bank” funds for BBRMC in successive years to achieve the needed award amount.

Rural Priorities

- Support services to the elderly and persons with disabilities where no other alternative exists in a way that incentivizes a highly coordinated approach to maximize the use of existing resources and expertise
- Sustain current integrated demand-response service mix for area's §5311 provider to maximize use of transit vehicles, operating resources, and management expertise
- Replace vehicles as needed for area's specialized transportation provider

Urban Conditions

Urbanized El Paso is characterized by a growth rate and population characteristics that closely mirror those of Texas as a whole and receives a formula allocation based largely on population. The area also enjoys multiple transportation options and an extensive fixed-route system. Nevertheless, El Paso faces numerous demographic and geographic challenges that are not recognized in formula funding. Also, providers based in urbanized El Paso have received and have come to rely on significant New Freedom funding that will soon be lost. This discretionary funding has created numerous service enhancements that should be carefully preserved where possible. §5310 regulations require however, that priority should be given to projects that address the mobility needs of the elderly and persons with disabilities where no viable alternative exists. As with the rural area, funds should be awarded in such a way as to encourage a coordinated approach to resource utilization and service delivery.

Urban Priorities

- Support services for the elderly and persons with disabilities where no other alternative exists in a way that incentivizes a highly coordinated approach that leverages the use of existing resources and expertise
- Sustain coordinated service delivery enhancements that demonstrably reduce wait-times and/or allow same day scheduling, will-call and other services that afford the greatest independence to riders
- Remove barriers and improve access to use of fixed-route services including travel training that can demonstrate success in transitioning riders from paratransit to fixed-route services
- Support innovative projects that create an alternative to public transportation that meet the unique mobility needs of the elderly and persons with disabilities
- Support mobility management or other approaches to service coordination that demonstrate results in improved mobility for the elderly and persons with disabilities

Appendix 1

PROGRAM DEVELOPMENT

COORDINATION REQUIREMENTS Title 49 U.S.C. 5310, as amended by MAP-21, requires a recipient of Section 5310 funds to certify that projects selected for funding under this program are included in a locally developed, coordinated public transit-human service transportation plan and that the plan was developed and approved through a process that included participation by seniors; individuals with disabilities; representatives of public, private, nonprofit transportation and human service providers; and other members of the public. (See Chapter V of this Circular for further information.) This coordinated transportation plan should be prepared through a process that is consistent with the applicable metropolitan or statewide planning process, as described below. Transit service and demographic information developed and used in the broader metropolitan and statewide processes may provide a useful starting point for the more detailed review that will take place in preparing the coordinated plan. Similarly, the extensive public participation and stakeholder consultation provisions of metropolitan and statewide planning can provide a useful context and basis for the more focused local public involvement involved in preparing the coordinated plan. For these reasons, FTA strongly encourages coordination and consistency between the local coordinated public transit-human service transportation plan and metropolitan or statewide transportation planning processes, as described in 23 CFR part 450 and 49 CFR part 613.

PLANNING REQUIREMENTS. To be eligible for funding, Section 5310 projects in UZAs must be included in the metropolitan transportation plan (MTP) prepared and approved by the metropolitan planning organization (MPO), the transportation improvement program (TIP) approved jointly by the MPO and the governor, and the statewide transportation improvement program (STIP) developed by a state and jointly approved by FTA and FHWA. Projects outside UZAs must be included in, or be consistent with the statewide long-range transportation plan, as developed by the state, and must be included in the STIP. With limited exceptions, all federally-funded highway or transit projects must be included in the applicable plan and program documents according to state and local procedures. Areas may choose to include project level information or more aggregated program level information. For purposes of convenience, the recipient may group its planned expenditures of Section 5310 funds into statewide or metropolitan areawide projects, such as vehicle acquisitions or services contracted for rural and urban recipients, and administration costs. All projects must adhere to the requirements of 49 U.S.C. 5303 and 5304. See Appendix D for further information on how the various planning processes relate to one another.

PROGRAM OF PROJECTS. The program of projects (POP) identifies the subrecipients and projects for which the recipient is applying for financial assistance. The Section 5310 annual POP the recipient submits to FTA for approval must indicate the total number of subrecipients; identify each subrecipient and indicate whether they are governmental authorities or private nonprofit agencies; and identify any that are Indian tribal governments or tribal transit agencies (including both federally recognized and other tribal governments). In addition, the POP must include a brief description of each project, including what type of project it is, the counties served, and any tribal transportation needs served by the project. The POP must show, for each project, the total

project cost and the federal share. The total federal funding level for the POP cannot exceed the total amount of Section 5310 funds available. The POP must indicate whether a project is a capital or an operating expense and clearly identify which projects meet the 55 percent minimum for traditional section 5310 projects. A sample POP is included in Appendix B. The POP must be identical to, or consistent with, listings contained in the applicable TIP and STIP.

So that FTA can comply with the Federal Funding Accountability and Transparency Act of 2006 (Pub. L 109–282), enacted September 26, 2006, the recipient must provide FTA with the following information for each subrecipient: the name of the entity receiving the award, the amount of the award, the location of the entity receiving the award, and the primary location of performance under the award, including the city, state, and congressional district. The recipient may choose to submit this information as a separate attachment in FTA’s electronic grant management system (TEAM, or a successor thereto) or to include the information in the POP.

Appendix 2

ELIGIBLE ACTIVITIES & EXPENSES

Section 5310 funds are available for capital and operating expenses to support the provision of transportation services to meet the specific needs of seniors and individuals with disabilities.

Section 5310(b) provides that of the amounts apportioned to states and designated recipients, not less than 55 percent shall be available for traditional Section 5310 projects—those public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Notably, this 55 percent is a floor, not a ceiling—recipients may use more than 55 percent of their apportionment for this type of project.

This means that at least 55 percent of any rural, small urbanized area, or large urbanized area's annual apportionment must be utilized for public transportation capital projects that are planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities. It is not sufficient that seniors and individuals with disabilities are merely included (or assumed to be included) among the people who will benefit from the project.

Eligible projects for the required 55 percent of capital projects include the capital cost of contracting for the provision of transit services for seniors and individuals with disabilities and other specialized shared-ride transportation services. The purchase of rolling stock for or the acquisition of ADA-complementary paratransit service are eligible capital expenses that may also qualify as public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate, provided the projects are carried out by eligible subrecipients (see section 5, above) and these projects are included in the area's coordinated plan.

In addition to the above required capital projects, up to 45 percent of an area's apportionment may be utilized for additional public transportation projects that:

- a. Exceed the ADA minimum requirements,
- b. Improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service, or
- c. Provide alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

Such projects must be targeted toward meeting the transportation needs of seniors and individuals with disabilities, although they may be used by the general public. It is not sufficient that seniors and individuals with disabilities are included (or assumed to be included) among the people who will benefit from the project. FTA encourages projects that are open to the public as a means of avoiding unnecessary segregation of services.

Recipients must clearly identify the projects that are part of the required 55 percent capital projects as part of the grant activity line item narrative descriptions. Many projects may be eligible under both the required and optional criteria, but a discrete set of projects that meet the required criteria constituting at least 55 percent of the grant amount, exclusive of administrative expenses, must be identified. Alternatively, the grant application may assign less than the required 55 percent to such projects if other grants in the same fiscal year utilize more than the required 55 percent, so long as at least 55 percent of the total annual apportionment will be used for required projects. In such cases, a list of the other grants and the funding amounts must be included within the new grant application.

ELIGIBLE CAPITAL EXPENSES THAT MEET THE 55 PERCENT REQUIREMENT

Funds for the Section 5310 program are available for capital expenses as defined in Section 5302(3) to support public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Examples of capital expenses that meet the 55 percent requirement, which must be carried out by an eligible recipient or subrecipient as described in section 5 of this chapter above, include, but are not limited to:

a. Rolling stock and related activities for Section 5310-funded vehicles

- (1) Acquisition of expansion or replacement buses or vans, and related procurement, testing, inspection, and acceptance costs;
- (2) Vehicle rehabilitation or overhaul;
- (3) Preventive maintenance;
- (4) Radios and communication equipment; and
- (5) Vehicle wheelchair lifts, ramps, and securement devices

b. Passenger facilities related to Section 5310-funded vehicles

- (1) Purchase and installation of benches, shelters, and other passenger amenities.

c. Support facilities and equipment for Section 5310-funded vehicles

- (1) Extended warranties that do not exceed the industry standard;
- (2) Computer hardware and software;
- (3) Transit-related intelligent transportation systems (ITS);
- (4) Dispatch systems; and
- (5) Fare collection systems.

d. Lease of equipment when lease is more cost effective than purchase. Note that when lease of equipment or facilities is treated as a capital expense, the recipient must establish criteria for determining cost effectiveness in accordance with FTA regulations, "Capital Leases," 49 CFR part 639 and OMB Circular A-94, which provides the necessary discount factors and formulas for applying the same;

e. Acquisition of transportation services under a contract, lease, or other arrangement. This may include acquisition of ADA-complementary paratransit services when provided by an eligible recipient or subrecipient as defined in section 5 of this chapter, above. Both capital and operating

costs associated with contracted service are eligible capital expenses. User-side subsidies are considered one form of eligible arrangement. Funds may be requested for contracted services covering a time period of more than one year. The capital eligibility of acquisition of services as authorized in 49 U.S.C. 5310(b)(4) is limited to the Section 5310 program;

f. Support for mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a nonprofit agency could receive Section 5310 funding to support the administrative costs of sharing services it provides to its own clientele with other seniors and/or individuals with disabilities and coordinate usage of vehicles with other nonprofits, but not the operating costs of service. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. Mobility management activities may include:

- (1) The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, seniors, and low-income individuals;
- (2) Support for short-term management activities to plan and implement coordinated services;
- (3) The support of state and local coordination policy bodies and councils;
- (4) The operation of transportation brokerages to coordinate providers, funding agencies, and passengers;
- (5) The provision of coordination services, including employer-oriented transportation management organizations' and human service organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities such as coordinating individualized travel training and trip planning activities for customers;
- (6) The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs; and
- (7) Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive of geographic information systems (GIS) mapping, global positioning system technology, coordinated vehicle scheduling, dispatching and monitoring technologies, as well as technologies to track costs and billing in a coordinated system, and single smart customer payment systems. (Acquisition of technology is also eligible as a standalone capital expense).

g. Capital activities (e.g., acquisition of rolling stock and related activities, acquisition of services, etc.) to support ADA-complementary paratransit service may qualify toward the 55 percent requirement, so long as the service is provided by an eligible recipient/subrecipient as defined in section 5, above, and is included in the coordinated plan.

OTHER ELIGIBLE CAPITAL AND OPERATING EXPENSES.

Up to 45 percent of a rural, small urbanized area, or large urbanized area's annual apportionment may be utilized for:

- (1) Public transportation projects (capital only) planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;
- (2) Public transportation projects (capital and operating) that exceed the requirements of ADA;
- (3) Public transportation projects (capital and operating) that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service; or
- (4) Alternatives to public transportation (capital and operating) that assist seniors and individuals with disabilities with transportation.

Since the 55 percent requirement is a floor, and not a ceiling, the activities listed in section 14, above, are eligible expenses for all funds available to a recipient under Section 5310. For example, mobility management and ITS projects may be eligible under both categories; the difference to note, in order for the project to qualify toward the 55 percent requirement, is that the project must meet the definition of a capital project, be specifically geared toward the target population, and carried out by an eligible subrecipient, which is limited for this category of projects. The list of eligible activities is intended to be illustrative, not exhaustive. FTA encourages recipients to develop innovative solutions to meet the needs of seniors and individuals with disabilities in their communities and discuss proposed projects with FTA regional staff to confirm eligibility.

Public Transportation Projects that Exceed the Requirements of the ADA. The following activities are examples of eligible projects meeting the definition of public transportation service that is beyond the ADA.

- (1) Enhancing paratransit beyond minimum requirements of the ADA. ADA-complementary paratransit services can be eligible under the Section 5310 program in several ways:
 - (a) Expansion of paratransit service parameters beyond the three-fourths mile required by the ADA;
 - (b) Expansion of current hours of operation for ADA paratransit services that are beyond those provided on the fixed-route services;
 - (c) The incremental cost of providing same day service;
 - (d) The incremental cost (if any) of making door-to-door service available to all eligible ADA paratransit riders, but not on a case-by-case basis for individual riders in an otherwise curb-to-curb system;
 - (e) Enhancement of the level of service by providing escorts or assisting riders through the door of their destination;
 - (f) Acquisition of vehicles and equipment designed to accommodate mobility aids that exceed the dimensions and weight ratings established for wheelchairs under the ADA regulations, 49 CFR part 38 (i.e., larger than 30" x 48" and/or weighing more than 600 pounds), and labor costs of aides to help drivers assist passengers with oversized wheelchairs. This would permit the acquisition of lifts with a larger capacity, as well as modifications

to lifts with a 600-pound design load, and the acquisition of heavier duty vehicles for paratransit and/or demand-response service in order to accommodate lifts with a heavier design load; and
(g) Installation of additional securement locations in public buses beyond what is required by the ADA.

(2) Feeder services. Accessible “feeder” service (transit service that provides access) to commuter rail, commuter bus, intercity rail, and intercity bus stations, for which complementary paratransit service is not required under the ADA.

Public Transportation Projects that Improve Accessibility. The following activities are examples of eligible projects that improve accessibility to the fixed-route system.

(1) Making accessibility improvements to transit and intermodal stations not designated as key stations. Improvements for accessibility at existing transportation facilities that are not designated as key stations established under 49 CFR 37.47, 37.51, or 37.53, and that are not required under 49 CFR 37.43 as part of an alteration or renovation to an existing station, so long as the projects are clearly intended to remove barriers that would otherwise have remained. Section 5310 funds are eligible to be used for accessibility enhancements that remove barriers to individuals with disabilities so they may access greater portions of public transportation systems, such as fixed-route bus service, commuter rail, light rail, and rapid rail. This may include:

- (a) Building an accessible path to a bus stop that is currently inaccessible, including curbcuts, sidewalks, accessible pedestrian signals, or other accessible features;
- (b) Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA;
- (c) Improving signage or wayfinding technology; or
- (d) Implementation of other technology improvements that enhance accessibility for people with disabilities including ITS.

(2) Travel training. Training programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities. This includes travel instruction and travel training services.

Public Transportation Alternatives that Assist Seniors and Individuals with Disabilities with Transportation. The following activities are examples of projects that are eligible public transportation alternatives.

(1) Purchasing vehicles to support accessible taxi, ride-sharing, and/or vanpooling programs. Section 5310 funds can be used to purchase and operate accessible vehicles for use in taxi, ride-sharing, and/or vanpool programs provided that the vehicle meets the same requirements for lifts, ramps, and securement systems specified in 49 CFR part 38, subpart B, at a minimum, and permits a passenger whose wheelchair can be accommodated pursuant to part 38 to remain in their personal mobility device inside the vehicle.

(2) Supporting the administration and expenses related to voucher programs for transportation services offered by human service providers. This activity is intended to support and supplement existing transportation services by expanding the number of providers available or the number of

passengers receiving transportation services. Vouchers can be used as an administrative mechanism for payment of alternative transportation services to supplement available public transportation. The Section 5310 program can provide vouchers to seniors and individuals with disabilities to purchase rides, including: (a) mileage reimbursement as part of a volunteer driver program; (b) a taxi trip; or (c) trips provided by a human service agency. Providers of transportation can then submit the voucher for reimbursement to the recipient for payment based on predetermined rates or contractual arrangements. Transit passes or vouchers for use on existing fixed-route or ADA complementary paratransit service are not eligible. Vouchers are an operational expense which requires a 50/50 (federal/local) match.

(3) Supporting volunteer driver and aide programs. Volunteer driver programs are eligible and include support for costs associated with the administration, management of driver recruitment, safety, background checks, scheduling, coordination with passengers, other related support functions, mileage reimbursement, and insurance associated with volunteer driver programs. The costs of enhancements to increase capacity of volunteer driver programs are also eligible. FTA encourages communities to offer consideration for utilizing all available funding resources as an integrated part of the design and delivery of any volunteer driver/aide program.

Limits on operating assistance. Given the 55 percent requirement for traditional Section 5310 capital projects, a recipient may allocate up to 45 percent of its apportionment for operating assistance. However, this funding is limited to eligible projects as described in 49 U.S.C. 5310(b)(1)(B-D) and described in this section (b, c, and d), above. Operating assistance for required ADA complementary paratransit service is not an eligible expense.

Meal Delivery for Homebound Individuals. Public transportation service providers that receive assistance under Section 5310 or Section 5311(c) funds may coordinate and assist in regularly providing meal delivery service for homebound individuals, as long as the delivery service does not conflict with providing public transportation service or reduce service to public transportation passengers.

Appendix 3

FEDERAL/LOCAL MATCHING REQUIREMENTS

Section 5310 funds may be used to finance capital and operating expenses. The federal share of eligible capital costs shall be in an amount equal to 80 percent of the net cost of the activity. The federal share of the eligible operating costs may not exceed 50 percent of the net operating costs of the activity. Recipients may use up to 10 percent of their apportionment to support program administrative costs including administration, planning, and technical assistance, which may be funded at 100 percent federal share.

The local share of eligible capital costs shall be not less than 20 percent of the net cost of the activity, and the local share for eligible operating costs shall be not less than 50 percent of the net operating costs. The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a state or local service agency or private social service organization, or new capital. Some examples of these sources of local match include: state or local appropriations; dedicated tax revenues; private donations; revenue from service contracts; transportation development credits; and net income generated from advertising and concessions. Non-cash share such as donations, volunteered services, or in-kind contributions is eligible to be counted toward the local match as long as the value of each is documented and supported, represents a cost which would otherwise be eligible under the program, and is included in the net project costs in the project budget.

Income from contracts to provide human service transportation may be used either to reduce the net project cost (treated as revenue) or to provide local match for Section 5310 operating assistance. In either case, the cost of providing the contract service is included in the total project cost. No FTA program funds can be used as a source of local match for other FTA programs, even when used to contract for service. All sources of local match must be identified and described in the grant application at the time of grant award.

In addition, the local share may be derived from federal programs that are eligible to be expended for transportation, other than DOT programs, or from DOT's Federal Lands Highway program. Examples of types of programs that are potential sources of local match include: employment, training, aging, medical, community services, and rehabilitation services. Specific program information for other types of federal funding is available at www.unitedweride.gov.

Appendix 4

Supplemental Needs Survey

Letter

Date

Name

Title

Address

City

Dear

Each year in our region, funds are awarded to eligible organizations for the provision of enhanced mobility services for seniors and persons with disabilities by the El Paso MPO for the urbanized area and TxDOT for rural areas far west Texas. Known as the Section 5310 program, funds can be used for both transportation operating expenses and the purchase of capital equipment such as vans, buses, passenger shelters or accessibility modifications.

Since the passage of the new federal transportation legislation in 2012, MAP-21, the §5310 program now includes the provisions and potentially resources of the former New Freedom program that funded transportation services above and beyond the transit related requirements of the Americans with Disabilities Act. In the past §5310 funds have been used to purchase mini buses for senior activity centers, provide preventative maintenance to keep those vehicles on the road and New Freedom funds have supported same day paratransit services for Sun Metro's LIFT program and demand-response, curb to curb services to complement El Paso County's rural commuter services.

MAP-21 also requires that §5310 projects be included in the regional transportation coordination plan which is the responsibility of the Far West Texas/El Paso Regional Transportation Coordination Committee.

The reason for this letter is to obtain your input into how these funds should be awarded in the far west Texas/El Paso region. The survey contains only six questions and will be used to amend the Regional Transportation Coordination Plan and establish priorities for the use of §5310 funds in our region.

Please complete the attached survey and return it to me by email, fax or mail. If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

Bob Schwab
Regional Transportation Coordinator
Far West Texas/El Paso Regional Transportation Coordination Committee
915-474-5116
rschwab@epcounty.com
Survey Instrument

**Far West Texas/El Paso
Regional Transportation Coordination
§5310 Plan – Additional Needs Assessment**

1. Roughly what percent of your clients do you estimate reach your agency by the following means?

- Drive self in own car
- Driven by family member or friend
- Taxi
- Bus or van operated by your agency
- Fixed Route bus service
- Sun Metro LIFT
- Other transportation provider
- Other _____

2. Do the clients you serve need transportation services beyond what is currently available to them?

Y / N Explain: _____

3. What additional transportation services beyond those which are currently available do you think would be most helpful to you clients?

Explain: _____

4. What operational practices of existing transportation providers limit the use of that service by your clients?

Explain: _____

5. Are there additional activities your agency would provide if transportation were available to you?

Y / N Explain: _____

6. Describe any other transportation concerns or services you believe are needed for the elderly or persons with disabilities that we should consider in our planning:

Please Return to:

Survey Results Summary

**Far West Texas/El Paso
Regional Transportation Coordination
§5310 Plan – Additional Needs Assessment**

Survey Results

1. Roughly what percent of your clients do you estimate reach your agency by the following means?

	Range of Responses	Average
Drive self in own car	4% -- 85%	51%
Driven by family member or friend	10% -- 85%	28%
Taxi	0% -- 1%	.14%
Bus or van operated by your agency	0% -- 11%	1.6%
Fixed Route bus service	0% --15%	2.6%
Sun Metro LIFT	1% -- 70%	15%
Other transportation provider	0% -- 8%	1.3%
Other (Walking, TRAX)	0% -- 5%	2%

Selected Representative Responses

2. Do the clients you serve need transportation services beyond what is currently available to them?

Yes. Besides private transportation, the public bus system has limited routes through the major thoroughfares and runs 2-3 times per day. For some clients this can be a hardship to walk a couple of miles to get to the bus stop and then to have to wait another couple of hours for the bus to arrive. Some medical clinics and social service programs assist with door-to-door transportation for medical appointments however, it is for those with Medicaid/Medicare coverage – those without these benefits are left to find a way to their medical appointments. The van operated by our program and partners are limited to transport to and from our buildings.

Yes . The ones that live in Canutillo area do not have bus transportation. And In Fabens, Sparks, Mountain Vista.

A small number find Sun Metro Lift not convenient enough, and possibly cost prohibitive.

Not necessarily, only concern is when fixed route bus service, consumers have to pay for the individual accompanying them.

Yes. Transportation services would allow more people to participate at the centers and

homebound participants independence to do their daily activities.

They need affordable transportation to out of town services – medical and shopping.¹

3. What additional transportation services beyond those which are currently available do you think would be most helpful to you clients?

Transportation for the following is needed: medial appointments including lab work, x-rays, therapy, pharmacy, etc., social services (DSHS/Social Security), city/county services including obtaining legal documents, court, traffic tickets, etc., utility bill payment centers, banking, groceries, social events.

Outside El Paso area. Colonias needs transportation

Stipends to supplement cost of a taxi service or other transportation van would be helpful for the seniors in the community to maintain an active quality of life to age in place

Concern from consumers is for transportation services to allow same day service

Transportation to and from the centers would be helpful but the cost is what is prohibitive, as well as more services to and from daily activities for the homebound participants.

A bus that leaves at a reasonable time in the morning (8am or 9am) for a day of shopping in Midland/Odessa or El Paso and return by 9pm¹

4. What operational practices of existing transportation providers limit the use of that service by your clients?

Distance to walk to get to bus stop. Times of routes are not convenient especially under inclement weather conditions. Some vehicles are not equipped to provide assistance for disabled or elderly persons

Consumers don't come in for employment services.

Most transportation services only provide rides for medical or doctor visits. There is nothing for educational and extracurricular activities to maintain and active and vital life style to live longer healthier.

What I have observed and heard comments about concerning Sun Metro is that they are not always prompt, so they are sometimes delivered late and/or picked up late.

If a consumer opts to use regular route bus service, to avoid waiting and setting up appointments in advance, they have to pay ticket fare for their attendant to accompany them as opposed to the free fare on the Sun Metro Lift for attendants. Consumers are leery in using Sun Metro Lift as appointments must be made in advance and any deviation in schedules cause problems.

I think if transportation providers would actually do what they say they are going to do would help. I constantly get complaints of clients setting a time to get picked up and the lift gets there late.

They do not like being picked up at 4am for medical trips out of town¹

5. Are there additional activities your agency would provide if transportation were available to you?

Fitness activities, social events such as movies nights, dances, table games tournaments, community meetings, consumer education shopping trips and tours to local historical and cultural sites.

If transportation services brought more people, we would extend or increase our existing programs.

We would not be able to provide additional activities but more of our seniors would be able to receive a meal if there were more transportation.

6. Describe any other transportation concerns or services you believe are needed for the elderly or persons with disabilities that we should consider in our planning:

Please consider routes or services for both day and evening hours. Drivers and monitors should be well trained in assisting the elderly or disabled persons in getting in and out of the transportation vehicle to include necessary safety and fall prevention as well as being courteous. Security and safety of the bus stop areas as well as waiting until the person enters their home safely. Most riders who need transportation services are very financially conscious and are typically on a fixed income, so cost is of great concern and can be a deterrent for use.

Transportation outside the City limits but within El Paso area are needed.

Elderly that live in the city have more methods of transportation and opportunities to partake of educational and recreational activities and events designed for them. Although in the rural areas of El Paso County and other counties seniors have a difficult time getting to special events sponsored for seniors, shows and classes, health fairs and senior centers services that seniors would attend if transportation would be provided.

Transportation services that have fewer limitations to set appointments in advance, shorter wait times. Application process simplified for consumers, ex: Lift.

I think punctuality and is a big concern. If the client is late to a doctor's appointment, they lose the services of that doctor or inconvenience everyone for that day.

¹Rural County Response

Appendix 5

SUBRECIPIENTS

ELIGIBLE SUBRECIPIENTS FOR TRADITIONAL SECTION 5310 PROJECTS. Section 5310(b) provides that of the amounts apportioned to states and designated recipients, not less than 55 percent shall be available for traditional Section 5310 projects—those public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Further, the law provides that, for these projects, a recipient may allocate the funds apportioned to it to:

- a. A private nonprofit organization; or
- b. A state or local governmental authority that:
 - (1) is approved by a state to coordinate services for seniors and individuals with disabilities; or
 - (2) certifies that there are no nonprofit organizations readily available in the area to provide the service.

These provisions, found at 49 U.S.C. 5310(b)(1) and (b)(2), essentially maintain the status quo for traditional Section 5310 projects.

Governmental authorities eligible to apply for Section 5310 funds as “coordinators of services for seniors and individuals with disabilities” are those designated by the state to coordinate human service activities in a particular area. Examples of such eligible governmental authorities are a county agency on aging or a public transit provider which the state has identified as the lead agency to coordinate transportation services funded by multiple federal or state human service programs.

ELIGIBLE SUBRECIPIENTS FOR **OTHER** SECTION 5310 PROJECTS. Eligible subrecipients for other eligible Section 5310 activities include a state or local governmental authority, a private nonprofit organization, or an operator of public transportation that receives a Section 5310 grant indirectly through a recipient.

PRIVATE TAXI OPERATORS AS SUBRECIPIENTS. Private operators of public transportation are eligible subrecipients. The definition of “public transportation” includes “... shared-ride surface transportation services ...” Private taxi companies that provide shared-ride taxi service to the general public on a regular basis are operators of public transportation, and therefore eligible subrecipients. “Shared-ride” means two or more passengers in the same vehicle who are otherwise not traveling together. Similar to general public and ADA demand response service, every trip does not have to be shared-ride in order for a taxi company to be considered a shared-ride operator, but the general nature of the service must include shared rides.

Local (municipal/state) statutes or regulations, or company policy, will generally determine whether a taxi company provides shared-ride or exclusive-ride service. For example, if the local regulation permits the driver to determine whether or not a trip may be shared, the service is not shared-ride. Similarly, if the regulation requires consent of the first passenger to hire a taxi be obtained before the taxi may take on additional riders, the service is not shared-ride. In essence, services that can be reserved for the exclusive use of individuals or private groups, either by the operator or the first passenger's refusal to permit additional passengers, is exclusive-ride taxi service. A recipient should request documentation from the taxi company to ensure the company is providing shared-ride service prior to award in order to determine whether the company qualifies as a subrecipient.

Taxi companies that provide only exclusive-ride service are not eligible subrecipients; however, they may participate in the Section 5310 program as contractors. Exclusive-ride taxi companies may receive Section 5310 funds to purchase accessible taxis under contract with a state, designated recipient, or eligible subrecipient such as a local government or nonprofit organization. The taxi company may hold title to the accessible vehicle(s) as long as the agreement between the state, designated recipient, or subrecipient and the taxi company is sufficient to establish satisfactory continuing control. Acceptable means of establishing satisfactory continuing control could include a state, designated recipient, or subrecipient's lien on the vehicle, or contract provisions that require the accessible taxi to be used to provide transportation for seniors and people with disabilities, and that the vehicle may not be removed from service or disposed of prior to the end of its useful life without the express written consent of the FTA recipient or subrecipient.