
By: **Delegates Howard and Healey**
Introduced and read first time: February 23, 2000
Assigned to: Rules and Executive Nominations
Re-referred to: Appropriations, March 6, 2000

Committee Report: Favorable with amendments
House action: Adopted
Read second time: March 28, 2000

CHAPTER _____

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~~ certain terms; and generally relating
10 to a job 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) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS
21 INDICATED.

1 (2) ~~IN THIS SECTION, "JOB ACCESS PROGRAM" MEANS AN EFFORT THAT~~
2 ~~ENSURES LOW INCOME PERSONS MAY OBTAIN THE PROGRAM OPERATED BY THE~~
3 ~~DEPARTMENT WHICH PROVIDES GRANTS TO TRANSPORTATION PROVIDERS FOR JOB~~
4 ~~ACCESS PROJECTS.~~

5 (3) "JOB ACCESS PROJECT" MEANS A PROGRAM TO PROVIDE
6 REASONABLE TRANSPORTATION SERVICES TO EMPLOYMENT OR JOB RELATED
7 ACTIVITIES FOR LOW INCOME INDIVIDUALS THAT:

8 (I) FACILITATES TRIPS TO AND FROM JOBS AND OTHER
9 EMPLOYMENT RELATED ACTIVITIES SUCH AS CHILD CARE AND JOB SKILLS
10 ENHANCEMENT;

11 (II) SERVES LOW INCOME WORKERS WITHIN A SPECIFIED SERVICE
12 AREA;

13 (III) IS NOT RESTRICTED TO CLIENTS OF SOCIAL SERVICE
14 AGENCIES; AND

15 (IV) MAY PERMIT INDIVIDUALS OTHER THAN LOW INCOME
16 WORKERS TO USE THE TRANSPORTATION SERVICES TO THE EXTENT EXCESS
17 CAPACITY IS AVAILABLE.

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

21 (2) THE AMOUNT THAT THE SECRETARY IDENTIFIES, OR SUCH OTHER
22 AMOUNT AS MAY BE APPROPRIATED IN THE STATE BUDGET FOR THE ~~PROVISION OF~~
23 ~~TRANSPORTATION FOR JOB ACCESS SERVICE PROGRAM~~, SHALL BE DISTRIBUTED AS
24 PROVIDED IN SUBSECTIONS (C), (D), AND (E) OF THIS SECTION.

25 (C) (1) ~~WITH THE AMOUNT IDENTIFIED OR OTHERWISE APPROPRIATED~~
26 ~~UNDER SUBSECTION (B) OF THIS SECTION, TO THE MAXIMUM EXTENT PRACTICABLE,~~
27 THE SECRETARY SHALL, SUBJECT TO THE LIMITATIONS PROVIDED IN SUBSECTION
28 (F) OF THIS SECTION, ~~DISTRIBUTE ALL ALLOCATED AMOUNTS TO THOSE ELIGIBLE~~
29 MAKE GRANTS COMPRISED OF FUNDS PROVIDED UNDER SUBSECTION (B) OF THIS
30 SECTION TO THOSE TRANSPORTATION PROVIDERS THAT:

31 (I) OPERATE A JOB ACCESS PROJECT;

32 (II) MEET THE REQUIREMENTS OF THIS SECTION;

33 (III) FILE A WRITTEN APPLICATION WITH THE DEPARTMENT IN THE
34 FORM AND DETAIL THE SECRETARY REQUIRES; AND

35 (IV) RECEIVE APPROVAL FROM THE SECRETARY.

36 (2) ~~NO APPLICATION MAY BE CONSIDERED WITHOUT THE~~
37 ~~CONCURRENCE OF~~ BEFORE APPROVING AN APPLICATION FROM A TRANSPORTATION

1 PROVIDER, THE SECRETARY SHALL CONSULT WITH THE LOCAL DEPARTMENT OF
2 SOCIAL SERVICES.

3 ~~(D) IN DETERMINING LOCAL TRANSPORTATION NEEDS, THE~~ IN DESIGNING A
4 JOB ACCESS PROJECT, A TRANSPORTATION PROVIDERS PROVIDER SHALL TAKE INTO
5 ACCOUNT THE TRANSPORTATION NEEDS OF LOW INCOME WORKERS WITHIN THEIR
6 ITS AREAS OF SERVICE.

7 ~~(E) (1) IF ANY OF THE ALLOCATED FUNDS DESCRIBED IN SUBSECTION (C)~~
8 ~~OF THIS SECTION ARE NOT APPLIED FOR BY THE TRANSPORTATION PROVIDER BY~~
9 ~~THE YEARLY APPLICATION DEADLINE FUNDS ARE NOT DISTRIBUTED AS PROVIDED~~
10 IN SUBSECTION (C) OF THIS SECTION, THE SECRETARY SHALL MAKE FUNDS
11 AVAILABLE TO THE TRANSPORTATION PROVIDERS PURSUANT TO APPLICATION
12 PROCEDURES AND CRITERIA DEVELOPED BY THE SECRETARY.

13 ~~(2) SUCH FUNDS MAY BE MADE AVAILABLE TO ELIGIBLE~~
14 ~~TRANSPORTATION PROVIDERS AS DEFINED BY THE SECRETARY IN AREAS THAT THE~~
15 ~~SECRETARY DETERMINES ADDITIONAL FUNDS FOR TRANSPORTATION FOR JOB~~
16 ~~ACCESS ARE MOST NEEDED IN AREAS OF THE STATE THAT MOST NEED ADDITIONAL~~
17 FUNDS FOR JOB ACCESS PROJECTS, AS DETERMINED BY THE SECRETARY.

18 ~~(3) LOCAL MATCH REQUIREMENTS DESCRIBED IN SUBSECTION (F) OF~~
19 ~~THIS SECTION SHALL APPLY TO ALL DISBURSEMENTS.~~

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

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

28 ~~(F) (1) A TRANSPORTATION PROVIDER THAT RECEIVES ANY FUNDS FOR A~~
29 ~~CAPITAL EXPENDITURE UNDER THE JOB ACCESS PROGRAM SHALL EXPEND A~~
30 ~~MATCHING FUND OF AT LEAST 20% OF THE TOTAL COST OF THE PROPOSED CAPITAL~~
31 ~~EXPENDITURE.~~

32 ~~(2) A TRANSPORTATION PROVIDER THAT RECEIVES ANY FUNDS FOR~~
33 ~~OPERATING EXPENDITURES UNDER THE JOB ACCESS PROGRAM SHALL EXPEND A~~
34 ~~MATCHING FUND OF AT LEAST 25% OF THE TOTAL COST OF THE PROPOSED~~
35 ~~OPERATING EXPENDITURES.~~

36 ~~(G) (1) THE SECRETARY SHALL ADOPT REGULATIONS FOR THE PROPER~~
37 ~~ENFORCEMENT OF THIS SECTION.~~

38 ~~(2) THE REGULATIONS SHALL PROVIDE THAT:~~

1 (†) A TRANSPORTATION PROVIDER SHALL USE ALL AMOUNTS ANY
 2 GRANTS DISTRIBUTED ~~TO IT~~ UNDER THIS SECTION ONLY FOR THE ACQUISITION OR
 3 REPLACEMENT OF EQUIPMENT OR THE OPERATING COSTS OF ~~THE~~
 4 ~~TRANSPORTATION PROVIDER'S TRANSPORTATION SERVICE; A JOB ACCESS PROJECT.~~

5 (‡) (2) A TRANSPORTATION PROVIDER THAT RECEIVES A GRANT
 6 UNDER THIS SECTION, IN CONSULTATION WITH THE LOCAL DEPARTMENT OF SOCIAL
 7 SERVICES, SHALL DETERMINE THE MOST EFFECTIVE MEANS OF SERVING THE
 8 TRANSPORTATION NEEDS OF ITS LOW INCOME WORKERS ~~IN THE JOB ACCESS~~
 9 ~~PROGRAM; IN THE PROPOSED SERVICE AREA.~~

10 (¶) (3) EACH A TRANSPORTATION PROVIDER SHALL COOPERATE
 11 WITH OTHER TRANSPORTATION PROVIDERS IN THE PROPOSED SERVICE AREA TO
 12 BEST SERVE THE TRANSPORTATION NEEDS OF ~~THE WORKERS IN THE JOB ACCESS~~
 13 ~~PROGRAM; AND~~ LOW INCOME WORKERS.

14 (IV) A ~~TRANSPORTATION PROVIDER ADMINISTERING A~~
 15 ~~TRANSPORTATION SERVICE THAT RECEIVES FUNDS UNDER THIS SECTION:~~

16 1. ~~SHALL PROVIDE TRANSPORTATION PROJECTS THAT~~
 17 ~~FACILITATE TRIPS TO AND FROM JOBS AND OTHER EMPLOYMENT RELATED~~
 18 ~~ACTIVITIES SUCH AS CHILD CARE OR JOB SKILLS ENHANCEMENT;~~

19 2. ~~SHALL SERVE THE WORKERS IN THE JOB ACCESS~~
 20 ~~PROGRAM WITHIN THE SERVICE AREAS IDENTIFIED IN ITS APPLICATION;~~

21 3. ~~MAY NOT RESTRICT ITS TRANSPORTATION SERVICE TO~~
 22 ~~CLIENTS OF SOCIAL SERVICE AGENCIES; AND~~

23 4. ~~MAY PERMIT PERSONS OTHER THAN WORKERS IN THE~~
 24 ~~JOB ACCESS PROGRAM TO BENEFIT FROM ITS TRANSPORTATION SERVICE TO THE~~
 25 ~~EXTENT CAPACITY IS AVAILABLE.~~

26 (H) THE SECRETARY SHALL MONITOR THE USE OF FUNDS PROVIDED UNDER
 27 THIS SECTION.

28 (I) A ~~TRANSPORTATION PROVIDER THAT RECEIVES FUNDS~~ ANY FUNDS
 29 PROVIDED UNDER THIS SECTION ~~MAY NOT USE SUCH FUNDS TO REPLACE ANY~~
 30 ~~MONEYS IT RECEIVES FROM OTHER SOURCES FOR TRANSPORTATION SERVICE~~
 31 SHALL BE USED TO SUPPLEMENT AND SHALL NOT SUPPLANT EXISTING FUNDS USED
 32 BY A TRANSPORTATION PROVIDER FOR TRANSPORTATION SERVICES.

33 (J) FEDERAL FUNDS PROVIDED TO THE STATE FOR USE IN CONNECTION
 34 WITH THE PROVISION OF TRANSPORTATION SERVICE TO ~~WORKERS IN THE JOB~~
 35 ~~ACCESS PROGRAM~~ LOW INCOME WORKERS MAY NOT BE DIVERTED TO OTHER USES
 36 ~~BY THE STATE.~~

37 (K) THE SECRETARY SHALL ENCOURAGE EACH A TRANSPORTATION
 38 PROVIDER TO:

1 (1) CONTINUE TO MAXIMIZE USE OF EXISTING FUNDING PROGRAMS
2 FOR ~~THE A~~ JOB ACCESS ~~PROGRAM PROJECT~~; AND

3 (2) ENTER INTO COOPERATIVE AGREEMENTS WITH OTHER LOCAL OR
4 STATE ~~RESOURCE~~ TRANSPORTATION PROVIDERS.

5 (L) NOTHING IN THIS SECTION ~~PROHIBITS~~ SHALL BE CONSTRUED TO
6 PROHIBIT A TRANSPORTATION PROVIDER FROM:

7 (1) CONTRACTING WITH NONPROFIT ORGANIZATIONS, PUBLIC
8 TRANSPORTATION PROVIDERS, OR PRIVATE CARRIERS FOR THE PROVISION OF
9 TRANSPORTATION SERVICE TO ~~INDIVIDUALS IN THE JOB ACCESS PROGRAM~~ LOW
10 INCOME INDIVIDUALS;

11 (2) MODIFYING OR EXPANDING ANY EXISTING LOCAL TRANSPORTATION
12 SYSTEM; OR

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

15 (M) THE SECRETARY SHALL ADOPT ANY REGULATIONS NECESSARY TO CARRY
16 OUT THE PROVISIONS OF THIS SECTION.

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