
By: **Delegates Howard and Healey**
Introduced and read first time: February 23, 2000
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Transportation - Low Income - Job Access Program**

3 FOR the purpose of requiring the Secretary of Transportation to identify within the
4 annual budget for the Department of Transportation money for a job access
5 transportation program; requiring the Secretary to distribute money provided
6 for a job access transportation program in a certain manner; requiring the
7 Secretary to adopt certain regulations for the implementation and enforcement
8 of a job access program; requiring local transportation providers to follow
9 certain procedures; defining a certain term; and generally relating to a job
10 access program.

11 BY adding to
12 Article - Transportation
13 Section 2-103.6
14 Annotated Code of Maryland
15 (1993 Replacement Volume and 1999 Supplement)

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

18 **Article - Transportation**

19 2-103.6.

20 (A) IN THIS SECTION, "JOB ACCESS PROGRAM" MEANS AN EFFORT THAT
21 ENSURES LOW INCOME PERSONS MAY OBTAIN REASONABLE TRANSPORTATION
22 SERVICES TO EMPLOYMENT OR JOB RELATED ACTIVITIES.

23 (B) (1) THE SECRETARY OF TRANSPORTATION SHALL IDENTIFY WITHIN THE
24 ANNUAL BUDGET OF THE DEPARTMENT AN AMOUNT THAT THE SECRETARY DEEMS
25 NECESSARY TO BE USED FOR THE JOB ACCESS PROGRAM.

26 (2) THE AMOUNT THAT THE SECRETARY IDENTIFIES, OR SUCH OTHER
27 AMOUNT AS MAY BE APPROPRIATED IN THE STATE BUDGET FOR THE PROVISION OF

1 TRANSPORTATION FOR JOB ACCESS SERVICE, SHALL BE DISTRIBUTED AS PROVIDED
2 IN SUBSECTIONS (C), (D), AND (E) OF THIS SECTION.

3 (C) (1) WITH THE AMOUNT IDENTIFIED OR OTHERWISE APPROPRIATED
4 UNDER SUBSECTION (B) OF THIS SECTION, THE SECRETARY SHALL, SUBJECT TO THE
5 LIMITATIONS PROVIDED IN SUBSECTION (F) OF THIS SECTION, DISTRIBUTE ALL
6 ALLOCATED AMOUNTS TO THOSE ELIGIBLE TRANSPORTATION PROVIDERS THAT
7 FILE A WRITTEN APPLICATION WITH THE DEPARTMENT IN THE FORM AND DETAIL
8 THE SECRETARY REQUIRES.

9 (2) NO APPLICATION MAY BE CONSIDERED WITHOUT THE
10 CONCURRENCE OF THE LOCAL DEPARTMENT OF SOCIAL SERVICES.

11 (D) IN DETERMINING LOCAL TRANSPORTATION NEEDS, THE
12 TRANSPORTATION PROVIDERS SHALL TAKE INTO ACCOUNT THE LOW INCOME
13 WORKERS WITHIN THEIR AREAS OF SERVICE.

14 (E) (1) IF ANY OF THE ALLOCATED FUNDS DESCRIBED IN SUBSECTION (C)
15 OF THIS SECTION ARE NOT APPLIED FOR BY THE TRANSPORTATION PROVIDER BY
16 THE YEARLY APPLICATION DEADLINE, THE SECRETARY SHALL MAKE FUNDS
17 AVAILABLE TO THE TRANSPORTATION PROVIDERS PURSUANT TO APPLICATION
18 PROCEDURES AND CRITERIA DEVELOPED BY THE SECRETARY.

19 (2) SUCH FUNDS MAY BE MADE AVAILABLE TO ELIGIBLE
20 TRANSPORTATION PROVIDERS AS DEFINED BY THE SECRETARY IN AREAS THAT THE
21 SECRETARY DETERMINES ADDITIONAL FUNDS FOR TRANSPORTATION FOR JOB
22 ACCESS ARE MOST NEEDED.

23 (3) LOCAL MATCH REQUIREMENTS DESCRIBED IN SUBSECTION (F) OF
24 THIS SECTION SHALL APPLY TO ALL DISBURSEMENTS.

25 (F) (1) THE DEPARTMENT MAY PROVIDE CAPITAL ASSISTANCE TO
26 TRANSPORTATION PROVIDERS WITH FUNDS DESCRIBED IN THIS SECTION ONLY ON
27 THE BASIS OF A MATCHING FUND OBLIGATION OF 20 PERCENT BY THE
28 TRANSPORTATION PROVIDER.

29 (2) THE DEPARTMENT MAY PROVIDE OPERATING ASSISTANCE WITH
30 FUNDS DESCRIBED IN THIS SECTION TO FUND OPERATING DEFICITS OF THE
31 TRANSPORTATION PROVIDER'S TRANSPORTATION SERVICE ONLY ON THE BASIS OF A
32 MATCHING FUND OBLIGATION OF 25 PERCENT BY THE TRANSPORTATION PROVIDER.

33 (G) (1) THE SECRETARY SHALL ADOPT REGULATIONS FOR THE PROPER
34 ENFORCEMENT OF THIS SECTION.

35 (2) THE REGULATIONS SHALL PROVIDE THAT:

36 (I) A TRANSPORTATION PROVIDER SHALL USE ALL AMOUNTS
37 DISTRIBUTED TO IT UNDER THIS SECTION ONLY FOR THE ACQUISITION OR
38 REPLACEMENT OF EQUIPMENT OR THE OPERATING COSTS OF THE
39 TRANSPORTATION PROVIDER'S TRANSPORTATION SERVICE;

1 (II) A TRANSPORTATION PROVIDER, IN CONSULTATION WITH THE
2 LOCAL DEPARTMENT OF SOCIAL SERVICES, SHALL DETERMINE THE MOST
3 EFFECTIVE MEANS OF SERVING THE TRANSPORTATION NEEDS OF ITS WORKERS IN
4 THE JOB ACCESS PROGRAM;

5 (III) EACH TRANSPORTATION PROVIDER SHALL COOPERATE WITH
6 TRANSPORTATION PROVIDERS IN THE PROPOSED SERVICE AREA TO BEST SERVE THE
7 TRANSPORTATION NEEDS OF THE WORKERS IN THE JOB ACCESS PROGRAM; AND

8 (IV) A TRANSPORTATION PROVIDER ADMINISTERING A
9 TRANSPORTATION SERVICE THAT RECEIVES FUNDS UNDER THIS SECTION:

10 1. SHALL PROVIDE TRANSPORTATION PROJECTS THAT
11 FACILITATE TRIPS TO AND FROM JOBS AND OTHER EMPLOYMENT RELATED
12 ACTIVITIES SUCH AS CHILD CARE OR JOB SKILLS ENHANCEMENT;

13 2. SHALL SERVE THE WORKERS IN THE JOB ACCESS
14 PROGRAM WITHIN THE SERVICE AREAS IDENTIFIED IN ITS APPLICATION;

15 3. MAY NOT RESTRICT ITS TRANSPORTATION SERVICE TO
16 CLIENTS OF SOCIAL SERVICE AGENCIES; AND

17 4. MAY PERMIT PERSONS OTHER THAN WORKERS IN THE
18 JOB ACCESS PROGRAM TO BENEFIT FROM ITS TRANSPORTATION SERVICE TO THE
19 EXTENT CAPACITY IS AVAILABLE.

20 (H) THE SECRETARY SHALL MONITOR THE USE OF FUNDS PROVIDED UNDER
21 THIS SECTION.

22 (I) A TRANSPORTATION PROVIDER THAT RECEIVES FUNDS UNDER THIS
23 SECTION MAY NOT USE SUCH FUNDS TO REPLACE ANY MONEYS IT RECEIVES FROM
24 OTHER SOURCES FOR TRANSPORTATION SERVICE.

25 (J) FEDERAL FUNDS PROVIDED TO THE STATE FOR USE IN CONNECTION
26 WITH THE PROVISION OF TRANSPORTATION SERVICE TO WORKERS IN THE JOB
27 ACCESS PROGRAM MAY NOT BE DIVERTED TO OTHER USES BY THE STATE.

28 (K) THE SECRETARY SHALL ENCOURAGE EACH TRANSPORTATION PROVIDER
29 TO:

30 (1) CONTINUE TO MAXIMIZE USE OF EXISTING FUNDING PROGRAMS
31 FOR THE JOB ACCESS PROGRAM; AND

32 (2) ENTER INTO COOPERATIVE AGREEMENTS WITH OTHER LOCAL OR
33 STATE RESOURCE PROVIDERS.

34 (L) NOTHING IN THIS SECTION PROHIBITS A TRANSPORTATION PROVIDER
35 FROM:

1 (1) CONTRACTING WITH NONPROFIT ORGANIZATIONS, PUBLIC
2 TRANSPORTATION PROVIDERS, OR PRIVATE CARRIERS FOR THE PROVISION OF
3 TRANSPORTATION SERVICE TO INDIVIDUALS IN THE JOB ACCESS PROGRAM;

4 (2) MODIFYING OR EXPANDING ANY EXISTING LOCAL TRANSPORTATION
5 SYSTEM; OR

6 (3) DEVELOPING A NEW TRANSPORTATION SYSTEM WITH THE USE OR
7 ASSISTANCE OF SUBSIDIZED VOLUNTEERS.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2000.