

SENATE BILL 294

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R2  
SB 448/03 - FIN

2004 Regular Session  
4r1539  
CF 4r2078

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By: ~~Senators Middleton, Gladden, and Kelley~~ Kelley, Astle, Della, Exum, Hafer, Hooper, Klausmeier, Pipkin, and Teitelbaum

Introduced and read first time: January 30, 2004  
Assigned to: Finance

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Committee Report: Favorable with amendments  
Senate action: Adopted  
Read second time: March 18, 2004

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CHAPTER \_\_\_\_\_

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  
17 Administration; defining certain terms; requiring the Administration to submit  
18 certain evaluations to the General Assembly; providing for a delayed effective  
19 date; and generally relating to the Maryland Senior Rides Demonstration  
20 Program.

21 BY adding to  
22 Article - Transportation  
23 Section 7-1001 through 7-1005, inclusive, to be under the new subtitle "Subtitle  
24 10. Maryland Senior Rides Demonstration Program"  
25 Annotated Code of Maryland

1 (2001 Replacement Volume and 2003 Supplement)

2 Preamble

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

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

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

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

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

17 **Article - Transportation**

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

19 7-1001.

20 (A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS  
21 INDICATED.

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

25 (C) "LOW-INCOME TO MODERATE-INCOME" MEANS THE HOUSEHOLD INCOME  
26 OF AN INDIVIDUAL DOES NOT EXCEED 400% OF THE POVERTY THRESHOLD THAT IS  
27 ESTABLISHED BY THE UNITED STATES DEPARTMENT OF COMMERCE, BUREAU OF  
28 STATISTICS FOR A GIVEN YEAR.

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

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

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

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

4 7-1002.

5 (A) THERE IS A MARYLAND SENIOR RIDES DEMONSTRATION PROGRAM IN THE  
6 ADMINISTRATION.

7 (B) THE PURPOSE OF THE PROGRAM IS TO ENCOURAGE REGIONAL  
8 PROVIDERS TO PROVIDE DOOR-TO-DOOR TRANSPORTATION FOR LOW-INCOME TO  
9 MODERATE-INCOME SENIORS.

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

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

15 (1) PROVIDE DOOR-TO-DOOR TRANSPORTATION FOR LOW-INCOME TO  
16 MODERATE-INCOME SENIORS WHO HAVE DIFFICULTY ACCESSING OR USING OTHER  
17 EXISTING TRANSPORTATION SYSTEMS;

18 (2) USE PRIMARILY VOLUNTEER DRIVERS WHO DRIVE THEIR OWN  
19 VEHICLES;

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

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

25 (E) A PROGRAM PARTICIPANT MAY PROVIDE DOOR-TO-DOOR  
26 TRANSPORTATION TO AN ELIGIBLE SENIOR WHO DOES NOT RESIDE IN THE  
27 GEOGRAPHIC AREA DEFINED BY THE PROGRAM PARTICIPANT UNDER SUBSECTION  
28 (D)(4) OF THIS SECTION WHEN APPLYING TO PARTICIPATE IN THE PROGRAM, SO  
29 LONG AS SERVICE IS NOT DIMINISHED TO AN ELIGIBLE SENIOR WHO DOES RESIDE IN  
30 THE DEFINED GEOGRAPHIC AREA.

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

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

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

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

5     (H)     (I)     NOTHING IN THIS SECTION PROHIBITS A PROGRAM PARTICIPANT  
6 FROM PROVIDING SERVICES IN ADDITION TO THOSE DESCRIBED IN SUBSECTION (D)  
7 OF THIS SECTION.

8 7-1003.

9     THE ~~PROGRAM~~ ADMINISTRATION SHALL:

10           (1)     SOLICIT GRANT APPLICATIONS FROM PROSPECTIVE PROGRAM  
11 APPLICANTS;

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

16           (3)     ENSURE THAT THE GRANTS AWARDED UNDER ITEM (2) OF THIS  
17 SECTION ARE DISTRIBUTED AMONG PROGRAM APPLICANTS PROVIDING  
18 ~~TRANSPORTATION SERVICES~~ DOOR-TO-DOOR TRANSPORTATION IN THE FOLLOWING  
19 AREAS WITH NO AREA RECEIVING GRANTS TOTALING MORE THAN ONE GRANT  
20 \$100,000 PER YEAR:

21                   (I)     THE BALTIMORE METROPOLITAN AREA;

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

23                   (III)   WESTERN MARYLAND;

24                   (IV)   SOUTHERN MARYLAND; AND

25                   (V)     THE EASTERN SHORE; AND

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

29                   (I)     A RURAL AREA;

30                   (II)    AN URBAN AREA; AND

31                   (III)   A SUBURBAN AREA.

1 7-1004.

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

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

7 (1) THE ABILITY OF THE PROGRAM APPLICANT TO PROVIDE  
8 DOOR-TO-DOOR TRANSPORTATION ~~SERVICES~~ TO LOW-INCOME TO  
9 MODERATE-INCOME SENIORS;

10 (2) THE PROJECTED VOLUME OF RIDERSHIP;

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

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

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

18 ~~(5)~~ (6) THE EXTENT TO WHICH THE PROGRAM APPLICANT  
19 ENCOURAGES:

20 (I) SHARED RIDERSHIP;

21 (II) COORDINATION BETWEEN PUBLIC AND PRIVATE SECTOR  
22 TRANSPORTATION PROVIDERS; AND

23 (III) INNOVATIONS IN RISK MANAGEMENT FOR DRIVERS AND  
24 RIDERS.

25 (C) IN CONSULTATION WITH THE DEPARTMENT OF AGING, THE MARYLAND  
26 INSURANCE ADMINISTRATION, AND SENIOR CITIZEN ADVOCACY GROUPS, THE  
27 ADMINISTRATION SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE,  
28 INCLUDING REGULATIONS GOVERNING:

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

31 (2) DRIVER AND VEHICLE SAFETY;

32 (3) DRIVER TRAINING; AND

33 (4) THE LIABILITY COVERAGE OF A PROGRAM APPLICANT THAT  
34 PROVIDES TRANSPORTATION SERVICES UNDER THE PROGRAM.

1 7-1005.

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

5 (1) THE NUMBER OF RIDERS AND DRIVERS PARTICIPATING IN THE  
6 PROGRAM;

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

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

11 (4) INNOVATIONS IN RISK MANAGEMENT FOR DRIVERS AND RIDERS;  
12 ~~AND~~

13 (5) IF THE PROGRAM PARTICIPANT CHARGES FEES FOR DOOR-TO-DOOR  
14 TRANSPORTATION:

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

16 (II) THE METHODOLOGY USED IN ESTABLISHING THE FEE  
17 SCHEDULE; AND

18 (III) THE TOTAL AMOUNT OF FEES COLLECTED BY THE PROGRAM  
19 PARTICIPANT;

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

23 ~~(5)~~ (7) ANY OTHER INFORMATION REQUIRED BY THE  
24 ADMINISTRATION TO EVALUATE AND OPERATE THE PROGRAM AND MONITOR THE  
25 USE OF GRANT FUNDS AWARDED TO THE PROGRAM PARTICIPANT.

26 SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland Transit  
27 Administration, on or before November 1 of each year, shall submit to the General  
28 Assembly, subject to § 2-1246 of the State Government Article, an evaluation of the  
29 Maryland Senior Rides Demonstration Program. The evaluation shall include the  
30 number, size, type, and location of projects funded by the Program; the extent to  
31 which the Program is filling the need for door-to-door transportation for low-income  
32 to moderate-income seniors as those terms are defined in § 7-1001 of the  
33 Transportation Article as enacted by this Act; any innovations in public-private  
34 cooperation and risk management that result from the Program; and any other  
35 information necessary to effectively evaluate the Program.

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

