

Department of Legislative Services
Maryland General Assembly
2012 Session

FISCAL AND POLICY NOTE

Senate Bill 789
Finance

(Senator Robey)

**Transportation - State Determination of Paratransit Service Eligibility -
Acceptance by Local Governments**

This bill requires a local government that provides specified paratransit service to consider an individual eligible for this service upon notification from the Maryland Department of Transportation (MDOT). A “certified individual” is a person MDOT determines to be eligible for paratransit service in accordance with standards established under the federal Americans with Disabilities Act (ADA) of 1990.

Fiscal Summary

State Effect: Because the bill does not require MDOT to expand the scope of the eligibility certifications it currently conducts, it is not expected to materially affect State finances. However, to the extent MDOT must assume the certification process for local jurisdictions, Transportation Trust Fund expenditures increase, potentially significantly, in FY 2013 and future years.

Local Effect: The bill is not expected to materially affect local finances. However, to the extent local jurisdictions have paratransit eligibility criteria that differ from the Maryland Transit Administration’s (MTA) criteria, local transit expenditures may increase in FY 2013 and future years due to an increase in the demand for services.

Small Business Effect: None.

Analysis

Current Law: Subject to certain requirements, MDOT must provide annual grants to local governments for paratransit service that complements fixed-route service, as required by ADA. The grant amounts (1) must be determined in accordance with multiyear paratransit plans approved by MDOT or the Federal Transit Administration; and (2) may not exceed a total of \$4.0 million statewide annually.

Background: ADA requires local transit systems to provide paratransit services – transit designed specifically to accommodate disabled individuals. To comply with this federal requirement, the State allocates grant funds to local transit systems to help defray the costs of providing the paratransit services. The distribution of funds among the 14 participating counties (Allegany, Anne Arundel, Calvert, Charles, Dorchester, Frederick, Harford, Howard, Prince George’s, St. Mary’s, Somerset, Washington, Wicomico, and Worcester) and two municipalities (Annapolis and Ocean City) is based on a prorated share of the maximum funding amount using the jurisdiction’s actual expenditures. Chapter 687 of 1996 increased the maximum amount of paratransit grant program funding from \$3.45 million to \$4.0 million. The fiscal 2012 State budget includes \$2.5 million for this program.

MTA provides paratransit service within three-quarters of a mile of any fixed-route service in Baltimore City and Baltimore and Anne Arundel counties. The term “fixed-route” refers to local bus, light rail, or Metro subway routes operated by MTA. MTA does not offer service within three-quarters of a mile of commuter bus or Maryland Area Regional Commuter train routes. MTA regularly determines eligibility for paratransit services for individuals who live in the fixed-route area. However, MTA does not provide these services to individuals who live outside the fixed-route area. Consistent with ADA standards, MTA determines eligibility for paratransit services by requiring submission of an application and conducting an in-person interview.

Under the bill, individuals certified by MTA for paratransit services are automatically eligible for transit services provided by local jurisdictions. MTA advises that it does not anticipate a significant increase in eligibility determinations as a result of the bill.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore City; Kent, Montgomery, Washington, and Worcester counties; Maryland Association of Counties; Maryland Department of Transportation; Department of Legislative Services

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mc/lgc

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