Presentation to:

California Department of Transportation (Caltrans)

Mobility Action Plan (MAP) Phase I Implementation Study
MAP PAC Committee Meeting

Presented by:

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In Association with:

The National Conference of State Legislatures

March 25, 2009

MEETING PURPOSE AND OUTCOMES

Present study updates, discuss and receive feedback on the following MAP Study work tasks and activities:

- *Legislative Update/Action Item Follow-up:* Federal and California Human Service Transportation-Related Acts and Statutes
- *Technical Update:* MAP PAC Subcommittee Meeting Recap: Coordinated Plan Review and Interregional Gap Analysis Methodology
- *Outreach Update:* Stakeholder Involvement – Approach, Planned Work Activities and Schedule

LEGISLATIVE UPDATE

- New research and updates on key Statutes to address MAP PAC Jan. 21st meeting action items:
  - Americans with Disabilities Act (ADA)
  - Transportation Development Act (TDA)
  - Social Service Transportation Improvement Act (SSTIA)
  - Technical Assistance to Paratransit Providers
  - Deficit Reduction Act (DRA)
  - Medi-Cal

LEGISLATIVE UPDATE

- New paper--Legislative Histories of TDA and SSTIA
- New paper--New FTA policy on "Beyond ADA"
- Revised paper--Summary of ADA, new material shaded
- Revised paper--Summary of TDA, new material on the unmet need process shaded.
- New paper--Outline of Analysis Framework for our Findings and Recommendations Report

LEGISLATIVE HISTORY OF SSTIA

- 1979 - Enacted as AB 120
- 1990 - Mandated insurance study terminated by SB 2374
- 2002 - Reporting to Caltrans repealed by AB 2647

LEGISLATIVE HISTORY of TDA

- 1971 - Enacted
- 1998 - Amendment of citizen participation process by AB 2132
- 2007 - AB 1637 would have changed reimbursement practices and would have allowed public transit to provide NEMT. Did not pass.

PROPOSED NEW FREEDOM EXPANSION

- Existing: The New Freedom Program (49 USC § 5317) funds are available to public transportation service providers whose services go beyond those required by the ADA, which are:
  - New public transportation, or
  - New alternatives to public transportation

PROPOSED NEW FREEDOM EXPANSION

- The service is identified in the locally developed, coordinated public transit-human services transportation plan;
- The service is designed to meet the needs of individuals with disabilities;
- The service removes barriers to transportation and assists persons with disabilities with transportation;
- The service was not operational on August 10, 2005, and did not have an identified funding source as of August 10, 2005, as evidenced by inclusion in the Transportation Improvement Program (TIP) or the State Transportation Improvement Program (STIP); and
- The service is not designed to allow an agency to meet its obligations under the ADA or the DOT ADA implementing regulations.

PROPOSED NEW FREEDOM EXPANSION

- Examples of projects that would be eligible for New Freedom funds include:
  - Fixed route service extended to serve a congregate living facility or a workplace serving large numbers of individuals with disabilities.
  - New or expanded demand responsive service, including new hours or days of operation, or increased geographic coverage, to meet the needs of individuals with disabilities.

ADA SUMMARY REVISION

- Now includes a section on the New Freedom Program (49 USC § 5317) explaining that funds are available to public transportation service providers whose services go beyond those required by the ADA.

TDA SUMMARY REVISION

- Now includes a section on the "unmet transit needs" process
- Before making the allocation of funds for specified purposes, the transportation planning agency has to
- consult with the social service transportation advisory council,
- identify the transit needs of the jurisdiction,
- and identify unmet transit needs of the jurisdiction that are reasonable to meet.
- The term "unmet transit needs" not defined in state law.

TDA SUMMARY REVISION

- "Unmet transit needs" process
  - Public hearing
  - Resolution
    - 1)there were no unmet transit needs;
    - 2)there were no unmet transit needs that are reasonable to meet; or
    - 3) there are unmet transit needs, including needs that are reasonable to meet.
    - <u>If it is found that there are no unmet transit needs or they are unreasonable, the transportation planning agency may give the funds to a county or city for streets or roads.</u>

LEGISLATIVE ANALYSIS FRAMEWORK

1. Background and history of the relevant statutes and acts.
   - Relevant Federal statutes--SAFETEA-LU, Sec. 5310, 5316, 5317
   - Americans with Disabilities Act (Federal)
   - Social Services Transportation Improvement Act (CA)
   - Transportation Development Act (CA)
   - Medi-Cal (CA)
   - Other related and relevant statutes (CA)

LEGISLATIVE ANALYSIS FRAMEWORK

2. Any recommended changes or revisions to the statutes and acts
   - Identification of statutory language and implementation practices that impede coordination between agencies and organizations involved in human services transportation.
   - Recommended changes to address each impediment identified.
3. Impacts to the Mobility Action Plan (MAP) study, if any
   - Implications of recommended changes to MAP
   - Suggested incorporation of changes into MAP, if appropriate

LEGISLATIVE ANALYSIS FRAMEWORK

4. Practical and policy implications for incorporation into the Statewide Implementation Plan (SIP)
   - To be determined

5. Appendices
   - Matrix of relevant statutes including year, citation, title and purpose, description, and duplication and conflicting requirements with other laws, if any.
   - Glossary of terms

END OF LEGISLATIVE UPDATE

TECHNICAL UPDATE: SUBCOMMITTEE MTG: INTERREGIONAL GAP ANALYSIS

- Subcommittee Telephone Meeting conducted Monday, March 9, 2009 at 10:00-11:00 a.m. (up to 90 min.)
- Total of 16 members volunteered to participate; 11 members meeting schedules were compatible with the selected day/time
- Agenda and PPT prepared for the meeting (Handout)
- Subcommittee Meeting Summary (Handout)

SUBCOMMITTEE MEETING ACTION ITEMS

- The subcommittee recommended that the project team start initially with a general review of the plans to complete the Statewide Executive Summary which will provide information needed to develop any additional plan review parameters to develop the interregional gap analysis.
- The project team will provide status reports on the progress of Coordinated Plan review and development of the Statewide Executive Summary at future MAP PAC meetings.

END OF TECHNICAL UPDATE

STAKEHOLDER INVOLVEMENT: APPROACH/OPPORTUNTIES

- Project MAP meetings and associated subcommittee meetings
- Posting of a project-related fact sheet, meeting summaries, notices and other relevant project information on the Caltrans website
- Opinion leader telephone/electronic mail interviews
- Regional roundtables and small focused group discussions
- Face-to-face meetings and briefings on project issues for the Caltrans PM, CHHS and MAP PAC and subcommittee members as appropriate

STAKEHOLDER INVOLVEMENT: PLANNED WORK ACTIVITIES

- Conduct up to 100 Opinion Leader Interviews
  - (Meeting Handout – Draft Interview Questions)
- Schedule and Conduct 11 Regional Roundtables
  - (Meeting Handout – Draft Letter MPOs/RTPAs
  - Prepare draft discussion topics
- Facilitate 8 Small Focused Group Discussions

STAKEHOLDER INVOLVEMENT: INTERVIEW AND DISCUSSION THEMES

- Agency/Organization Understanding and/or Participation in Coordinated Transportation Projects
- Perspectives on Progress of Coordination Efforts thus far; Suggestions for improvement
- Recognized Barriers, Policies and Practices that inhibit coordination and suggestions how to mitigate these issues
- Ideas for Improving communications between Public Transit and Human Service Agencies and Organizations
- Regional Perspectives on Priorities designed to facilitate coordination of Transportation through a State-Wide Strategic Plan

STAKEDHOLDER INVOLVEMENT: EMAIL/TELEPHONE INTERVIEWS

- Meeting Handout – Draft Interview Questions
- Up to 100 Interviews (email and/or telephone)
  - Agency/Organization perspective – individual representative or group interviews
- 55 MAP PAC agencies and organizations; 67 agency/organization/company representatives
- Referrals from MAP PAC members
- Referrals from regional roundtables and small group discussions
- Will be complementary to legislative fact-finding interviews

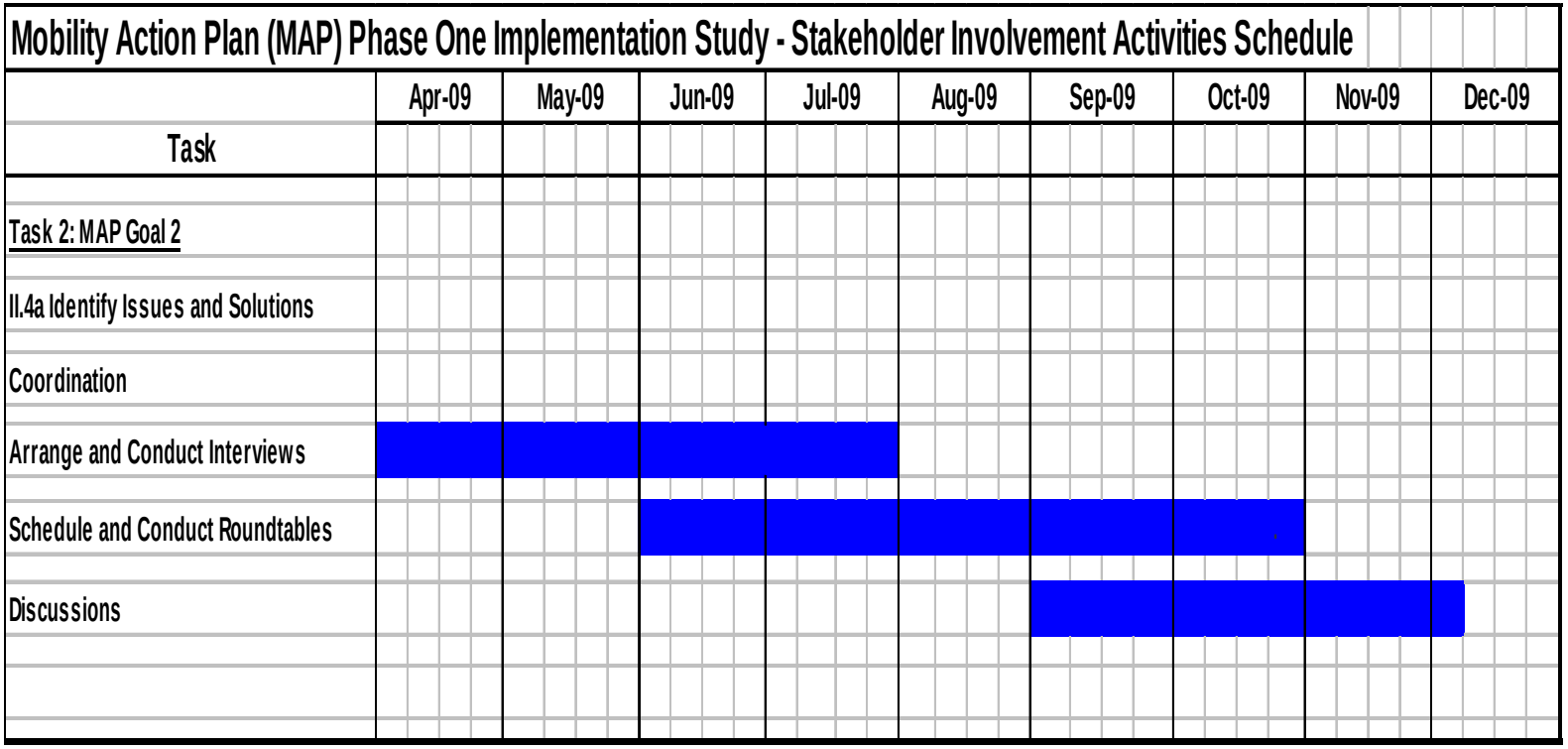
STAKEHOLDER INVOLVEMENT: REGIONAL ROUNDTABLES

- Roundtables in 11 geographic regions statewide
  - Stakeholder peer groups (e.g., senior centers, regional centers, CalWorks/GAIN, DPSS, hospitals, etc.) public transit agency/organization representatives, city representatives, etc.
- Validate and potentially supplement information that what we find during Coordinated Plan reviews
- Solicit opinions and perspectives from stakeholders about coordination issues
- Educate and inform stakeholders as needed

STAKEHOLDER INVOLVEMENT: SMALL FOCUSED GROUP DISCUSSIONS

- 8 facilitated small group discussions
  - Planned to include business leaders, employers, community-based organizations, citizen advisory groups representing target populations and the public

STAKEHOLDER INVOLVEMENT: WORK ACTIVITIES SCHEDULE



NEXT STEPS/MEETING

- Continue Legislative work; Initiate interface with Human Services on additional statute research and analysis; Begin funding research
- Coordinate efforts with Caltrans Districts statewide; Distribute finalized letter to MPOs/RTPAs; Work with all agenices on Coordinated Plan review and to schedule and arrange Stakeholder roundtables and discussions
- Finalize interview questionnaire; Commence Stakeholder Interviews
- Commence regional stakeholder involvement planning and scheduling efforts with MPOs/RTPAs
- Next MAP PAC Mtg: Wednesday, May 13, 2009, Dept. of Aging