

SENATE BILL 294

Unofficial Copy
R2

2004 Regular Session
(4lr1539)

ENROLLED BILL
-- Finance/Environmental Matters --

Introduced by Senators Middleton, Gladden, and Kelley Kelley, Astle, Della, Exum, Hafer, Hooper, Klausmeier, Pipkin, and Teitelbaum

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

President.

CHAPTER 112

1 AN ACT concerning

2 **Transportation - Maryland Senior Rides Demonstration Program**

3 FOR the purpose of establishing the Maryland Senior Rides Demonstration Program
4 within the Maryland Transit Administration; establishing the purpose of and
5 certain criteria for the participation in and the awarding of grants under the
6 Program; authorizing a Program participant to provide door-to-door
7 transportation to an eligible senior who does not reside in a certain geographic
8 area under certain circumstances; requiring a Program participant to expend a
9 certain matching fund; establishing certain limitations on the number and
10 amount of grants that may be awarded under the Program; authorizing a
11 Program participant to charge a certain fee; requiring the Administration to
12 consult with certain parties persons regarding the awarding of grants and the
13 adoption of regulations under this Act; authorizing grant participants to provide
14 establishing that this Act does not prohibit a Program participant from
15 providing certain services; requiring the Administration to adopt certain
16 regulations; requiring Program participants to submit certain reports to the

1 Administration; defining certain terms; requiring the Administration to submit
2 certain evaluations to the General Assembly; providing for a delayed effective
3 date; and generally relating to the Maryland Senior Rides Demonstration
4 Program.

5 BY adding to

6 Article - Transportation

7 Section 7-1001 through 7-1005, inclusive, to be under the new subtitle "Subtitle

8 10. Maryland Senior Rides Demonstration Program"

9 Annotated Code of Maryland

10 (2001 Replacement Volume and 2003 Supplement)

11 Preamble

12 WHEREAS, Senior citizens in Maryland face unique challenges in accessing
13 safe, available, and affordable transportation for a variety of medical, routine, social,
14 and personal needs; and

15 WHEREAS, The federal, State, and local resources available to subsidize
16 transportation for seniors, and the existing transportation services offered by State,
17 local, and private providers, do not adequately meet the needs of seniors for
18 door-to-door, nonfixed-route, and on-demand transportation options; and

19 WHEREAS, The transportation challenges faced by seniors vary significantly
20 across the State depending on whether they live in urban, suburban, or rural settings;
21 and

22 WHEREAS, Senior citizens make up more than 15% of Maryland's population
23 and, by 2020, that percentage is expected to grow to 23%; now, therefore,

24 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
25 MARYLAND, That the Laws of Maryland read as follows:

26 **Article - Transportation**

27 **SUBTITLE 10. MARYLAND SENIOR RIDES DEMONSTRATION PROGRAM.**

28 7-1001.

29 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS
30 INDICATED.

31 (B) "DOOR-TO-DOOR TRANSPORTATION" MEANS PROVIDING, THROUGH
32 PREARRANGED APPOINTMENT, SAFE ESCORT FROM A DEPARTURE POINT, INTO AND
33 OUT OF A TRANSPORT VEHICLE AND TO THE DOOR OF THE DESTINATION.

34 (C) "LOW-INCOME TO MODERATE-INCOME" MEANS THE HOUSEHOLD INCOME
35 OF AN INDIVIDUAL DOES NOT EXCEED 400% OF THE POVERTY THRESHOLD THAT IS

1 ESTABLISHED BY THE UNITED STATES DEPARTMENT OF COMMERCE, BUREAU OF
2 STATISTICS FOR A GIVEN YEAR.

3 (D) "PROGRAM" MEANS THE MARYLAND SENIOR RIDES DEMONSTRATION
4 PROGRAM ESTABLISHED UNDER THIS SUBTITLE.

5 (E) "PROGRAM APPLICANT" MEANS A GOVERNMENT AGENCY, NONPROFIT
6 ENTITY, OR FAITH-BASED AGENCY THAT PROVIDES TRANSPORTATION SERVICES
7 AND IS EXEMPT FROM TAXATION UNDER § 501 (C)(3) OF THE INTERNAL REVENUE
8 CODE.

9 (F) "PROGRAM PARTICIPANT" MEANS A PROGRAM APPLICANT THAT HAS BEEN
10 APPROVED FOR PARTICIPATION IN THE PROGRAM.

11 (G) "SENIOR" MEANS AN INDIVIDUAL AGE 60 OR OLDER.

12 7-1002.

13 (A) THERE IS A MARYLAND SENIOR RIDES DEMONSTRATION PROGRAM IN THE
14 ADMINISTRATION.

15 (B) THE PURPOSE OF THE PROGRAM IS TO ENCOURAGE REGIONAL
16 PROVIDERS TO PROVIDE DOOR-TO-DOOR TRANSPORTATION FOR LOW-INCOME TO
17 MODERATE-INCOME SENIORS.

18 (C) THE ADMINISTRATION SHALL AWARD ~~A GRANT~~ GRANTS TO QUALIFIED
19 PROGRAM APPLICANTS, AS PROVIDED IN § 7-1003 OF THIS SUBTITLE, FOR THE
20 OPERATION OF TRANSPORTATION SERVICES AS SPECIFIED IN THIS SECTION.

21 (D) TO BE ELIGIBLE FOR A GRANT UNDER § 7-1003 OF THIS SUBTITLE, A
22 PROGRAM APPLICANT SHALL:

23 (1) PROVIDE DOOR-TO-DOOR TRANSPORTATION FOR LOW-INCOME TO
24 MODERATE-INCOME SENIORS WHO HAVE DIFFICULTY ACCESSING OR USING OTHER
25 EXISTING TRANSPORTATION SYSTEMS;

26 (2) USE PRIMARILY VOLUNTEER DRIVERS WHO DRIVE THEIR OWN
27 VEHICLES;

28 (3) USE A DISPATCHER SYSTEM TO RESPOND QUICKLY TO REQUESTS
29 FROM LOW-INCOME TO MODERATE-INCOME SENIORS FOR DOOR-TO-DOOR
30 TRANSPORTATION ~~TO AND FROM APPOINTMENTS~~; AND

31 (4) DEFINE A GEOGRAPHIC AREA FOR WHICH DOOR-TO-DOOR
32 TRANSPORTATION IS PROVIDED.

33 (E) A PROGRAM PARTICIPANT MAY PROVIDE DOOR-TO-DOOR
34 TRANSPORTATION TO AN ELIGIBLE SENIOR WHO DOES NOT RESIDE IN THE
35 GEOGRAPHIC AREA DEFINED BY THE PROGRAM PARTICIPANT UNDER SUBSECTION
36 (D)(4) OF THIS SECTION WHEN APPLYING TO PARTICIPATE IN THE PROGRAM, SO

1 LONG AS SERVICE IS NOT DIMINISHED TO AN ELIGIBLE SENIOR WHO DOES RESIDE IN
2 THE DEFINED GEOGRAPHIC AREA.

3 (F) A PROGRAM PARTICIPANT SHALL EXPEND A MATCHING FUND OF AT
4 LEAST 25% OF THE TOTAL CAPITAL OR OPERATING COSTS ASSOCIATED WITH
5 PROVIDING DOOR-TO-DOOR TRANSPORTATION ~~SERVICES~~ FOR LOW-INCOME TO
6 MODERATE-INCOME SENIORS.

7 (G) (1) A PROGRAM PARTICIPANT MAY NOT RECEIVE MORE THAN ONE
8 GRANT ANNUALLY AND MAY NOT RECEIVE A TOTAL OF MORE THAN FOUR GRANTS.

9 (2) THE ADMINISTRATION MAY NOT AWARD MORE THAN \$400,000 IN
10 GRANTS PER YEAR.

11 (H) A PROGRAM PARTICIPANT MAY CHARGE REASONABLE FEES FOR
12 DOOR-TO-DOOR TRANSPORTATION PROVIDED BY THE PROGRAM PARTICIPANT.

13 ~~(H)~~ (I) NOTHING IN THIS SECTION PROHIBITS A PROGRAM PARTICIPANT
14 FROM PROVIDING SERVICES IN ADDITION TO THOSE DESCRIBED IN SUBSECTION (D)
15 OF THIS SECTION.

16 7-1003.

17 THE ~~PROGRAM~~ ADMINISTRATION SHALL:

18 (1) SOLICIT GRANT APPLICATIONS FROM PROSPECTIVE PROGRAM
19 APPLICANTS;

20 (2) SUBJECT TO THE LIMITATIONS IN § 7-1002(G) OF THIS SUBTITLE,
21 AWARD GRANTS OF UP TO \$100,000 EACH TO FOUR QUALIFIED PROGRAM APPLICANTS
22 OR, IF FEWER THAN FOUR QUALIFIED PROGRAM APPLICANTS ARE IDENTIFIED BY
23 THE ADMINISTRATION, TO EACH QUALIFIED PROGRAM APPLICANT APPLICANTS;

24 (3) ENSURE THAT THE GRANTS AWARDED UNDER ITEM (2) OF THIS
25 SECTION ARE DISTRIBUTED AMONG PROGRAM APPLICANTS ~~PROVIDING TO PROVIDE~~
26 TRANSPORTATION SERVICES DOOR-TO-DOOR TRANSPORTATION IN THE FOLLOWING
27 AREAS WITH NO AREA RECEIVING GRANTS TOTALING MORE THAN ONE GRANT
28 \$100,000 PER YEAR:

29 (I) THE BALTIMORE METROPOLITAN AREA;

30 (II) THE WASHINGTON D.C. METROPOLITAN AREA;

31 (III) WESTERN MARYLAND;

32 (IV) SOUTHERN MARYLAND; AND

33 (V) THE EASTERN SHORE; AND

1 (4) ENSURE, TO THE EXTENT PRACTICABLE, THAT AT LEAST ONE GRANT
 2 IS AWARDED TO PROGRAM APPLICANTS ~~PROVIDING TO PROVIDE~~ TRANSPORTATION
 3 ~~SERVICES~~ DOOR-TO-DOOR TRANSPORTATION IN EACH OF THE FOLLOWING AREAS:

- 4 (I) A RURAL AREA;
- 5 (II) AN URBAN AREA; AND
- 6 (III) A SUBURBAN AREA.

7 7-1004.

8 (A) THE ADMINISTRATION SHALL CONSULT WITH THE DEPARTMENT OF
 9 AGING WHEN CONSIDERING THE ELIGIBILITY OF A PROGRAM APPLICANT FOR A
 10 GRANT UNDER § 7-1003 OF THIS SUBTITLE.

11 (B) WHEN AWARDING A GRANT UNDER § 7-1003 OF THIS SUBTITLE, THE
 12 ADMINISTRATION SHALL CONSIDER:

13 (1) THE ABILITY OF THE PROGRAM APPLICANT TO PROVIDE
 14 DOOR-TO-DOOR TRANSPORTATION ~~SERVICES~~ TO LOW-INCOME TO
 15 MODERATE-INCOME SENIORS;

16 (2) THE PROJECTED VOLUME OF RIDERSHIP;

17 (3) THE PROGRAM APPLICANT'S MARKETING AND OUTREACH PLAN TO
 18 ATTRACT RIDERS AND DRIVERS;

19 (4) THE ABILITY OF THE PROGRAM APPLICANT TO SUSTAIN
 20 DOOR-TO-DOOR TRANSPORTATION FOR LOW-INCOME TO MODERATE-INCOME
 21 SENIORS BEYOND THE TIME WHEN GRANTS MAY BE AVAILABLE; ~~AND~~

22 (5) THE ABILITY OF THE PROGRAM APPLICANT TO COORDINATE ITS
 23 DISPATCHER SYSTEM WITH A LOCAL CENTRAL DISPATCHER SYSTEM; AND

24 ~~(5)~~ (6) THE EXTENT TO WHICH THE PROGRAM APPLICANT
 25 ENCOURAGES:

26 (I) SHARED RIDERSHIP;

27 (II) COORDINATION BETWEEN PUBLIC AND PRIVATE SECTOR
 28 TRANSPORTATION PROVIDERS; AND

29 (III) INNOVATIONS IN RISK MANAGEMENT FOR DRIVERS AND
 30 RIDERS.

31 (C) IN CONSULTATION WITH THE DEPARTMENT OF AGING, THE MARYLAND
 32 INSURANCE ADMINISTRATION, AND SENIOR CITIZEN ADVOCACY GROUPS, THE
 33 ADMINISTRATION SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE,
 34 INCLUDING REGULATIONS GOVERNING:

1 (1) CRIMINAL BACKGROUND AND DRIVING RECORD CHECKS OF
2 DRIVERS;

3 (2) DRIVER AND VEHICLE SAFETY;

4 (3) DRIVER TRAINING; AND

5 (4) THE LIABILITY COVERAGE OF A PROGRAM APPLICANT THAT
6 PROVIDES ~~TRANSPORTATION SERVICES~~ DOOR-TO-DOOR TRANSPORTATION UNDER
7 THE PROGRAM.

8 7-1005.

9 A PROGRAM PARTICIPANT THAT RECEIVES A GRANT UNDER § 7-1003 OF THIS
10 SUBTITLE SHALL SUBMIT TO THE ADMINISTRATION A WRITTEN REPORT ANNUALLY,
11 WHICH SHALL INCLUDE:

12 (1) THE NUMBER OF RIDERS AND DRIVERS PARTICIPATING IN THE
13 PROGRAM;

14 (2) THE AMOUNT AND SOURCE OF MATCHING FUNDS USED FOR GRANTS
15 AWARDED UNDER § 7-1003 OF THIS SUBTITLE;

16 (3) THE NATURE OF COOPERATIVE EFFORTS BETWEEN THE PROGRAM
17 PARTICIPANT AND OTHER GOVERNMENT AND PRIVATE-SECTOR ENTITIES;

18 (4) INNOVATIONS IN RISK MANAGEMENT FOR DRIVERS AND RIDERS;
19 ~~AND~~

20 (5) IF THE PROGRAM PARTICIPANT CHARGES FEES FOR DOOR-TO-DOOR
21 TRANSPORTATION:

22 (I) THE FEE SCHEDULE USED BY THE PROGRAM PARTICIPANT;

23 (II) THE METHODOLOGY USED IN ESTABLISHING THE FEE
24 SCHEDULE; AND

25 (III) THE TOTAL AMOUNT OF FEES COLLECTED BY THE PROGRAM
26 PARTICIPANT;

27 (6) THE AMOUNT AND SOURCE OF ANY REVENUE, OTHER THAN FEES
28 REPORTED UNDER ITEM (5) OF THIS SECTION, GENERATED BY THE PROGRAM
29 PARTICIPANT IN CONNECTION WITH THE PROGRAM; AND

30 ~~(5)~~ (7) ANY OTHER INFORMATION REQUIRED BY THE
31 ADMINISTRATION TO EVALUATE AND OPERATE THE PROGRAM AND MONITOR THE
32 USE OF GRANT FUNDS AWARDED TO THE PROGRAM PARTICIPANT.

33 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Transit
34 Administration, on or before November 1 of each year, shall submit to the General
35 Assembly, subject to § 2-1246 of the State Government Article, an evaluation of the

1 Maryland Senior Rides Demonstration Program. The evaluation shall include the
2 number, size, type, and location of projects funded by the Program; the extent to
3 which the Program is filling the need for door-to-door transportation for low-income
4 to moderate-income seniors as those terms are defined in § 7-1001 of the
5 Transportation Article as enacted by this Act; any innovations in public-private
6 cooperation and risk management that result from the Program; and any other
7 information necessary to effectively evaluate the Program.

8 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 July 1, ~~2004~~ 2005.