

STATE OF NEW JERSEY STATE MANAGEMENT PLAN

SECTION 5310 PROGRAM THE ELDERLY INDIVIDUALS AND PEOPLE WITH DISABILITIES PROGRAM



2008

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EXHIBIT B – VEHICLE INSPECTION FORM

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EXHIBIT D – GOVERNOR’S EXECUTIVE ORDER CREATING COUNCIL ON ACCESS AND MOBILITY

This State Management Plan (SMP) describes the State of New Jersey's policies and procedures in administering the Federal Transit Administration's (FTA) Section 5310 program. In New Jersey, NJ TRANSIT administers the FTA's Section 5310 Program. This SMP has been filed with the FTA Regional Office. Updates to the SMP shall be incorporated and submitted to FTA whenever NJ TRANSIT significantly changes its management of the program, or when the FTA requires new program requirements.

The primary purpose of this State Management Plan is to provide information to the public regarding the administration of New Jersey's Section 5310 Program and to serve as the basic document that FTA can reference to review NJ TRANSIT'S administration of the Section 5310 Program. Applicants can contact NJ TRANSIT'S Local Programs and Minibus Support Unit, in writing for technical information or general assistance in completing an application for FTA Section 5310 funds. Comments regarding any revisions or any suggestions or inquiries regarding this SMP should be forwarded to:

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GENERAL OVERVIEW

INTRODUCTION AND OVERVIEW

In a society which places great value on the ability to have access and mobility, elderly persons and people with disabilities want to retain opportunities to actively participate in all of life's pursuits including but not limited to education, employment, entertainment, medical treatment, nutrition, shopping, therapy and volunteer work. Often many individuals within these segments of the population find themselves transportation disadvantaged.

The lack of availability and expense of travel often fosters social and economic isolation. Sometimes such isolation can lead to institutionalization instead of allowing for "aging in place" with full integration into a community. It is a quality of life issue and it is a challenge to society.

The Section 5310 program was established in 1975 as a discretionary capital assistance program. In cases where public transit was inadequate or inappropriate, the program awarded grants to private non-profit organizations to serve the transportation needs of elderly persons and people with disabilities. In the early years of the program, many of the subrecipient non-profit agencies used the vehicles primarily for transportation for their own clients. In 1991, when this federal program was reauthorized under the Intermodal Surface Transportation Efficiency Act (ISTEA), the eligibility of public bodies under limited circumstances to facilitate and encourage the coordination of human services transportation was introduced. In 2005, Congress enacted SAFETEA-LU. SAFETEA-LU introduced the requirement that projects funded with Section 5310 funds be derived from a locally developed, coordinated public transit-human services transportation plan.

In New Jersey, NJ TRANSIT administers the Section 5310 Program. New Jersey's Section 5310 Program makes available capital assistance through the purchase of vehicles and related equipment to eligible private non-profit agencies and designated public bodies to provide transportation to elderly persons and people with disabilities. This program, starting in 2007, also makes available limited funding for mobility management planning. Since this grant program began in 1975 nearly 1,300 vehicles have been provided to eligible agencies throughout the State. From the start, the State of New Jersey has stressed the need for the coordination of funding sources and/or services in order to maximize the effects of this grant program. That remains especially true today in light of the new requirements under SAFETEA-LU.

More information on the Section 5310 Program and the requirements that the State of New Jersey must follow can be found in the FTA circular 9070.1F which can be reviewed at www.fta.gov/documents/C9070.1F.doc.

Definitions

- a. **Application (Part I)** is the initial application submitted by a qualified public agency or non-profit organization to NJ TRANSIT, the administrator of the statewide program, requesting specific equipment or funding for a specific activity to meet their particular service need. The information contained in the Part I application is the basis for which a review is conducted to determine eligibility and inclusion in the final grant to the federal government.
- b. **Application (Part II)** is a supplemental application containing the public notification requirements to be completed by selected applicants only. This includes (1) Letters to Private Operators; (2)

Documentation of Notification Letters to Private Operators; and (3) Public Notices (Non-Profit and/or Local Government).

- c. **Capital Equipment or Facilities** include vehicles, vehicle related equipment and facilities that have a multi-year usable life.
- d. **Elderly Individual/Senior Citizens** is defined, for the purposes of the program, any person 60 years of age or older. At a minimum, the federal circular requires all persons 65 years or older. In New Jersey, in order to standardize the age requirement with other state-funded programs New Jersey defines elderly individual as anyone 60 years of age or older.
- e. **Eligible Services** which may be provided with the equipment awarded under this program, are transportation services primarily intended to improve the mobility for elderly/ senior citizens and people with disabilities. Other services may be allowable; however, these services will be considered to be incidental uses of the equipment and not considered as additional justification for the funding of the project. In addition, Section 5310 funds will not be used to purchase special vehicles to be used solely for meal delivery or to purchase specialized equipment such as racks or heating or refrigeration units although subrecipients may coordinate and assist in providing meal delivery if such does not conflict with the provision of transit services or result in a reduction of service.
- f. **Human Service Transportation** means transportation services provided by or on behalf of a human service agency to provide access to agency services and/or to meet the basic, day-to-day mobility needs of transportation-disadvantaged populations, especially individuals with disabilities, elderly individuals and people with low incomes.
- g. **Locally Developed Coordinated Public Transit-Human Services Transportation Plan “coordination plan”** means a plan that identifies the transportation needs of people with disabilities, elderly individuals, and people with low incomes, provides strategies for meeting those local needs, and prioritizes transportation services for funding and implementation. In New Jersey, each county is required to develop a plan and each county has named a designated lead to facilitate and oversee the planning process.
- h. **Local Government** includes a county, municipality, city, town, township, special district, council of governments (whether or not incorporated as a private nonprofit organization under State law), regional or interstate government entity, or any agency or instrumentality thereof.
- i. **Mobility Management** consists of short-range planning and management activities and projects for improving coordination among public transportation and other transportation-service providers carried out by a recipient or subrecipient through an agreement entered into with a person, including a government entity, under 49 U.S.C. Chapter 53. Mobility management does not include operating public transportation services.
- j. **Non-profit Organization** means a corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. 501c which is exempt from taxation under 26 U.S.C. 501 (a) or one which has been determined under State law to be non-profit and for which the designated State agency has received documentation certifying the status of the non-profit organization.
- k. **People with Disabilities** is defined as any individual who by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability is unable or has great difficulty in utilizing regular fixed route mass transit facilities or services.
- l. **Recipient** means a State agency designated by the chief executive officer of a State to receive funds apportioned by formula to the States under Section 5310 (b)(1), or a local government authority when Federal Highway Administration (FHWA) funds are flexed to Section 5310 to support services for individuals with disabilities. In New Jersey the designated recipient is NJ TRANSIT.
- m. **Service Area** is defined as the geographic area, which is to be served by the transportation service. If the service were to be concentrated in certain zones, these would be the primary service areas.
- n. **Subrecipient** is an applicant who is either a private non-profit organization, if the public

transportation service is unavailable, insufficient, or inappropriate; or a governmental authority that is approved by the State to coordinate services for elderly individuals and people with disabilities or certifies that there are not any non-profit organizations readily available in the area to provide the services and has been successfully awarded a vehicle or equipment under this program by the State of New Jersey.

PROGRAM GOALS

The goal of the Section 5310 Program is to improve mobility for elderly individuals and people with disabilities throughout the state. Toward this goal, NJ TRANSIT, by applying to the FTA, provides financial assistance for transportation services planned, designed, and carried out to meet the transportation needs of the elderly and people with disabilities in all areas of the State—urbanized, small urban, and rural. The program requires coordination with other federally assisted programs and services in order to make the most efficient use of Federal sources. Although often grant subrecipients serve specific client groups, transportation services funded by this program may be open to all elderly individuals and people with disabilities and then the general public once the immediate transportation needs as explained in the subrecipients grant application are satisfied. In addition, all subrecipients must be named of a locally developed “coordination plan”.

The objectives of NJ TRANSIT in administering the Section 5310 Program are as follows:

- 1) Provide the highest level of service possible to elderly individuals and people with disabilities in the State of New Jersey.
- 2) Distribute available funds fairly and equitably among all areas in the State of New Jersey.
- 3) Facilitate coordination and cooperation between subrecipient non-profit agencies, subrecipient local governments and NJ TRANSIT.
- 4) Encourage equipment usage to the fullest extent possible by offering a variety of vehicle types.
- 5) Demonstrate to transportation providers, through the development of standardized vehicle specifications, the maximum safety, comfort and design available in the marketplace.
- 6) Provide an opportunity for private for-profit transportation providers to participate in the program.
- 7) Administer the program in accordance with all FTA regulations.

STATE ROLE IN PROGRAM ADMINISTRATION

The Governor of New Jersey has designated NJ TRANSIT as having the requisite legal, financial, and staffing capabilities to receive and administer Federal funds under the Section 5310 program. NJ TRANSIT is the grantee for all Section 5310 funds within the State of New Jersey and applies on behalf of subrecipients. NJ TRANSIT is the nations largest statewide transit agency providing bus, rail and light rail services of over 800,000 daily trips on 242 bus routes, 11 commuter rail lines, and 3 light rail lines. NJ TRANSIT links major points in New Jersey, New York and Philadelphia, serving 162 rail stations, 55 light rail stations and over 20,000 bus stops. The Commissioner of the New Jersey Department of Transportation is Chairperson of NJ

TRANSIT's Board of Directors ensuring coordination between the two agencies.

Administration of the Section 5310 Program is placed in the Local Programs and Minibus Support Unit, which along with the ADA Unit and the Innovative Services and Sales Unit, brings a variety of community transit based programs all under the Capital Planning and Programs Department. The Local Programs and Minibus Support Unit also administers the Section 5311 (non-urban) grant program, the state casino revenue tax funded Senior Citizens and Disabled Resident Transportation Program, and other grants that impact local transit services. Various other departments within NJ TRANSIT support Local Programs and Minibus Support in the administration of the program.

The Local Program and Minibus Support Unit will administer the Section 5310 program in conformance with the provision of FTA C9070.1F and with the broad direction defined by the statewide goals and objectives. NJ TRANSIT's responsibilities include: notifying eligible local entities of funding availability; developing project selection criteria; determining applicant eligibility; selecting projects for funding; and ensuring that all subrecipients comply with Federal requirements. Eligible nonprofit organizations or local governments/public bodies must apply directly to NJ TRANSIT for assistance under this program.

NJ TRANSIT is responsible for ensuring that local applicant and project activities are eligible and in compliance with Federal requirements and their approved application, that private for-profit transportation providers are provided an opportunity to participate to the maximum extent feasible, and that the program provides for maximum feasible coordination of transportation services assisted under Section 5310 with transportation services assisted by other Federal sources. In addition, NJ TRANSIT monitors local projects; ensures that all program activities are included in a statewide transportation improvement program (STIP); and oversees project audit and closeouts. NJ TRANSIT certifies to the FTA annually that the state and subrecipients have met or will meet all Federal requirements.

Under the authority of the U.S. Department of Transportation regulations, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," 49 C.F.R. Part 18 (sometimes referred to as the common rule), NJ TRANSIT relies on its own laws and procedures in the areas of financial management systems, equipment, and procurement for itself and its public body subrecipients.

As the grant recipient NJ TRANSIT'S major responsibilities as the administrator of the project and manager of federal funds are as follows:

- Provide continuous managerial direction to the project.
- Provide adequate inspection of equipment and oversight of services by qualified professionals;
- Assure that the project conforms to grant agreements, applicable statutes, codes ordinances, and safety standards.
- Ensure compliance with all federal, state and program requirements by consultants, contractors, and subcontractors working under approved third party contacts or interagency agreements, including procurement standards and labor regulations.
- Prepare all pertinent performance reports on the project.
- Establish and maintain a record keeping system for overall program accountability.

LOCAL PUBLIC INVOLVEMENT

NJ TRANSIT has a long established advisory group called the Special Services Citizens Advisory Committee, formed primarily to provide input on public transit accessibility issues and the state casino revenue tax funded transportation program (Senior Citizens and Disabled Resident Transportation Assistance Program). This committee is made up of elderly individuals and people with disabilities as well as coordinated human services transportation providers making it an ideal vehicle to review Section 5310 issues.

In addition, throughout the year reports and presentations are made at regular meetings of the Council On Special Transportation (C.O.S.T. – www.njcost.com), local County Transportation Citizens Advisory Committees, and various organizations either providing or provided human services transportation. Presentations are also made as needed at Metropolitan Planning Organizations and relevant subcommittees.

The yearly state transportation conference held every April in Atlantic City, TransAction Conference, jointly sponsored by NJ TRANSIT, NJDOT, C.O.S.T. and the County Transportation Association (CTA) is also used as a forum to disseminate information about the Section 5310 Program. This conference brings together transit operators, planners, consumers, social service agency and State agency representatives.

COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION PLAN

OVERVIEW

Federal transit law, as amended by SAFETEA-LU, requires that projects selected for funding under the Section 5310, Jobs Access and Reverse Commute (JARC – Section 5316) and New Freedom (Section 5317) programs be derived from a locally developed, coordinated public transit-human services transportation plan and that the plan be developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public.

The locally developed, coordinated public transit-human services transportation plan (“coordinated plan”) identifies the transportation needs of people with disabilities, elderly individuals, and people with low incomes, provides strategies for meeting those local needs, and prioritizes transportation services for funding and implementation. In New Jersey the locally “coordinated plans” are developed by the twenty-one (21) counties in the State. This process commenced in 2004 under the State’s United We Ride effort.

UNITED WE RIDE

In February of 2004, the Governor of the State of New Jersey approved representatives from a state interagency committee consisting of the NJ Department of Human Services, NJ TRANSIT and the NJ Department of Labor to attend the United We Ride (UWR) Leadership Forum in Washington DC. In the spirit of the UWR federal Initiative, New Jersey’s interagency committee reconstituted itself and became recognized as the New Jersey Council on Access and Mobility (NJCAM), mirroring that of their federal counterparts. The Council has expanded its membership to include representatives from the Departments of Health and Senior Services, Corrections, Education and the Department of Labor’s Division of Vocational Rehabilitation (DVR), the Department of Human Service’s Division of Disability Services (DDS), Division of Developmental

Disabilities (DDD), Division of Mental Health Services (DMHS), Division of Youth and Family Services (DYFS), Division Family Development (DFD), Division of Medical Assistance & Health Services (DMAHS) and NJ TRANSIT'S Access Link and the Rutgers Voorhees Transportation Center.

As the year 2005 came to an end, the NJCAM sponsored two one-day workshops. These workshops were held to introduce to local stakeholders the Framework for Action Community Self-Assessment process (www.unitedweride.gov/FFA-Communities.pdf) and to kick-off the county based "coordination plan" process needed to secure Section 5310, JARC and New Freedom formula grant dollars as outlined in the federal transportation legislation, SAFETEA-LU.

In April 2006, the Commissioner of NJ Department of Transportation and the Executive Director of NJ TRANSIT sent a letter to each of the 21 counties in New Jersey asking that they designate a lead person who would serve as the point of contact for the "coordination plan" process. The role of the designated lead was to be the facilitator at the county level that would bring together the relevant stakeholders and oversee the development of the "coordinated plan".

In November 2006, a second annual United We Ride work session was held. At that meeting the designated leads and stakeholder teams from each county attended and the elements of the "coordinated plan" was presented and discussed by representatives of the FTA, NJ TRANSIT and the NJ Department of Human Services.

On October 26, 2007 Governor Corzine signed Executive Order No. 87 creating officially the New Jersey Council on Access and Mobility. This council will work to make the most efficient and effective use of State resources to ensure that elderly individuals, people with disabilities and transportation disadvantaged have access to community based transportation services (See Exhibit D). Starting with federal fiscal year funding 2007 all selected projects in a grant Program of Projects must be derived from the "coordinated plan" process.

REQUIRED ELEMENTS OF A PLAN

In New Jersey, all grant projects shall be derived from a county developed coordinated plan that at a minimum includes the following elements at a level consistent with available resources and the complexity of the local institutional environment:

1. An assessment of available services that identifies current transportation providers (public, private, and non-profit). In New Jersey, the Council on Access and Mobility has developed a survey tool which the counties are strongly encouraged to use. The advantage of using the same survey across the State is to encourage uniformity in developing a Statewide inventory of services;
2. An assessment of transportation needs for people with disabilities, elderly individuals, and people with low incomes. This assessment can be based on the experiences and perceptions of the planning partners or on more sophisticated data collection efforts, and gaps in service;
3. Strategies, activities, and/or projects to address the identified gaps between current services and needs, as well as opportunities to achieve efficiencies in service delivery; and
4. Priorities for implementation based on resources from multiple program sources, time, and feasibility for implementing specific strategies and/or activities identified.

In New Jersey, each county can approach the development of a “coordinated plan” with some degree of flexibility depending upon available staff, time, funding and other resources. Some of the strategies to be considered in the development of the plan are:

1. Community planning session. A county or its designee may choose to conduct a local planning session with a diverse group of stakeholders in the community. Such a session would be intended to identify needs based on personal and professional experiences, identify strategies to address the needs, and set priorities. This process can be done in one meeting or over several sessions with the same group.
2. Self-assessment tool. The Framework for Action: Building the Fully Coordinated Transportation System, developed by the FTA helps stakeholders realize a shared perspective and build a roadmap for moving forward together. In New Jersey, the State encourages counties to utilize the Framework for Action at an initial stakeholder meeting before developing a “coordinated plan”.
3. Focus Groups. A county or its designee could choose to conduct a series of focus groups within communities that provides opportunity for greater input from a greater number of representatives, including transportation agencies, human service providers, and passengers. This information can be used to inform the needs analysis in the community. Focus groups also create an opportunity to begin an ongoing dialogue with community representatives on key issues, strategies, and plans for implementation.
4. Survey. The county or its designee may choose to conduct a survey to evaluate the unmet transportation needs with a community and/or available resources. The State of New Jersey NJCAM has developed a survey tool which focuses primarily on inventorying existing resources and encourages counties or their designee to expand upon that survey to better access unmet needs as needed. The State of New Jersey also encourages the county or its designee to work closely with Transportation Management Associations (TMA's) and/or other organizations with survey experience.
5. Detailed study and analysis. A county or its designee may decide to conduct a complex analysis using inventories, interviews, IS mapping, and other types of research strategies. Usually, such detailed studies will be considered after an initial “coordination plan” has been developed and a strategy has been identified that needs more in depth planning before funding and implementation can take place.

The projects selected for funding under the Section 5310, JARC and New Freedom programs according to FTA circulars for each program must be derived from a locally developed, coordinated public transit-human services transportation plan that was developed through a process that includes representatives of public, private, and non-profit transportation and human services providers and participation by members of the public. The requirement for developing the local "coordination plan" is intended to improve services for people with disabilities, elderly individuals, and people with low incomes. The stakeholder group for the local planning process should invite members from each of the targeted populations

In New Jersey, NJ TRANSIT as the designated recipient will consider a plan official when the governing body of the county has adopted it. The planning process should be considered an ongoing process and it should be understood that the stakeholders should be consulted periodically to review the status of the plan. Plans will need to be updated periodically and in conjunction with a schedule mutually agreed upon by NJ TRANSIT, the three MPO's in the State and the Counties.

HISTORY OF COORDINATION – EARLY YEARS 1980 THROUGH 1997

The requirement for coordination and the development of a coordination plan for human services transportation is not a new concept in New Jersey. The current requirement under SAFETEA-LU is built upon and reinforces previous efforts in New Jersey.

In January of 1980, a Governor's Task Force on Transportation Services for Senior Citizens and Persons with Disabilities issued a report entitled "Coordinating Specialized Transportation Services in New Jersey." The Task Force identified eighteen major sources of social service transportation funds administered by four different state agencies and twelve of their sub-divisions. The need for a transportation component in order to fulfill a specific social program goal and objective had created many small transportation units which addressed the needs of individual programs oriented towards not only senior citizens and persons with disabilities but the very young, the unemployed, the poor and others who lacked mobility.

It was these costly fragmented transportation services at the local level that lead the Governor's Task Force to endorse the concept of coordination as a means of improving or expanding non-traditional transportation services to the transportation disadvantaged. At the time, the concept of coordination was impossible to achieve because of both real and perceived barriers, such as a funding source losing accountability, client mixing, and/or regulation restrictions.

The Task Force recommended the establishment of an interdepartmental advisory group, which would continue to examine ways to coordinate programs and funding. Other major recommendations were:

- 1) The Department of Transportation should establish an Office for Coordinated Transportation and assume a lead role in coordinating social service and paratransit operations in the State;
- 2) A Transportation Coordination Office should be established in each of the twenty-one counties; and
- 3) Coordination efforts of specialized transportation at the state and local level must include mass transportation services;

There were sixteen other recommendations, which focused on the concepts of cooperation, coordination and consolidation.

As this report was completed there were two other events unfolding, which ultimately lead to the implementation of many of the Task Force's recommendations. The first event was the creation of NJ TRANSIT, which had been occurring simultaneously during the life of the Governor' Task Force. The second was the potential for state funding which could serve as the glue for the various programs and funding sources with the broadening of the allowable uses of a casino revenue tax fund.

In May of 1981 the responsibility for administering several specialized transportation grants originally housed at NJDOT were transferred to NJ TRANSIT and a newly created Office of Special Services. At the time three FTA (formerly UMTA) administered grant programs; Section 5310, Section 5311 and FAUS Transfer (discontinued program) as well as the state administered Reduced Fare Program were transferred to NJ TRANSIT. Of those four programs, the three FTA grants were to be administered by the newly created NJ TRANSIT Office of Special Services. The Reduced Fare Program was relocated to NJ TRANSIT bus operations.

A few months after the creation of this Office, in November of 1981, voters approved a constitutional amendment to permit casino tax revenues to be used for transportation services for senior citizens and disabled residents. It then took two additional years for the Senior Citizen and Disabled Resident Transportation Assistance Act to be signed into law in January 1984. This legislation created a special transportation assistance program and designated NJ TRANSIT'S Office of Special Services as administrator.

Today, NJ TRANSIT provides technical assistance and program oversight to twenty-one (21) county coordinated paratransit systems, fourteen Section 5311 rural transit systems, over 20 Section 5316 (JARC) employment transportation services and over one hundred (100) agencies under the Section 5310 program.

INTERAGENCY COORDINATION – 1997 THROUGH 2007

In 1997, the Work First New Jersey (WFNJ) welfare reform program served as the catalyst for a statewide inter-agency effort to improve access and mobility for low income and other transit dependent populations. A partnership emerged between the New Jersey Department's of Human Services (DHS), Transportation (DOT), Labor (DOL), NJ TRANSIT and the NJ State Employment and Training Council (SETC), which initiated a coordinated community transportation planning process. That process was instrumental in the development of Community Transportation Plans and securing needed funds by blending program monies to support new or expanded programs that previously limited access to employment in each of the 21 counties. New Jersey began addressing access and mobility limitations by implementing 5 collaborative transportation programs. Free monthly bus/rail passes became available through the WorkPass Program and alternatives to public transit were implemented through the Transportation Block Grant Program to active TANF recipients participating in work related activities. Post-TANF recipients were eligible to receive seven free months of bus/rail passes under the Get A Job: Get A Ride and the Extended WorkPass Programs. If public transportation was inaccessible, beneficiaries were offered the opportunity to participate in the Transportation Plus Grant alternative program. Additionally, local inter-agency transportation steering committees were established to continue discussing ways to enhance transportation services.

In 1999, New Jersey utilized their established local collaborative effort to solicit project proposals when the Transportation Equity Act for the 21st Century (TEA-21) was enacted, creating the Job Access and Reverse Commute (JARC) Federal Transportation Grant. JARC regulations permitted the use of federal funds {such as Medicaid and Temporary Assistance to Needy Families (TANF)} to be used as local match for FTA programs.

ELIGIBILITY AND ELIGIBLE ASSISTANCE CATEGORIES

ELIGIBLE SUBRECIPIENTS

The State of New Jersey does not impose any limitations on eligible subrecipients or service areas, which are more restrictive than those limitations imposed by the federal government.

Under the Federal Transit Administration Section 5310 Program, private non-profit corporations and qualified public bodies may apply for vehicles, related equipment, intelligent transportation systems (ITS) and support for mobility management projects which provide needed transportation services for elderly individuals and people with disabilities.

Eligible recipients of Section 5310 funding fall under one of the three categories listed below:

- **Private Non-Profit Organizations:** A non-profit organization is a corporation or association determined by the Secretary of the Treasury to be an organization described by 26 U.S.C. §501(c) which is exempt from taxation under 26 U.S.C. Section 501(a), one which has been determined under state Law to be non-profit and for which the designated state agency has received documentation certifying the status of the non-profit organization.
- Public bodies that certify to the Governor through NJ TRANSIT that no non-profit corporations or associations are readily available in an area to provide the service, and
- Public bodies approved by NJ TRANSIT to coordinate services for elderly individuals and people with disabilities.

Under the second eligibility criteria, a public body other than the lead designated body may be considered an eligible subrecipient if they certify that there is no non-profit organization readily available in an area to provide service. However, the “coordinated plan” for the county in which the public body resides must indicate that the public body is a part of the “coordinated plan” process. Such a certification should be in writing and submitted to NJ TRANSIT’s Local Programs and Minibus Support Unit. NJ TRANSIT will contact the designated coordinated transportation program in the county from which the request originated to verify the lack of eligible non-profit organizations in that particular area and that the participation of the public body requesting certification furthers the goals and objectives outlined in the “coordination plan”.

Under the third eligibility criteria, local public bodies eligible to apply for Section 5310 funds as coordinators of services for elderly individuals and people with disabilities are those designated or recognized by NJ TRANSIT to coordinate human services transportation activities in particular areas. An example of such an eligible public body would be a County Transportation Department or a County Department of Human Services which has been identified to provide transportation service funded by multiple Federal or State Human Service Programs.

Section 5310 subrecipients are responsible for reading, understanding, and complying with all the federal and state regulations related to the Section 5310 program.

FEDERAL/LOCAL MATCH REQUIREMENTS

The Federal share of eligible costs shall not exceed 80 percent of the net cost of the program. The local share of eligible costs shall be no less than 20 percent of the net cost of the program. It is the responsibility of the subrecipient to provide all operating expenses. This program provides no operating funds.

STATE CONTRIBUTION

In New Jersey, in order to encourage local transit, NJ TRANSIT has traditionally provided the required 20 percent match for the subrecipient. As a result, in New Jersey, the funding ratio in practice has been as follows:

Capital Expenses: Federal 80% State 20% Local 0%

NJ TRANSIT reserves the right to utilize toll credit in lieu of cash match.

STATE ADMINISTRATIVE EXPENSES

Ten percent of NJ TRANSIT's total fiscal year apportionment shall be used as the Federal share of program administration costs (Section 5310 administrative funds). Program administration costs or expenses consist of those costs or expenses incurred by NJ TRANSIT in implementing and managing the entire Section 5310 program, including previously funded projects, if necessary. Section 5310 administrative funds are not specific to one grant, but may help to pay the ongoing administrative costs of previous Section 5310 projects that require further staff effort. FTA treats the limitation on Section 5310 administrative funds as applicable to Section 5310 funds apportioned to the state over time, not necessarily to the apportionment for a particular fiscal year. Eligible program administrative cost may include, but are limited to, general administrative and overhead costs, staff salaries, office supplies, and development of specifications for vehicles and equipment. The program administration budget line item may also include technical assistance and planning activities, including allocations to subrecipients to support the local coordinated planning process. Guidance on eligible costs is in Office of Management and Budget (OMB) Circular A-87 (codified at 2CFR part 225).

It is allowed and NJ TRANSIT will consider when appropriate using administrative funds for Section 5310, JARC-Section 5316 and New Freedom-Section 5317 to be combined to support activities such as coordinated planning that are common to all three programs.

FUNDING DISTRIBUTION

In New Jersey, NJ TRANSIT, as the designated recipient, purchases all vehicles for this program on behalf of the subrecipients. By procuring all equipment at the state level it ensures compliance with

various federal procurement regulations; achieves competitive pricing through bulk purchasing and allows the state to incorporate current marketplace design into equipment purchase. The method of distributing funds is based upon evaluating the needs of the applicants in the state on an annual basis. It is a competitive application process. These needs are described in the Project Selection Criteria section in this State Management Plan.

ELIGIBLE CAPITAL EXPENSES

NJ TRANSIT allows Section 5310 program funds for various capital equipment which supports the provision of transportation services to meet the needs of elderly persons and people with disabilities. Examples of capital expenses include, but are not limited to:

- a. Purchase of new vehicles including buses, minibuses, vans and other paratransit vehicles;
- b. radios and communication equipment;
- c. wheelchairs lifts and restraints;
- d. vehicle rehabilitation;
- e. extended warranties which do not exceed the industry standard as part of new vehicle purchase;
- f. transit related intelligent transportation systems (ITS's) including computer hardware and software;
- g. initial component installation costs;
- h. vehicle procurement, testing, inspection and acceptance costs;
- i. in extraordinary circumstances NJ TRANSIT will consider the lease of equipment when lease is more cost effective than purchase (The State must establish criteria for determining cost effectiveness in accordance with FTA regulations, at 49 CFR Part 639 and OMB Circular A-94, "Capital Leases," which provides the necessary discount factors and formulas for applying the same;
- j. supporting new mobility management and coordination programs among public transportation providers and other human service agencies providing transportation. Mobility management is an eligible capital expense. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. Mobility management is intended to build coordination among existing public transportation providers and other transportation service providers with the result of expanding the availability of service. In New Jersey mobility management activities may include:
 - 1. Support for short term management activities to plan and implement coordinated services;
 - 2. The support of State and local coordination policy bodies and councils such as the NJCAM and local stakeholder groups;
 - 3. The operation of transportation brokerages to coordinate providers, funding agencies and customers;
 - 4. The support of local travel training identified in locally develop "coordination plans";
 - 5. The development and operation of one-stop transportation traveler call centers to coordinate transportation information on all travel modes and to manage eligibility requirements and arrangements for customers among supporting programs; and

6. Operational planning for the acquisition of intelligent transportation technologies to help plan and operate coordinated systems inclusive of Geographic Information Systems (GIS) mapping, Global Positioning System technology, coordinated vehicle scheduling, dispatching and monitoring technologies as well as technologies to track costs and billing in a coordinated system and single smart customer payment systems. Please note this is only for the planning of these operational activities. The actual acquisition of technology is eligible under the capital equipment non-mobility management portion of the grant program.

The State of New Jersey has in the past limited purchases to vehicles, wheelchair lifts and securements and related vehicle equipment and under special circumstances vehicle rehabilitation. The purchase of radios, ITS hardware and software is an eligible expense for designated lead agencies and/or applicants that can demonstrate that the purchase will significantly improve coordination amongst providers in the service area beyond their own operation. All other capital expenditures are not generally encouraged and would be considered on a case-by-case basis. NJ TRANSIT will set aside each year a portion of the funds for mobility management proposals and they shall be reviewed separately from capital equipment requests. Mobility management projects cannot use funds for the actual provision of service but only for the planning and implementation of broker or one-stop operations or other related activities. Such projects should not expect the Section 5310 program to fund the entire cost of planning and implementation nor should funding be expected to subsidize ongoing operations once planning and implementation has been completed.

APPLICATION INSTRUCTIONS & REVIEW PROCESS

PROGRAM NOTIFICATION

NJ TRANSIT maintains a mailing list to notify interested organizations of the Section 5310 Program. This list is comprised of agencies that have received or are receiving assistance under this program, agencies that applied to this program but were denied funding, and agencies that inquired or requested information regarding this Program via phone, letters or email. Annually, when applications become available, NJ TRANSIT automatically sends a letter to agencies on this mailing list notifying them of application availability. NJ TRANSIT advertises the Section 5310 Program in various newspapers of general circulation including minority newspapers published in New Jersey. NJ TRANSIT also announces through a press release the availability of applications and the press release and application can be found online on the NJ TRANSIT website.

NJ TRANSIT also sends a notification letter to all of the municipal clerks. If a municipality as a public body is interested in receiving a vehicle and is willing to work with the county to provide coordinated services for elderly individuals and people with disabilities, then the municipality must submit a Letter of Interest to NJ TRANSIT. NJ TRANSIT then submits the Letter(s) of Interest to the county for review. If the county endorses the municipality's proposal for coordinated services then NJ TRANSIT will send the municipality a Section 5310 Application (Part I). In New Jersey, the counties or their representative have been designated as the lead coordinating body for such transportation services and are deemed eligible to apply. All other local governments are deemed eligible only if certified by the county as a local government coordinating services with the county and willing to enter into a written formal agreement or if a municipality serves as a sub provider named as part of a countywide service in the "coordination plan" that has been endorsed by the governing body of the county.

THE APPLICATION

Applicants must complete a Section 5310 Application Part I in order to apply for a vehicle, eligible equipment or mobility management planning. Applicants can contact NJ TRANSIT'S Local Programs and Minibus Support Unit by phone, email or in writing, for assistance in completing an application for FTA Section 5310 funds.

Application Part I is the initial application submitted by a qualified public agency or non-profit organization to NJ TRANSIT requesting a specific vehicle type to meet their particular service need. The information contained in the preliminary application is the basis for which a review is conducted to determine eligibility and inclusion in the final grant to the federal government.

In order to evaluate an applicant's eligibility, the applicant must complete the following information in the Application Part I:

- Applicant information – Applicant must complete this section and attach to the Application a copy of Articles of Incorporation and/or Section 501(C)(3) of the Internal Revenue Code.
- Title VI Information – If any lawsuits or complaints have been received or acted on, within the past year, a statement of status or outcome of each complaint should be attached to the Application.
- Description of Transportation Services – Applicant must describe how FTA assisted services are or will be coordinated with social service agencies, private transportation providers or local governments in the service area and attach agreement(s).
- Documentation of Fiscal Capability – Applicant must include the requested financial audit/annual report/financial statement.
- State Standard Assurances – Applicant must read and sign this page.
- Federal Fiscal Certifications and Assurances – Applicant must read the Certifications and Assurances section. If an agency is selected for the final grant submission they must sign the Certifications and Assurances. Agencies, who are already active subrecipients in the FTA Section 5310, Section 5311, Section 5316 or Section 5317 programs and already have signed annual Certifications and Assurances that are on file with NJ TRANSIT, do not need to complete this step again. Based upon Certifications on file NJ TRANSIT may require that a revised certification be filed.

APPLICATION REVIEW

Since NJ TRANSIT is responsible for administration of the FTA Section 5310, Section 5311, Section 5316 (Jobs Access), Section 5317 (New Freedom) and state casino revenue funding for transportation, the agency has historically encouraged coordination of transit services provided through these programs. Existing coordinated transportation systems or agencies working in cooperation with other transportation providers are given preference for funds available under the Section 5310 program. All subrecipients must, at a minimum, participate in the locally developed "coordination plan" process and be willing to participate as a stakeholder.

The grant review process has two parts; the Local Programs staff review and the state review committee. The applications received are divided into three groups: private non-profits (at the discretion of staff this category may be further subdivided), counties (designated leads for coordination) and municipalities. The applications for each group are then distributed to a review committee consisting of staff from NJ TRANSIT'S Local Programs and Minibus Support Unit and at least one other individual from outside the Unit. The review divides the applications by counties, non-profits and municipalities, reviews and ranks the application. When the review is completed a state review committee reviews the rankings. NJ TRANSIT invites to participate in the state review committee representatives from senior citizens and people with disabilities advisory committee, as well as representatives from NJ TRANSIT, MPO's and other state agencies such as the Department of Human Services.

Each designated local lead will be given an opportunity to review the list of applicants in order to afford a chance to revise and/or update the local "coordination plan". Any comments including milestones for any revisions to the plan are then forwarded to NJ TRANSIT'S statewide committee for consideration.

After the filing deadline, NJ TRANSIT state review committee ranks and comments on each application to determine the most critical needs within a county. Ranking is accomplished by a weighted point system, which in general favors on-going transit services (replacement), and coordinated and/or consolidated services. Non-weighted criteria are discussed at the state review committee meeting. Such factors as past performance, vehicle maintenance, program compliance as well as knowledge of other pending grants are addressed at that review meeting and are considered in the final selection process.

PROJECT SELECTION CRITERIA

The selection committee reviews applications based upon a weighted point system and a non-weighted system and addresses five major areas of concern. These five areas are:

- a) Extent and Urgency of Needs;
- b) Vehicle Utilization and Appropriateness of Service;
- c) Coordination and Cooperation;
- d) Financial and Management Capabilities; and
- e) Operating Plan.

Emphasis is placed on the extent and urgency of need and the degree of coordination the applicant is willing to undertake. The State of New Jersey has made available from the casino revenue tax fund a significant amount of funding for transportation systems that serve the elderly and people with disabilities. One of the goals of that program is to develop one coordinated transportation system per county.

Based upon the limited funds available and the number of applications received an agency needs to score high in most if not all of the five major areas of concern in order to be approved for a vehicle.

The factors considered under Extent and Urgency of Need include the availability of public transit, the number of people to be served and whether or not the vehicle is a replacement for an ongoing service, an expansion of an ongoing service or a new service. Replacement vehicles are given stronger consideration than requests for

expansion. The factors considered under Vehicle Utilization and Appropriateness of Service include the number of trips and hours of operation as well as the trip purposes proposed. Under Coordination and Cooperation the Committee looks to formal and/or informal agreements that may exist between the applicant and the local coordinated system as well as if the applicant is identified in the locally developed "coordinated plan". If the applicant is not identified in the current plan NJ TRANSIT will need written verification from the county that the applicant's services and needs will be incorporated into the next revision of the plan. For Financial and Management Capabilities the committee looks at the fiscal resources set aside for the proposed service as well as the length of an agency's experience in providing transportation services. Finally, under Operating Plan such items as the degree of driver training, maintenance program, storage of equipment and scheduling and dispatching of vehicles are considered.

PUBLIC INVOLVEMENT – Application Part II

Local public bodies that are applicants must afford an adequate opportunity for a public hearing, and such hearing must be held if someone with a significant economic, social, or environmental interest in the matter requests a hearing.

All applicants must also afford an opportunity for for-profit private operators who have a significant social, social economic or environmental interest to comment on proposed service by sending a written notice within 30 days.

The subrecipient application must document that this requirement has been met (including a copy of the published notice, hearing record, if one was held and summary of efforts to involve the private sector to the maximum extent feasible, etc.)

Aside from the above, municipalities must enter into a formal written agreement with the designated lead agency in the county. This agreement must indicate the transportation services that will be provided by the municipality and the extent of the coordination efforts with the county lead under the Section 5310 Program. An agreement may be negotiated annually, however, it is expected that an agreement must be in place for the entire useful life of the vehicle.

Once an applicant is selected they must complete a Application Part II. There are two versions of the Application Part II's since the requirements for non-profits and counties are different than the requirements for municipalities. The Application Part II is distributed and completed only by applicants selected for inclusion in the Program of Projects. Private non-profits and approved public bodies are required to send a Notification Letter to Private Operators explaining the scope and intent of the project to all private operators in the service areas prior to submitting the Application Part II. NJ TRANSIT must receive a list of all the private operators that were contacted. Applicants must also publish a notice in a newspaper of general circulation on two separate days letting the public know that they have made an application to NJ TRANSIT for a vehicle and/or equipment. The Application Part II distributed to municipalities in addition to the requirements described above must also document existing or proposed coordination with other providers. Finally, any selected applicant that does not have a current FTA Certifications and Assurances on files will need to sign and submit.

ANNUAL PROGRAM OF PROJECTS

NJ TRANSIT establishes the annual program level based on federal formula allocations. This information is included in FTA's annual federal register notice after the annual federal transportation appropriations bill

becomes law.

After reviewing all the recommendations, NJ TRANSIT drafts a Program of Projects for inclusion into a formal grant submission to the FTA based on the available funds. Final determination of applicants included in the grant and the amount of funding that each applicant is to receive are made by NJ TRANSIT.

NJ TRANSIT notifies all applicants of the final program of projects.

The State Management Plan establishes a general timeline, which will be used as an approximate guide to the application process. The annual Section 5310 grant development schedule is as follows:

September/November	Applications available for distribution.
October	Amount of annual fund determined (pending publication of Federal Register Notice)
December/January	Deadline to Return Application to NJ TRANSIT
January	Local Programs Distributes Completed Applications to the NJ TRANSIT Review Committee
January/February	Review Committee Meets
February	Final Recommendations of Review Committee to NJ TRANSIT's Office of Local Programs and Minibus Support.
February/March	NJ TRANSIT Convenes State Review Committee/
March/April	NJ TRANSIT Local Programs and Minibus Support Unit determines draft Program of Projects based upon Committee recommendations and forwards to NJ TRANSIT's Office of Capital Programming and Administration to prepare FTA grant application.
April/June	NJ TRANSIT Office of Local Programs and Minibus Support notifies applicants of projects included in the Program of Projects.
March/June	NJ TRANSIT Office of Capital Programming and Administration submits grant application to FTA.
June/Sept	FTA awards annual grant. NJ TRANSIT announces Federal action announced

ADMINISTRATIVE REQUIREMENTS

GENERAL

The basic grant management requirements for state and local governments are contained in the Department of Transportation (U.S. DOT) regulations, "Uniform Administrative Requirement for Grants and Cooperative Agreements to State and Local Governments," 49 C.F.R. Part 18. The comparable U.S. DOT rule for private nonprofit organizations is "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations," 49 C.F.R. Part 19. Parts 18 and 19 are collectively known as the "common rule". The provision of these rules applies except where inconsistent with Federal statutes or authorizing legislation.

The common rule identifies three areas in which the administrative requirements for State grantees and their subrecipients which are governmental authorities may differ from Federal requirements for local government grantees: equipment management, procurement, and financial management systems. The basic intent in these areas is to provide greater flexibility to the States in standardizing the management of related state and Federal programs. Part 19 does not allow States to pass down state procedures in these three areas to subrecipients that are nonprofit organizations as Part 18 permits for subrecipients that are public bodies. However, so long as the state procedures are not inconsistent with Part 19, the State may apply the same procedures for all its subrecipients.

As long as NJ TRANSIT'S procedures are not inconsistent with Part 19, NJ TRANSIT may apply the same procedures for all its subrecipients. In addition, NJ TRANSIT may use procedures that are more restrictive than Part 19, but in the case of nonprofit organizations, NJ TRANSIT procedures may not be more permissive than Part 19.

NJ TRANSIT will enter into a written agreement with each subrecipient stating the terms and conditions of assistance by which the project will be undertaken and completed.

STATE ADMINISTRATION, PLANNING AND TECHNICAL ASSISTANCE

NJ TRANSIT sets aside 10 percent of the annual federal allocation to the State for administrative expenses. In New Jersey, administrative expenses are primarily for general administrative and overhead costs, staff salaries, office supplies, and the development of specifications for vehicles and equipment. NJ TRANSIT would consider using funds to support technical assistance and planning activities including activities that support local coordinated planning processes based upon the availability of funds.

TRANSFER OF FUNDS

NJ TRANSIT will allow the transfer of Section 5310 funds to a local Section 5311 project as long as the transferred funds are used for eligible Section 5310 projects. However, such a transfer will only be considered

in extraordinary situations. Flexible funds from the Federal Aid Highway Programs may be transferred to the Section 5310 program for use by the State. Unlike transfers between transit programs, under which funds retain their original purposes, flexible funds transferred to the Section 5310 program will be treated as Section 5310 funds and all program requirements will be applicable. The funds are available for obligation by the State for two additional years after the year in which they are transferred.

PRIVATE SECTOR PARTICIPTION

New Jersey requires that each subrecipient publish a legal notice and send a letter to all private operators in their service area during the application process. Such notification together with the MPO planning process provides adequate opportunity to address private sector concerns. The sending of a letter to private for-profit operators in their service area provides an opportunity for comment and to meet to discuss the service proposed, if requested. In the event that a private company and an approved applicant cannot resolve their differences, NJ TRANSIT will facilitate a discussion and, if necessary, an in-person meeting to resolve any differences.

NJ TRANSIT recognizes that important opportunities to provide service exist particularly in the areas of human service transportation. Human service transportation generally refers to programs designed for individuals with lower incomes, people with disabilities, elderly persons, and sometimes children and youth. Private providers may be uniquely qualified to serve these specialized travel markets.

The New Jersey Council on Access and Mobility (NJCAM) is leading an interdepartmental effort in the State known as United We Ride to promote coordinated human service transportation delivery systems and improve access to transportation-disadvantaged populations. This initiative emphasizes the need to develop coordinated transportation plans at the State and local level. Private operators have the opportunity to be active participants in the development of these plans. The United We Ride initiative encourages communities to develop a family of services that range from fixed route bus, to shared ride, to demand response, to volunteer systems that offer a wide rage of mobility options for consumers.

CIVIL RIGHTS

NONDISCRIMINATION.

49 U.S.C. § 5332 states that "a person [defined broadly] may not be excluded from participating in, denied a benefit of, or discriminated against under, a project, program, or activity receiving financial assistance [from FTA] because of race, color, creed, national origin, sex, or age."

At NJ TRANSIT, the Assistant Executive Director (AED) of Diversity Programs is responsible for Title VI, DBE, and EEO. The AED of Diversity Programs reports directly to the Executive Director. The Local Programs and Minibus Support Unit is responsible for monitoring Section 5310 and 5311 subrecipients for compliance with Title VI, DBE and EEO. The office works directly with the AED of Diversity Programs on these matters.

NJ Transit and all subrecipients of FTA assistance are responsible for compliance with all civil rights requirements applicable to transit related projects including the nondiscrimination prohibitions of 49 U.S.C. § 5332, and of Title VI of the Civil Rights Act of 1964, as amended; the Equal Employment Opportunity (EEO) requirements of Title VII of the Civil Rights Act of 1964, as amended and 49 U.S.C. 5332 and any

implementing requirements FTA may issue; Nondiscrimination on the basis of sex including requirements of Title IX of the Education Amendments of 1972 and 49 CFR part 25, and with any implementing directives that DOT or FTA may promulgate,. Nondiscrimination on the basis of age including requirements of the Age Discrimination Act of 1975, as amended 42 U.S.C. 6101 et seq. and implementing regulations; Nondiscrimination on the basis of disability including requirements under Section 504 of the Rehabilitation Act of 1973, as amended, and the Americans with Disabilities Act of 1990, as amended (ADA) and Disadvantaged Business Enterprise (DBE) to the extent required by Federal law.

TITLE VI PROGRAM REQUIREMENTS.

Title VI of the 1964 Civil Rights Act, Section 601 states: No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial Assistance. NJ TRANSIT will require that subrecipients annually sign the nondiscrimination assurance included in FTA's notice of certifications and assurances.

NJ TRANSIT shall submit its assurance to FTA and shall retain assurances from subrecipients. Subrecipients will be required to send a nondiscrimination assurance included in their annual notice of certifications and assurances, which accompanies their application.

NJ TRANSIT shall maintain for itself and its subrecipients a description of any complaints alleging discrimination in service delivery filed within the past year together with a statement of status or outcome of each such complaint.

Each agency in their preliminary application to NJ TRANSIT must provide the estimated number of minority group persons that it will serve. This information can be obtained by any appropriate means that will ensure inclusion of the numbers as part of each individual application. It is not envisioned that an organization be required to do a detailed head count or use elaborate means to gather the information.

NJ TRANSIT will prepare with its annual Section 5310 grant application a record of approved and rejected funding requests that identifies applicants that are minority organizations or that provide assistance to minority communities. Utilizing information provided by the applicant, NJ TRANSIT would compare the estimated total number of persons to be served versus the estimated total number of minority group persons served. A comparison of total applicants versus approved applicants is also done. These numbers are reviewed to ensure that the approved applicants fairly represent a cross section of all applications received with regard to service offered to the minority communities of the state.

In this area subrecipient responsibilities are:

1. Sign a certification of compliance pertaining to Civil Rights;
2. Contact NJ TRANSIT immediately via phone, email, fax or letter if the subrecipient has received a lawsuit or civil rights complaint;
3. Report through application a concise description of active lawsuits or complaints alleging discrimination in service delivery in the past three years; and
4. Provide updates on the status or outcome of active or pending lawsuits on at least quarterly basis.

EQUAL EMPLOYMENT OPPORTUNITY REQUIREMENTS.

The applicant agrees to comply, and assures the compliance of itself and each third party contractor with all equal employment opportunity EEO requirements of Title VII of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000e) and 49 U.S.C. 5332 and any implementing requirements FTA may issue.

In this area subrecipient responsibilities are:

1. Post EEO information in a place readily accessible by employees.

DISADVANTAGED BUSINESS ENTERPRISE PROGRAM REQUIREMENTS.

In New Jersey, NJ TRANSIT purchases equipment under the Section 5310 Program. Therefore, there are currently limited opportunities for subrecipients to directly receive federal funds under this program. NJ TRANSIT'S Office of DBE submits a goal to FTA as part of a corporate wide plan.

SECTION 504 AND ADA REPORTING.

Section 504 of the Rehabilitation Act of 1973 preceded the Americans with Disabilities Act (ADA). Section 504 prohibits discrimination on the basis of handicap by recipients of Federal financial Assistance. In addition, the Americans with Disabilities Act of 1990, as amended (ADA), specify Federal civil rights of individuals with disabilities. In New Jersey FTA funded subrecipients must comply with 49 C.F.R. Parts 27,37, and 38, and regulations implementing ADA and Section 504 rule. Among other requirements, the regulations: prohibit discrimination against individuals with disabilities; require that vehicles acquired be accessible to and usable by individuals with disabilities, including individuals using wheelchairs (with limited exceptions for demand responsive systems providing equivalent service to individuals with disabilities or a demonstration of inability to obtain an accessible used vehicle despite good faith efforts to do so); and require that public entities operating fixed route transit plan for and provide complementary paratransit for individuals with disabilities who cannot use accessible fixed route transit. Deviated fixed route services do not have to provide complementary paratransit service.

All vehicles purchased by NJ TRANSIT with Section 5310 funds are equipped, maintained, and operated in accordance with the regulations.

In addition, subrecipients of any FTA funds or equipment should be aware that they also have responsibilities under other provisions of ADA in the areas of employment, public accommodations, and telecommunications.

In this area subrecipient responsibilities are;

1. Sign certifications of compliance pertaining to ADA requirements;
2. Establish service policies and procedures in accordance with the ADA;
3. Establish a complementary paratransit program for publicly operated fixed route systems; and
4. Notify NJ TRANSIT of any ADA complaints related to transportation services.

STATE PROGRAM MANAGEMENT

PROGRAM MEASURES

Under this program NJ TRANSIT has developed two program measures that will be used with the Government Performance Results Act (GPRA) and the Performance Assessment Rating Tool process for the federal Office of Management and Budget. Annually NJ TRANSIT will prepare a report that contains both quantitative and qualitative information on each of the two measures below:

1. Gaps in Service Filled. This will measure the provision of transportation options that would not otherwise be available for older adults and individuals with disabilities afforded mobility they would not have without program support. This information will be collected through the application process.
2. Ridership. Actual or estimated number of rides as measured by one-way trips provided annually for individuals with disabilities and older adults on Section 5310 supported vehicles and services. This information will be collected through quarterly ridership reports for each vehicle submitted by subrecipients.

VEHICLE USE

NJ TRANSIT encourages maximum use of vehicles funded under the Section 5310 program. Consistent with the requirement of 49 C.F.R. Parts 18 and 19, vehicles are to be used first for program related needs and, beyond the purposes for which a Section 5310 grant are made, to meet other transportation needs of elderly persons and people with disabilities, to meet other Federal program or project needs, and finally for other local transportation needs. Vehicles may be used:

- a. For Section 5310 Project and Program Purposes. A subrecipient's program must provide service identified and included in the locally developed "coordination plan". Subrecipients are encouraged to the extent feasible to also provide service to elderly individuals and people with disabilities not affiliated with their agency, as well as to the general public on an incidental basis if such service does not interfere with transportation services for elderly individuals and people with disabilities. In some situations it may be appropriate to provide Section 5310 assistance to an agency to provide transportation exclusively to its own clients, but even in such a situation in which it is not feasible for the agency to provide services to those in the community beyond its own clients, that agency should be identified in the local "coordination plan" as a service providing an identified need or filling a gap in service. The subrecipient shall use the vehicle in the project or program for which it was acquired as long as needed, even if the project does not continue to receive Federal funding.
- b. For other Federal Program or Project Purposes. During the period the vehicle is used to serve the project or program needs for which it was acquired, the subrecipient shall make it available for use on other projects or programs, as long as such other use does not interfere with the service for which the vehicle was originally acquired. First preference for such other uses will be given to other projects or program sponsored by FTA, and second preference will be given to projects or programs sponsored by other Federal agencies. Finally, non-federally funded providers may use vehicles, first to meet the needs of elderly individuals and people with disabilities, and then to serve the transportation needs of the general public on an incidental basis.

- c. When No Longer Needed for Original Project or Program Purposes. If the original subrecipient no longer needs the vehicle for the purposes for which it was acquired, NJ TRANSIT may choose to keep the vehicle in use for Section 5310 Program purposes by transferring the vehicle to another subrecipient. Once the vehicle is no longer needed for Section 5310 Program purposes, the vehicle may be used first in connection with other FTA-sponsored activities, and then for activities sponsored by other Federal agencies.
- d. For Meal Delivery. Transit service providers receiving assistance under this section may coordinate and assist in providing meal delivery services for homebound persons on a regular basis if the meal delivery service does not conflict with the provision of transit services or result in a reduction of service to transit passengers. The number and size of vehicles applied for under Section 5310 must be determined only by the number of passengers to be transported, not meal delivery capacity. Section 5310 funds will not be used to purchase special vehicles to be used solely for meal delivery or to purchase specialized equipment such as racks or heating or refrigeration units related to meal delivery.

LEASING VEHICLES ACQUIRED WITH SECTION 5310 FUNDS

Vehicles acquired under the Section 5310 Program may be leased to other entities such as local public bodies or agencies, other private nonprofit agencies, or private for-profit operators. Under such a lease, the lessee operates the vehicle on behalf of the Section 5310 subrecipient and provides transportation to the subrecipient's clientele as described in the grant application.

The lease between the Section 5310 subrecipient and the lessee must contain the terms and conditions that must be met in providing transportation service to the elderly and people with disabilities. Because the purpose of the Section 5310 grant is to provide transportation service to the elderly and people with disabilities, other uses of the vehicle are permitted only as long as such uses do not interfere with service to the elderly and people with disabilities.

In order to ensure that subrecipients meet the terms and conditions of the original grant with FTA, subrecipient must submit for review and written approval, a copy of any lease between the subrecipient and a potential lessee. All subrecipient agreements must specify that the leased vehicle shall be used to provide transportation service to the elderly and people with disabilities, that the vehicle may be used for incidental purposes only after the needs of these individuals have been met, and that the subrecipient must retain title to the vehicle with NJ TRANSIT as first lienholder.

CONTROL AND RESPONSIBILITY

When vehicles or other equipment acquired with Section 5310 funds are operated by an entity other than the subrecipient, control and responsibility for the operation of the vehicles or other equipment must remain with the subrecipient unless transfer of the control and responsibility is made to another subrecipient authorized by NJ TRANSIT.

TITLE TO VEHICLES

NJ TRANSIT assigns title of the equipment to the subrecipient with NJ TRANSIT as the first lienholder. Upon completion of the project and the useful life of the vehicle being met, NJ TRANSIT will seek FTA's approval for disposition instructions prior to releasing any lien on vehicles. Upon receipt of FTA approval, the lien will be released, a termination of lease agreement is signed and the equipment is turned over to the subrecipient with no further obligations. NJ TRANSIT reserves the right to hold title of equipment purchased. NJ TRANSIT retains the original title at NJ TRANSIT until the useful life of the equipment has been met and the vehicle is ready to be retired from the program.

SATISFACTORY CONTINUING CONTROL

When capital equipment is acquired or approved for use by any entity in providing transportation services designed to meet the needs of elderly persons and people with disabilities, provisions must be made to assure satisfactory continuing control of that capital equipment.

NJ TRANSIT retains the authority to make periodic reviews of projects and conduct site visits to assess the efficiency and effectiveness of each project. NJ TRANSIT designated employees are authorized to enter without delay and at reasonable times the premises of a subrecipient without the necessity of the subrecipient's permission, to inspect project equipment and records. As a standard practice, NJ TRANSIT will contact a subrecipient ahead of time to set up a time and place for a vehicle inspection. Inspections shall not commence without first identifying to the subrecipient the purpose of the visit, which is to complete a formal inspection of project equipment and records. Representatives from NJ TRANSIT are authorized to inspect subrecipient vehicles at any location and time as deemed appropriate by inspectors.

When conducting an inspection, the NJ TRANSIT representative shall present their credentials to the subrecipient, or vehicle operator, explain the nature and purpose of the inspection; and indicate, generally, the scope of the inspection. The scope of the inspection may be broadened if circumstances warrant. NJ TRANSIT inspectors shall have authority to photocopy records, interview staff, and take photographs related to the purpose of the inspection. The conduct of inspections shall be such as to minimize disruption of the operations of the subrecipient. At the conclusion of an inspection, the NJ TRANSIT representative shall confer with a representative of the subrecipient and advise him/her of any equipment defects discovered during the inspection.

Each vehicle will be inspected, at minimum, once every two years to determine the accuracy of required reports and to evaluate the overall condition of the vehicle. In addition, randomly selected maintenance records as well as an inspection of subrecipients maintenance facilities, if applicable, will be conducted during the scheduled site visit. If a follow-up inspection discloses that a subrecipient has failed to correct a defect, the subrecipient will be considered in noncompliance and NJ TRANSIT may consider, depending upon the severity of the infraction, termination of the lease agreement with the subrecipient.

EQUIPMENT MANAGEMENT

GENERAL

Subrecipients must use, manage, and dispose of equipment acquired under a Section 5310 grant in

accordance with state laws and procedures. Subrecipients shall have at the establishment where operations, dispatching, scheduling, administration, and project equipment is stored and/or utilized, the current contractual agreement and/or equipment lease. Additionally all vehicle maintenance, insurance and, accident reports must be at the establishment. Reproductions of all materials shall constitute compliance with this requirement.

TRANSFER OF PROPERTY

NJ TRANSIT can transfer equipment acquired with assistance under Section 5310 to any subrecipient eligible to receive assistance under 49 U.S. C. Chapter 53, if the equipment will continue to be used in accordance with the requirements of Section 5310. The entity receiving equipment under this provision to provide Section 5310 service must comply with all the State and Federal requirements for Section 5310 subrecipients. NJ TRANSIT will first consider transferring equipment to other approved Section 5310 subrecipients.

In addition, Section 5334(g) allows facilities and equipment and other assets (including land) which are no longer needed for the purposes for which they were acquired to be transferred to any public body to be used for any public purpose with no further obligation to the Federal government, if authorized by the Secretary.

VEHICLE USEFUL LIFE AND REPLACEMENT STANDARDS

NJ TRANSIT is responsible for establishing and implementing rolling stock requirements for all categories of vehicles acquired under the 5310 programs. Specifically, NJ TRANSIT is responsible for establishing minimum useful life standards for vehicles; establishing procedures for determining fair market value; and developing policies and procedures for maintenance and replacement of vehicles. Maintenance requirement and insurance coverage must be adequate to protect the Federal interest in the vehicle within the useful life determined by NJ TRANSIT. The useful life criteria described below is effective for all vehicles purchased after July 1, 2007. Useful life is defined as:

1. Light Transit (Type) Buses - Medium Duty Buses, manufactured under Federal Motor Vehicle Safety Standards applicable to light transit buses, which may be equipped with either gasoline or diesel engines, are classified as having a minimum useful life of seven (7) years, or 200,000 miles. These may be classified by some manufacturers as transit (30') type buses.
2. Small Buses, Medium Duty Chassis, with add-on bodies installed by other than the original equipment chassis manufacturer, usually under twenty-eight (28') feet in length. These units shall be classified as having a minimum useful life of five (5) years or 150,000 miles.
3. Fifteen (15) Passenger Vans - manufactured as classified by original equipment manufacturer of body and chassis, including "modified" units incorporating raised roof and/or a lesser number of seats to accommodate handicapped passengers using wheelchairs or other mobility devices, with lift devices installed. These units shall be classified as having a minimum useful life of four (4) years or 100,000 miles.
4. Mini-Vans - manufactured as classified by original equipment manufacturer of body and chassis, with capacities of up to six (6) passengers, with wheelbase of less than 128". These units shall be modified to incorporate raised roof or lowered floors. Installation and use of manual ramps for accessibility is permissible, subject to design and specifications, compliance with state and federal requirements. They shall be classified as having minimum useful life of four (4) years or 100,000 miles.
5. Sedans/Stations Wagons - manufactured as classified by original equipment manufacturer of

body and chassis, with capacities of up to nine (9) passengers. These units shall not be structurally modified by after market manufacturers. These units shall be classified as having a minimum useful life of four (4) years or 100,000 miles. Presently, sedans/station wagons are not offered by NJ TRANSIT to applicants but may be considered in special situations.

If a subrecipient wishes to withdraw the vehicle from service before it has met the useful life standards, NJ TRANSIT will make a determination of the vehicle's usefulness and its disposition by appraising its current condition, its repair history, etc. The subrecipient should be prepared to supply the information required by NJ TRANSIT to make such a determination.

If NJ TRANSIT determines that the vehicle is not eligible for early disposition the subrecipient may, with NJ TRANSIT's concurrence; keep the vehicle in service; or if no longer needed return to NJ TRANSIT which will transfer it to another selected subrecipient; or with NJ TRANSIT'S approval the subrecipient may keep the vehicle but reimburse NJ TRANSIT the fair market value of the vehicle.

DISPOSITION

Usually, NJ TRANSIT will initiate disposition if the useful life of a vehicle has been met. Subrecipients must notify NJ TRANSIT in writing to request an inspection of the vehicle(s) or equipment they wish to dispose before the useful life has been met. In such cases, the inspection will determine if the disposition of the vehicle(s) or equipment is warranted for reasons other than age or mileage.

Subrecipients must follow state laws and procedures for disposing of equipment. NJ TRANSIT is not required to return to FTA proceeds from the disposition of equipment, regardless of the fair market value at the time the equipment is sold, so long as the proceeds remain in use for mass transit purposes. This applies to all equipment currently in use, which was purchased with Section 5310 funds. As a general rule any funds received are returned to the NJ TRANSIT Section 5310 Program.

The fair market value can be determined by either receiving two price quotes from reputable vendors or applying an accelerated depreciation calculation based on the remaining life of the equipment at time of disposal. Straight-line depreciation can be used although NJ TRANSIT recognizes that it is not as accurate a method in determining the fair market value. Both parties must agree upon the price before transfer can occur. This type of disposition is not the preferred method and NJ TRANSIT will follow only in rare or unique cases. If NJ TRANSIT determines that the vehicle is eligible for early disposition, the subrecipient may dispose of the vehicle as it chooses.

VEHICLE INSURANCE

NJ TRANSIT requires subrecipients to submit verification of insurance. Subrecipients are required to maintain insurance coverage in the amount of one million dollars per vehicle. The subrecipient must safeguard against loss, damage or theft of equipment and list NJ TRANSIT as an additional insured. NJ TRANSIT will periodically review this requirement and adjust the amount of coverage accordingly.

VEHICLE DESTROYED OR DAMAGED.

All vehicles purchased with Section 5310 funds must be covered by insurance. If a vehicle damaged in a fire, accident, etc. is repairable, the subrecipient should negotiate a settlement with the insurer, get the vehicle repaired and place it back in service. If the vehicle is not repairable, the entire settlement including any deductible will be returned to NJ TRANSIT who will put the insurance settlement back into the program to purchase additional vehicles, which can be assigned to an approved subrecipient. NJ TRANSIT will discuss with the subrecipient the need for a replacement and consider that need in assigning new and or transferred equipment. NJ TRANSIT reserves the right to waive the return of the deductible if it places an economic burden on the subrecipient agency.

MAINTENANCE

During inspections and site visits NJ TRANSIT staff will inspect equipment purchased with Section 5310 funds. During these inspections NJ TRANSIT may randomly select for review maintenance records for a vehicle. Subrecipients are encouraged to have their own written preventive maintenance procedures. However, at a minimum subrecipients are expected to follow the maintenance practices contained in NJ TRANSIT'S Vehicle Preventive Maintenance Guidelines (Exhibit C). Failure to follow these practices could lead to a subrecipient being cited for noncompliance.

PROCUREMENT

Within the application completed by a potential subrecipient is a vehicle menu from which the applicant can select the vehicle type most appropriate for meeting their service needs. NJ TRANSIT requires that all equipment purchased under this grant program be accessible and meet ADA vehicle specification requirements. NJ TRANSIT develops the specifications. NJ TRANSIT using a formally advertised competitive bid process handles the purchasing of all vehicles. NJ TRANSIT will comply with all Buy America requirements and other federal certifications as required by law.

FINANCIAL MANAGEMENT

FINANCIAL RECORDS

Financial records, supporting documentation, and all other records pertinent to a grant must be retained by NJ TRANSIT and will be made readily available to authorized representative of the U.S. Department of Transportation and the Comptroller General of the United States for a period of three years. The retention period starts on the date of forwarding the final Financial Status Report (SF-269A) If any litigation, claim or audit is started before the expiration of the three-year period, the records must be retained beyond three years, until all litigation, claims, or audit findings involving the records have been resolved.

AUDITS

NJ TRANSIT does not require an audit from a subrecipient when the assistance provided is solely in the form capital equipment procured directly by the state. An audit is required however, if subrecipients for any reason purchases equipment. Situations rarely occur when subrecipient purchases equipment under this program, however, the possibility does exist if equipment is purchased as the result of an insurance settlement or if other flexible funding is transferred into the Section 5310 program.

When required, subrecipients are to perform audits pursuant to the requirement of OMB Circular A-128, "Audits of State and Local Governments" or OMB Circular A-133, revised Audits of Institutions of Higher Education and Other Non-Profit Institutions" (including any future amendments thereto); Subrecipients are responsible for bringing problems to NJ TRANSIT's attention. All subrecipients are required to submit a copy of their most recent audit at the time of application.

CLOSEOUT

NJ TRANSIT shall initiate project closeout with the FTA within 90 days after all funds are expended and all work activities for the project are completed. A final Financial Status report (SF 269A), final budget and final program of projects are required at the time of closeout.

It is NJ TRANSIT'S intention for Section 5310 grants awarded for a specific program of projects be completed within three years. If small amounts of funds remain in an inactive grant, NJ TRANSIT will request that the funds be deobligated and the project closed out.

REPORTING REQUIREMENTS

ANNUAL PROGRAM OF PROJECTS STATUS REPORTS

NJ TRANSIT is required to submit to FTA an annual program status report for every active grant, covering the 12-month period ending September 30. The reports are due at the Regional Office within 30 days after the end of the reporting period. Reports should consist of an updated program of project and revised

budget for each approved program of projects, which contains active projects. The updated version should reflect revised project descriptions, changes in projects from one category to another, and adjustments within budget categories. In addition, the state must include a narrative report indicating progress against milestones for vehicle procurements and/or construction projects, and estimating the revised completions date for the grants. Significant civil rights compliance issues occurring during the year (such as Title VI, EEO, or DBE complaints against the state or subrecipients) should be addressed in the annual status report. In addition, the state may report notable accomplishments or problems involving Section 5310 subrecipients. NJ TRANSIT has worked closely with the FTA Region II office and NJ TRANSIT includes Section 5310 Program reports as part of the quarterly reporting process.

FINANCIAL STATUS REPORTS

The state must submit a Financial Status report for each active grant annually, for the period ended September 30. For the purpose of this report, funds are considered encumbered when agreements are signed with vendors to purchase vehicles.

SUBRECIPIENT QUARTERLY REPORTS

All subrecipients are required to submit a quarterly report to NJ TRANSIT. These reports shall be used for review and analysis of performance and compliance requirements. This report includes ridership and maintenance cost information.

SECTION 5310 VEHICLE INVENTORY

The Local Programs Support Unit maintains a database for equipment purchased under this program. Information for vehicles includes but is not limited to the name and address of subrecipient, NJ TRANSIT vehicle inventory number, license plate number, delivery date, date of last quarterly report and status of insurance. Files are updated with information provided from subrecipient quarterly reports.

DBE REPORTS

Annually, NJ TRANSIT must submit a statewide DBE program including goals for the utilization of DBEs by the state, if it is over a specified funding threshold

REQUIREMENTS AND OTHER PROVISIONS

SCHOOL TRANSPORTATION

Section 5323(f) prohibits the use of FTA funds for exclusive school bus transportation for school students and school personnel. The implementing regulations (49 C.F.R. Part 605) do permit regular service to be modified to accommodate school students along with the general public. For the purpose of FTA's school bus regulation, Headstart is a social service, not a school program. FTA subrecipients may operate vehicles, which meet the safety requirement for school transportation, but may not provide exclusive school service. In the State of New Jersey, in most cases, special license plates and equipment must be on school buses. Vehicles purchased under this program do not meet state laws regarding school buses and cannot be used to transport children to and/or from school or school related activities.

SAFETY

FTA'S authority in the area of transit safety is set forth in Section 5329. FTA may withhold further financial assistance from any grantee that fails to correct any condition which FTA believes "creates a serious hazard of death or injury." FTA'S authority to investigate and make findings in certain safety-related areas is permissive, not mandatory. FTA may also require a recipient to submit a plan for eliminating, mitigating or correcting any deficiency.

DRUG AND ALCOHOL ABUSE

Subrecipients that receive only Section 5310, Section 5316 (JARC), or Section 5317 (New Freedom) assistance are not subject to FTA's Drug and Alcohol testing rules, but must comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for employees who hold Commercial Driver's Licenses (49 CFR part 382). Section 5310 subrecipients that also received funding under one of the covered FTA programs (Section 5307 or Section 5311) should include any employees funded under section 5310 projects in their testing program.

DRUG-FREE WORKPLACE

The Drug-Free Workplace Act is part of the federal government's effort to eliminate illegal drugs from the workplace. The Drug-Free Workplace Policy is a "first-tier" requirement applying to NJ TRANSIT and does not apply to subrecipients of Section 5310, Section 5311, Section 5316 and Section 5317.

COMMERCIAL DRIVERS LICENSE

Under federal law all drivers of vehicles designed to transport more than 15 persons (including the driver) must have a commercial driver's license (CDL). Mechanics that drive the vehicles must also have a CDL. The State of New Jersey has additional CDL requirements. If a subrecipient is not clear on whether or not the vehicle they have received under this program requires a CDL they should contact the NJ TRANSIT Local Programs and Minibus Support Unit.

RESTRICTION ON LOBBYING

Federal financial assistance may not be used to influence any member of Congress or an officer or employee of any agency in connection with the making of any Federal contract, grant, or cooperative agreement. NJ TRANSIT, subrecipients, and third party contractors at any tier awarded FTA assistance exceeding \$100,000 must sign a certification so stating and also must disclose the expenditure of non-Federal funds for such purposes (49 C.F.R. Part 20). Other Federal laws also govern lobbying activities. For example, Federal funds may not be used for lobbying Congressional representatives or senators indirectly, such as by contributing to a lobbying organization or funding a grass-roots campaign to influence legislation (32 U.S.C. § 1352). General advocacy for transit and providing information to legislators about the services a subrecipient provides in the community are not prohibited, nor is using non-Federal funds for lobbying, so long as the required disclosures are made.

PROTECTION OF THE ENVIRONMENT

The vehicles and other related equipment items routinely purchased under the Section 5310 program do not involve significant environmental impacts. Those projects are referred to as "categorical exclusions" in FTA's procedures because those types of projects have been categorically excluded from FTA's requirements to prepare environmental documentation. If questions or concerns arise about any unusual projects proposed by an applicant NJ TRANSIT will contact the FTA regional office for consultation regarding environmental requirements.

CLEAN AIR ACT

The Clean Air Act, as amended, establishes many substantive requirements in order to bring air quality regions, which violate the national ambient air quality standards into attainment by prescribed dates. Most "nonattainment" areas are heavily urbanized, but in the case of areas that are nonattainment for ozone or small particulate matter (PM-10), substantial rural areas may be included within the nonattainment area boundaries.

Other Clean Air Act requirement may apply to the Section5310 Subrecipient, e.g., phase-in of more stringent bus emission standards. The FTA regional office can supply up-to-date information on various provisions of the clean Air Act related to mobile sources.

EXHIBIT A

Subrecipient Quarterly Report

**NJ TRANSIT
LOCAL PROGRAMS and MINIBUS SUPPORT**

**COMPLETION INSTRUCTIONS FOR
QUARTERLY PROGRAM/VEHICLE USAGE REPORT**

The Federal Transit Administration (FTA) requires certification that funded vehicles are being used responsibly. Therefore, Quarterly Program/Vehicle Usage Report forms are distributed to each grant recipient agency, for each vehicle operated, to collect operating information and to attest to appropriate vehicle use and management procedures. Reports are to be submitted by the 30th day of the month following the close of each calendar quarter. Chronic failure to complete quarterly reports accurately and promptly may result in termination of a contract/lease, repossession of project equipment and/or a rating penalty assessed to subsequent grant applications.

NJ TRANSIT Local Programs and Minibus Support must receive a Quarterly Program/Vehicle Report Form for each vehicle operated by your agency and, funded through the Federal Section 5310 program or the Community Shuttle Grant Program, each calendar quarter throughout the useful life of the vehicle.

The Quarterly Program/Vehicle Usage Report is to be filled out and mailed to NJ TRANSIT on or before the 30th day of the month following the close of each calendar quarter. Necessary information to complete this form may be obtained from driver's daily trip, passenger trip, operating expense and maintenance records.

<u>Quarter</u>	<u>Report Due No Later Than</u>
January - March 30	April 30
April - June 30	July 31
July - September 30	October 31
October - December 31	January 31

**NJ TRANSIT
QUARTERLY PROGRAM/VEHICLE USAGE REPORT**

Page 1 Completion Instructions:

County: Enter name of county in which your agency is located.

NJ TRANSIT Number: If you operate a Section 5310 vehicle enter the 16- number followed by either the three or four digit number, which is affixed

to the front and rear of your vehicle. If you are operating a shuttle program vehicle enter the three-digit number assigned and affixed to your vehicle by NJ TRANSIT and located on the front of the vehicle just below the windshield.

- Agency Name:** Enter your agency's full name as it appears on your grant, contract, or lease.
- Address:** Enter the exact street address of your agency to include zip code. **Do not** provide P.O. Box numbers if they are not a part of your agency's physical location.
- Phone:** Enter the area code, telephone number and extension of the person in your agency to contact regarding this vehicle.
- Contact Person:** Enter the name of the individual who is aware of, and can answer questions regarding the operation of this vehicle.
- Quarterly Report Period:** Check the appropriate box indicating the quarter for which this report applies.
- Calendar Year:** Enter the current calendar year of this report.
- Vehicle Year:** Enter the vehicle model year for the vehicle covered by this report. This information can be found on the vehicle registration.
- VIN Number:** Enter the vehicle identification number as it appears on the vehicle registration.
- Plate #:** Enter the license plate number of the vehicle for which this report applies.

I. OPERATING CHARACTERISTICS

- a) **Total Miles Driven:** Two entries must be made for this item. Enter the total miles driven during this report period **and**, the total miles driven this calendar year.
- b) **Odometer Reading:** Only one entry must be made for this item. Enter the number of miles shown on the vehicle odometer at the end of the quarter into the year-to-date box.
- c) **Gals. of Fuel Used:** Two entries are required for this item. Enter the number of gallons of fuel pumped into the vehicle during this report period **and**, the total number pumped into this vehicle during this calendar year.
- d) **Engine Oil Replaced:** Two entries are required for this item. Enter the total quarts of oil put into this vehicle during this report period **and**, the total number used by this vehicle during this calendar year. **NOTE: Do not include regularly scheduled, through preventive maintenance, oil changes.**
- e) **Days Out Of Service:** Two entries are required for this item. Enter the number of days this vehicle was out-of-service during this report period due to maintenance issues and, the total number of maintenance related out-of-service days for this vehicle during this calendar year.

Preventive Maintenance Completed this Quarter

In the space provided list all preventive maintenance performed on this vehicle during this report period. Include oil changes, tire rotation, lift maintenance, etc.

Unscheduled Repairs/maintenance Completed this Quarter

In the space provided, list all maintenance performed on this vehicle that was not pre-scheduled.

Page 2 Completion Instructions:

- County:** Enter name of county in which your agency is located.
- NJ TRANSIT Number:** If you operate a Section 5310 vehicle enter the 16- number followed by either the three or four digit number, which is affixed to the front and rear of your vehicle. If you are operating a shuttle program vehicle enter the three-digit number assigned and affixed to your vehicle by NJ TRANSIT and located on the front of the vehicle just below the windshield.
- Agency Name:** Enter your agency's full name as it appears on your grant, contract, or lease.
- Address:** Enter the street address of your agency to include zip code. **Do not** provide P.O. Box numbers if they are not a part of your agency's physical location.
- Phone:** Enter the area code, telephone number and extension of the person in your agency to contact regarding this vehicle.
- Contact Person:** Enter the name of the individual who is aware of, and can answer questions regarding the operation of this vehicle and the preparation of this report.
- Email:** Enter the email address of the individual who is aware of, and can answer questions regarding the operation of this vehicle and the preparation of this report.

II. ONE-WAY TRIPS BY PASSENGER TYPE

A passenger trip is defined as a one-way trip, that is, one person traveling in one direction. Two people traveling in one direction equals two one-way trips; two people making a round trip equals four one-way trips. Add the number of trips on each day together to form the Quarterly Total.

EXAMPLE 1:

If on Monday this vehicle drives 5 Elderly Ambulatory people to a doctor's office and then returns the same 5 people back to the agency, it should be recorded as 10 Elderly Ambulatory passenger-trips. If on Tuesday the vehicle drives 6 Disabled Non- Ambulatory people to an extended work

center but only returns 5 of them, it should be recorded as 11 Disabled Non-Ambulatory passenger-trips.

Note: The daily count as shown in the example above becomes a cumulative total for the quarter.

- f) **Elderly ambulatory/semi-ambulatory:** Persons who are 60 or over and walk with or without a personal assistance device (i.e. walker, cane).
- g) **Elderly non-ambulatory:** Persons who are 60 or over and use wheelchair or scooter.
- h) **Disabled ambulatory/semi-ambulatory:** Persons who are disabled and walk with or without a personal assistance device (i.e. cane, crutch).
- i) **Disabled non-ambulatory:** Persons who are disabled and use a wheelchair or scooter.
- j) **Other:** Persons who are neither elderly nor disabled.
- k) **Grand Total:**
Total of columns f + g + h + i = j = k

III. ONE-WAY TRIPS BY TRIP PURPOSE

A passenger trip is defined as a one-way trip, that is, one person traveling in one direction. Two people traveling in one direction equals two one-way trips; two people making a round trip equals four one-way trips. Add the number of trips on each day together to form the Quarterly Total.

EXAMPLE 2:

Following Example 1 - If on Monday this vehicle drives 5 Elderly Ambulatory people to a doctor's office and then returns the same 5 people back to the agency, the trip purpose should be recorded as 10 Medical trips. If on Tuesday the vehicle drives 6 Disabled Non- Ambulatory people to an extended work center but only returns 5 of them, it should be recorded as 11 Employment Non-Competitive trips.

Note: The quarterly Grand Total in Section I must match the quarterly Grand Total in Section II.

- l) **Medical:** Number of passenger trips to doctor's offices.
- m) **Employment Non-Competitive:** Number of passenger trips to places of employment of a non-competitive nature (i.e. sheltered workshop).
- n) **Employment Competitive:** Number of passenger trips to places of employment.
- o) **Nutrition:** Number of passenger trips to nutrition sites and centers if for the purpose of obtaining a meal.
- p) **Social/Recreation:** Number of passenger trips to senior centers, or community sponsored special events as well as planned social outings.
- q) **Education:** Number of passenger trips to schools, full-time or part-time, day or evening, credited or non-credited.
- r) **Shopping/Personal:** Number of passenger trips to any shopping area or store.
- s) **Other:** Any other passenger trips not mentioned above including staff use, trips to and from garage facilities.

- t) **Grand Total:**
Total of columns l + m = n + o + p + q + r + s = t.

IV. OPERATING EXPENSES

Any cost incurred by your agency in order to maintain your transportation program.

- u) **Salaries:** This includes any driver, dispatcher, administrator, manager, secretary, bookkeeper, or mechanic whose salary or some part of salary is devoted to keeping this particular vehicle in operation.
- v) **Insurance:** Direct cost to agency to insure that particular vehicle. If part of fleet policy, indicate accordingly.
- w) **Total:** Total of Columns u + v = w.
- x) **# Of Days in Period Vehicle Operated:** Enter the exact number of days in the quarter that the vehicle was operated.

V. ASSURANCES

FTA requires certification that the vehicle is being used responsibly. Any exception to items I - IV must be detailed fully on an attached sheet and submitted with the quarterly report form.

Signature: For quarterly report information and assurance to be valid, the form must be signed and dated by the Transportation Director of your agency. Other representatives of your agency may sign, i.e.: Accountant or Transportation Coordinator with written permission of the Transportation Director.

**NJ TRANSIT
QUARTERLY PROGRAM/VEHICLE USAGE REPORT**

COUNTY: _____ **NJ TRANSIT NUMBER:** _____

Agency Name: _____ **Phone:** _____

Address: _____ **Contact:** _____

Quarterly Report Period: Jan – Mar Apr – Jun CALENDAR YEAR: _____
 Jul – Sep Oct - Dec

Vehicle Year: _____ **VIN #:** _____ **Plate #:** _____

I. Operating Characteristics

	This Quarter	Year to Date
a) Total Miles Driven		
b) Odometer Reading	XXXXXXXXXXXX	
c) Gals. Of Fuel Used		
d) Engine Oil replaced	quarts	quarts
e) Days out of service		

Preventive Maintenance Completed this Quarter.

Unscheduled Repairs/Maintenance Completed this Quarter.

THIS REPORT IS TO BE FORWARDED BY THE 30TH DAY OF THE MONTH FOLLOWING THE CLOSE OF THE CALENDAR QUARTER (30 DAYS FROM THE END OF THE QUARTER) TO:

**ATTN: Dan Ryan
NJ TRANSIT
Local Programs and Minibus Support
One Penn Plaza East
Newark, NJ 07105**

County: _____ NJ Transit Vehicle #: _____

Agency Name: _____ Phone: _____

Address: _____ Contact: _____

Email: _____

	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter	Year to Date
Section II	One-Way Trips by Passenger Type				
f) Elderly Ambulatory & Semi					
g) Elderly Non-Ambulatory					
h) Disabled Ambulatory & Semi					
i) Disabled Non-Ambulatory					
j) Other					
k) Grand Total (must match total "t" below)					
Section III	One-Way Trips by Trip Purpose				
l) Medical					
m) Employment Non-Competitive					
n) Employment Competitive					
o) Nutrition					
p) Social/Recreation					
q) Education					
r) Shopping/Personal					
s) Other					
t) Grand Total (must match total "k" above)					
Section IV	Operating Expenses				
u) Salaries					
v) Insurance					
w) Total Costs					
x) # Of Days in Period Vehicle Operated					

Section V. Assurances

By signature below, I do hereby certify that:

1. The above information is true and verifiable.

2. The vehicle continues to be operated and maintained in accordance with the project application and contract.
3. The vehicle continues to be used for the purpose for which the grant was approved.
4. The vehicle capacity does not exceed that which is needed for our transit operation.
5. The vehicle has not been sold, damaged or otherwise taken out of transit service.

Print Name: _____

Transportation Manager/Director Signature: _____ **Date:** _____

EXHIBIT B

Vehicle Inspection Form

VEHICLE INSPECTION

DATE: _____ COUNTY: _____ # _____

TRANSPORTATION PROVIDER NAME: _____

Vehicle Year	Inspection Sticker	Plate Number	Vin Number		Securement	Flp
Make	Model	Body	Registration	Insurance Card	Lift	w/c amb
					Odometer	

All items must be inspected. If an item is not applicable to this vehicle, place "N/A" in the item box. If an item is defective or requires maintenance place a "✓" in the "D" box. Also, place a "✓" in the appropriate operable "O" box as needed.

Exterior	D	O	Safety Equipment	D	O	Interior	D	O
Owned by decal (2)		5	Triangles (3)		1	Mirrors		2
NJT colors		5	First Aid Kit		2	Lights		3
NJT #'s (2)		5	Bloodborne Pathogen Kit		3	Horn		2
Body damage		-	Seat belt cutter (suggested)		-	Seats		2
Windows		2	Extra electrical fuses		5	Seat Belts		0
2 Outside Mirrors		0	Fire Extinguisher		2	AC/Heat/Defroster		2
Reflectors		2	Rear door buzzer		3	Wipers/washer		0
Turn Signals		0	Exit windows/buzzers		3	Gauges and Indicators		2
Flashers		0	Roof Hatch		3	Brakes (Foot/Parking)		0
Tires		0				Floor		2
Headlights		0				Steps		2
Parking lights		0				Body Damage		5
Brake lights		0				Passenger Door		1
Tail Lights		0				Driver Door		1
Backup lights		0				Cleanliness		2
Clearance/Marker		0						
Reverse Alarm		0						
Destination Sign		2						
Cleanliness		2						

Signage/Decals	D	O	Lift	D	O	Securement	D	O
No Smoke/Eat/Drink		5	Interlocks/Belt		0	Belt (4 floor)		0
Seat Belts Required		5	Level Platform		1	Lap Belt		0
Emergency Exits		3	Lift Lights		3	Shoulder belt		0
Securement Instructions		5	Electric Wires (cut, frayed)		0	Floor Track		1
Lift Operating Instructions		5	Hand Pump		0			
Vehicle Height		5	Hand Rails on Lift (2)		1			

Comments and Observations of Inspector:

All defects must be repaired within the number of days indicated. Vehicles may be placed out-of-service for Inoperable or Defective items listed in bold and shaded print. The vehicle may not be returned to service until defect is repaired and the Manager Minibus Support in the Office of Policy Technology & Customer Service is notified of the repairs.

General Vehicle Condition: Excellent ___ Good ___ Fair ___ Poor ___ Rec. Retirement ___

Transportation Provider:

NJ TRANSIT Inspector:

Name: _____

Name: _____

EXHIBIT C

Vehicle Preventive Maintenance Guidelines

NEW JERSEY TRANSIT LOCAL PROGRAMS SUPPORT UNIT

RECOMMENDED VEHICLE PREVENTIVE MAINTENANCE GUIDELINES



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INTRODUCTION

Preventive Maintenance: The performance of regularly scheduled maintenance procedures on a vehicle in order to prevent the possibility of malfunctions.

It's critical that a well-established, comprehensive preventive maintenance program be in place. To have a good maintenance plan is as important to a successful transportation system as the actual purchase of vehicles.

A preventive maintenance plan consists of:

- X making preventive maintenance arrangements (setting up necessary accounts)
- X adhering to a detailed preventive maintenance schedule
- X conducting daily vehicle inspections via pre & post trip inspections

- X completing corresponding inspection checklists, and
- X Keeping a thorough maintenance record on file for each vehicle.

PREVENTIVE MAINTENANCE ARRANGEMENTS

Preventative Maintenance can be arranged in a variety of ways to fit your system's needs:

- **Contract maintenance out to commercial mechanics.**
- **Arrange for other agencies such as city or county garages, or school bus garages to maintain vehicles.**
- **Set up an in-house maintenance program.**
 - Major advantages to an in-house program:
 - Vehicles will be routinely checked for problems,
 - Mechanics will be familiar with the vehicles,
 - And most important, the mechanic will be your employee.
- **A combination program: In-house routine maintenance combined with other work contracted out.**

Examples:

Potential in-house work; oil change, oil filter change; air filter change and PCV valve change.

Jobs to contract out; those requiring special expertise and machinery.

- **Train drivers on how to properly inspect the vehicles for pre & post trip inspections. Ensure that all findings are communicated to maintenance personnel in a timely fashion**

Important:

For an effective in-house preventive maintenance program, the following minimal facilities are necessary:

A garage or building for vehicles to be brought undercover for servicing;

Proper drainage for washing vehicles in your garage;

A recycling or disposing process for motor oil and other wastes;

Equipment for lifting and jacking vehicles;

A complete set of tools – at the very least, a basic set of small tools to perform necessary minor repairs on the spot.

PREVENTIVE MAINTENANCE

After you have made the arrangements for your preventive maintenance program, work with your entire staff (drivers, dispatchers, and mechanics) to develop a basic maintenance schedule.

Mechanics must be familiar with the minimum maintenance requirements for each vehicle. This can be accomplished by studying the manufacturer's maintenance manuals that are provided with the delivery of each vehicle.

With each vehicle, maintenance must be performed either at a specific mileage increment or within a specific period of time. If routine maintenance is not performed, the vehicle's reliability will suffer, its work life could be shortened and its warranty provisions might be violated.

As a general rule, follow the vehicle manufacturer's manual. It will suggest specific requirements, materials, tools and preferred time schedules. A general preventive maintenance schedule is provided on page 7 to act as a guide and supplement to your owner's manual.

P

REVENTIVE MAINTENANCE SCHEDULE

Be alert and ready to make schedule adjustments according to your specific needs. When making adjustments, be certain to document any changes and update this list for reference.

Regularly

Wash vehicle interior and exterior – determine need by the amount of use and road conditions. (Salt used for clearing roads and chemical solutions used to control dust on unpaved roads may require more frequent washes.)

Unscheduled

Alternator
Starter motor
Windshield wiper motor
Windshield wiper blades
Exhaust components; muffler, manifolds, pipes, hangers and clamps
Headlamps, turn signal bulbs, brake lights and marker lights
Vehicle interior fittings, seat materials
Wheelchair lift components
Wheelchair restraint components

Every Year

Flush radiator

Replace coolant

Service air conditioner

Lubricate all door and hood hinges

Lubricate all door and hood locks

Lubricate door rubber weather-strips

**Every 2
Years**

Replace all hoses; more often if necessary.

CUTAWAY PREVENTIVE

MAINTENANCE SCHEDULE



MILES (in thousands)	3	5	6	8	9	12	15	18	21	24	27	30	3
MAINTENANCE OPERATION													
Change engine oil, replace filter	x		x		x	x	x	x	x	x	x	x	x
Lubricate Chassis	x		x		x	x	x	x	x	x	x	x	x
Replace Fuel Filter							x					x	
Check engine idle speed (diesel)				x				x			x		
Check throttle & idle return spring	x						x			x			x
Inspect drive belts, adjust, replace				x				x		x		x	
Change air filter & PCV valve							x			x			x
Rotate Tires				x				x		x		x	
Inspect Brake System		x				x	x		x		x	x	
Change all brake pads								x				x	
Engine Tune - up													
Service transmission												x	
Pack Wheel Bearings										x			

MILES (in thousands)	39	42	45	48	51	54	57	60	63	66	69	72	7
MAINTENANCE OPERATION													
Transfer Case Fluid				x									
Change engine oil, replace filter	x	x	x	x	x	x	x	x	x	x	x	x	x
Lubricate Chassis	x	x	x	x	x	x	x	x	x	x	x	x	x
Replace Fuel Filter			x					x					x
Check engine idle speed (diesel)							x		x			x	
Check throttle & idle return spring				x					x			x	
Inspect drive belts, adjust, replace				x				x		x		x	
Change air filter & PCV valve				x					x			x	
Rotate Tires	x							x			x		

Inspect Brake System		x	x		x		x	x		x		x	x
Change all brake pads				x						x			
Engine Tune - up								x					
Service transmission								x					
Pack Wheel Bearings				x								x	

CONTINUED

MILES (in thousands)	81	84	87	90	93	96	99	102	105	108	111	114	117
MAINTENANCE OPERATION													
Transfer Case Fluid				x									
Change engine oil, replace filter	x	x	x	x	x	x	x	x	x	x	x	x	x
Lubricate Chassis	x	x	x	x	x	x	x	x	x	x	x	x	x
Replace Fuel Filter				x									
Check engine idle speed (diesel)							x						
Check throttle & idle return spring				x									
Inspect drive belts, adjust, replace				x				x					
Change air filter & PCV valve				x									
Rotate Tires	x							x					
Inspect Brake System	x		x	x		x		x		x		x	
Change all brake pads				x									
Engine Tune - up				x									
Service transmission				x									
Pack Wheel Bearings				x									



Small Bus Preventive Maintenance Schedule

MILES (in thousands)	5	10	15	20	25	30	35	40	45	50
MAINTENANCE OPERATION										
Change engine oil, replace filter	x	x	x	x	x	x	x	x	x	x
Lubricate Chassis	x	x	x	x	x	x	x	x	x	x
Replace Fuel Filter				x				x		
Check engine idle speed (diesel)		x		x			x			x
Check throttle & idle return spring	x		x			x			x	
Inspect drive belts, adjust, replace		x		x		x		x		x
Change air filter & PCV			x			x			x	

valve

Rotate Tires		x		x		x		x		
Change all brake pads				x				x		
Engine Tune - up					x					x
Service transmission						x				
Pack Wheel Bearings						x				

MILES (in thousands)	55	60	65	70	75	80	85	90	95	100
MAINTENANCE OPERATION										
Change engine oil, replace filter	x	x	x	x	x	x	x	x	x	x
Lubricate Chassis	x	x	x	x	x	x	x	x	x	x
Replace Fuel Filter		x				x				x
Check engine idle speed (diesel)			x		x			x		
Check throttle & idle return spring		x			x			x		
Inspect drive belts, adjust, replace		x		x		x		x		x
Change air filter & PCV valve		x			x			x		
Rotate Tires	x			x			x			x
Change all brake pads		x				x				x
Engine Tune - up					x					x
Service transmission		x						x		
Pack Wheel Bearings		x						x		

W

HEELCHAIR LIFT PREVENTIVE MAINTENANCE

Preventive maintenance of a wheelchair lift is an essential aspect of keeping it working and increasing its operating life. Proper preventive maintenance may reduce unscheduled lift repairs, operation down time, and will increase the longevity of the lift. A regular preventive maintenance schedule is a requirement for every lift-equipped vehicle.

Regular preventive maintenance procedures can be found in the instruction manual provided with the lift at the time the vehicle was delivered.

It is also very important that the preventive maintenance procedures recommended in the manufacturer's instruction manual be followed since wheelchair lift design varies among manufacturers. Please keep in mind the following recommended procedures are not meant to replace the specific procedures recommended by the individual manufacturer(s) but are to be used as a general supplement.

Conditions Affecting Preventive Maintenance

The time interval for preventive maintenance of wheelchair lifts varies due to several factors. Lift usage, weather conditions and contamination are three important factors that will affect maintenance. Large agencies or agencies that serve a larger disabled population require more maintenance because of increased lift usage.

Be advised that harsh weather conditions will also affect lift operation and regular maintenance. Rain, snow, sun and other weather elements can cause additional wear & corrosion which will consequently increase the amount of maintenance that will be needed.

To that extent, large amounts of snow tend to corrode lifts more rapidly. This is due to the lift coming into contact with road salt, which causes the actual corrosion. Additionally, be aware that vehicles operated close to saltwater tend to become corroded due to the high levels of moisture in the air. Likewise, dusty & sandy conditions can cause contamination of your lift as well. Bottom line is that in any extreme condition, pay special attention to keeping the lift clean and well lubricated.

Preventive Maintenance Requirements of the ADA

The ADA requires transportation providers/agencies to ensure that service will not be denied to individuals with disabilities due to inoperative lift equipment. The act requires agencies to properly maintain their lift equipment to ensure proper operating conditions are not interrupted. The ADA also requires agencies to effect timely repairs if the lift equipment does malfunction or fail.

There are five primary requirements of the ADA that an agency must keep in mind when developing a preventive maintenance program for its lifts.

- *Establish a system of frequent preventative maintenance checks of all lift equipment sufficient to determine they are in proper working order.*

The first requirement does not specifically require that the lift be cycled daily. If you have another means of testing the lift such as using the lift in service every day or every other day, then this method may be used. However it is unacceptable to allow a lift to remain idle for several days. This would be in direct violation of the act.

- *Ensure that the vehicle operator reports to the entity, by the most immediate means available, any failure of a lift to operate in service.*

When a lift breaks down in-service, it is the responsibility of the driver to inform the entity by the most immediate means available. If the vehicle is equipped with a radio or telephone, then the driver must call in the problem on the spot. Otherwise the driver must call in the problem at the first available opportunity such as at a pay phone. It is unacceptable to wait until the end of the day to report the problem.

- *Take the vehicle out of service before the beginning of the vehicle's next service day and ensure that the lift is repaired before the vehicle returns to service.*

The vehicle may finish the remainder of the service day if there is an in-service failure. However, the vehicle must be repaired before returning to service.

- *When there is no spare vehicle available to take the place of a vehicle with an inoperable lift, and taking the vehicle out of service will reduce the transportation service the entity is able to provide, the agency may keep the vehicle in-service with an inoperable lift for no more than five days (if the entity serves an area of 50,000 or less population) or three days (if the entity serves an area of over 50,000 population) from the day on which the lift is discovered to be inoperative.*

Once the allowable times have elapsed, the vehicle must go into the shop, and not returned until the lift is repaired. In the event a spare vehicle becomes available, it must be used in place of the vehicle with the inoperative lift or an inaccessible spare vehicle that is being used in its place.

- *In any case in which a vehicle is operating on a fixed route with an inoperative lift, and the headway to the next accessible vehicle on the route exceeds 30 minutes, the agency must promptly provide alternative transportation to individuals with disabilities who are unable to use the vehicle because its lift does not work.*

This

requirement would accommodate passengers who could not use an inaccessible vehicle. It provides that the agency have an alternative accessible vehicle so as to not cause an inconvenience to passengers

Periodic Maintenance

Thorough preventative maintenance procedures should be performed at designated intervals. These intervals may be stated in terms of time (months, weeks, etc.) or number of lift cycles. It is recommended that the cycle interval be used on vehicles with high lift usage (at a level of approximately eight lift cycles per day). Measuring lift usage in this manner will allow the lift to have preventive

maintenance performed based on the frequency of use.

On vehicles that have fewer than eight lift cycles per day, a time interval should be employed.

This is very important for vehicles with lifts that are rarely used. Even if a lift is not used very often, lubricants can become contaminated and parts on the lift can become loose due to vibrations from everyday driving. These are in addition to the daily pre-trip and post-trip inspections and any maintenance daily inspections may reveal as immediately necessary. A lift cycle counter can be useful for determining when periodic maintenance is due if the number of lift cycles is the standard used. Each agency should evaluate their individual maintenance programs as local conditions may require more frequent intervals. Manufacturers often provide a recommended maintenance schedule in their manuals and these schedules should be followed for the corresponding equipment.

General lubrication and minor adjustments of external working parts on the lift mechanism should be performed once or twice per month or once every 50 – 200 lift cycles. Once every year or every 1,250 to 2,400 cycles a more thorough maintenance check is necessary.

Generally the best time for lift maintenance is when the vehicle is brought in for preventive maintenance checks. Ideally, this consists of an inspection by a mechanic qualified to perform lift repairs and adjustments. However, there are some relatively simple tasks that other personnel may be capable of performing.

On hydraulic lifts, check the fluid level in the pump. The fluid should be free of contaminants and should not be discolored. If either is present, the fluid should be changed immediately. On all lifts, movable external parts can be inspected for wear, damage or misalignment and can be properly lubricated as well.

Due to the new Federal Motor Carrier Safety Regulations, the new "Section 403" lifts are equipped with warning alarms and lights. These components must also be checked frequently and added to your preventative maintenance program. For specifics on these components, please refer to the manufacturer's literature.

Lubrication

Lubrication of the lift is perhaps the most important component of your preventive maintenance program. Due to various operating conditions the implementation of a regular lubrication schedule can reduce the number and severity of breakdowns. Weather can cause binding, possibly destroy electrical connections, and wash away lubricants. Severe conditions may require more frequent lubrication. Cleaning the lubrication points at every maintenance check is important. It will ensure that contaminants are removed.

Proper lubrication of the lift requires the use of proper lubricants. Each lift manufacturer recommends a type and frequency of lubrication. Check the operating instructions for the type of lifts you are operating. If you do not have these recommendations, the following information is provided.

For specific lubricant types, please refer to manufacturer's literature which is provided with the vehicle at the time of delivery. If the literature is not clear, please call the manufacturer directly. In the event that all measures are unsuccessfully exhausted producing no results, please contact the NJ TRANSIT Warranty Administrator at the following:

Robert Cowan
Warranty Administrator
Minibus Support
(973) 491-7986

WHEELCHAIR LIFT MAINTENANCE SCHEDULE

Perform lift maintenance at scheduled intervals according to number of cycles or elapsed time, whichever comes first. Correct any potentially dangerous situations at once. (Refer to provided manufacturer literature for more detailed information)

Daily or 10 LiftCycles

Cycle Lift

Inspect for worn or loose parts

Inspect for smooth operation (both directions)

Inspect for capability of holding weight (stand on lift for one complete cycle)

Inspect for leaks

Listen for unfamiliar noises

Check hydraulic fluid

Ensure all lights and alarms are functional

Monthly or 50 Lift Cycles

Inspect and lubricate all platform hinges

Inspect and lubricate shoe assembly

Inspect handles and mounting or pivot pins

Inspect cylinder mounting pins/brackets and emergency release pin

Inspect stanchion assembly bolts

Inspect and lubricate platform pick-up fold bearings

Inspect platform assembly

Inspect platform shaft connection and fold axles

Check platform for level alignment - adjust as needed

Ensure all lights and alarms are functional

Yearly or 1,200 Lift Cycles

- platform) Check manual lift operation (with and without weight on
- Check/replace bushings
- Inspect power cord and connections
- Inspect safety features for proper operation
- Inspect frame for bends, cracks and breaks
- Inspect arm pins/pivot points for excessive wear
- Inspect platform pick-up fold bearings and cam for excessive wear
- Inspect bridge plate and front safety barrier for proper operation
- Ensure all lights and alarms are functional

D AILY VEHICLE INSPECTION

Daily vehicle inspections are crucial to the success of the Preventive Maintenance Program and contribute to the establishment of strong communication between drivers, mechanics and management. Investing a short time on a daily basis to inspect each vehicle will help detect problems early, thereby improving safety and decreasing vehicle repair costs.

Attached is the recommended sample **Pre-Trip** Inspection form. Please add or delete items you feel are not, appropriate for your operation. Be advised that this form closely resembles the form used by the Department of Transportation. Thus NJ TRANSIT highly recommends this form be utilized

The very first line of defense in the proper preventive maintenance quest belongs to the vehicle operators. Each operator must inspect his or her vehicle **prior** to departure and complete a Pre-Trip Inspection form. The completed form is submitted to a supervisor prior to the start of the day's activities so that necessary maintenance or repairs can be noted and scheduled. NJ TRANSIT also recommends the operator perform a **post trip** inspection at the end of the run to ensure the vehicle is in the condition it needs to be for the next operator.

The previous 90-days of Daily Pre-Trip Inspection forms must be included in the permanent vehicle file. This record will be reviewed during NJ TRANSIT site visits.

COMPREHENSIVE MAINTENANCE RECORD

A Comprehensive Maintenance Record, attached, must be kept on file for each vehicle as part of that vehicle's permanent file. This record must be filled out every time any maintenance is performed on that vehicle.

Benefits of keeping a Comprehensive Maintenance Record:

- *Provides a quick reference to the vehicle*
- *Provides a complete history of repairs*
- *Identifies chronic problems*
- *Shows trends in mileage and fuel consumption*
- *Tracks responsibility for repairs*
- *Records amount of time vehicle is out of service*
- *Meets NJ TRANSIT lease requirements*

These records will be reviewed during NJ TRANSIT site visits.

NJ TRANSIT also recommends that a file be kept for each vehicle that includes all work orders, outside vendor receipts, and any other documentation that is related to that vehicle

ATTACHMENTS

**1. PRE-TRIP INSPECTION
FORM**

**2. COMPREHENSIVE
MAINTENANCE RECORD**

VEHICLE DAILY PRE-TRIP INSPECTION

DATE: ____/____/____

VEHICLE #: _____

SIGNATURE OF DRIVER: _____

All items must be inspected prior to departure each day. If an item is damaged or requires maintenance place an "X" on the line next to the item and provide a brief description of the "defect". If an item is not applicable to your vehicle, place "N/A" on the line.

ENGINE INSPECTION

- ____ Battery Fluid/Connection
- ____ Transmission Fluid
- ____ Oil Level
- ____ Windshield Washer Level
- ____ Brake Fluid
- ____ Hoses/Belts
- speed
- ____ Water Level/Radiator
- during

EXTERIOR INSPECTION

- ____ Tampering/Body Damage
- ____ Windows/wipers
- ____ Mirrors
- ____ Reflectors
- ____ Turn Signals/4-way Flashers
- torn
- ____ Tires/Wheels/Suspension
- properly
- ____ Headlights/Parking Lights/Marker Lights
- operates
- ____ Doors
- ____ Cleanliness
- secure

SAFETY EQUIPMENT

- ____ Triangles
- ____ First Aid Kit
- ____ Bloodborne Pathogens Kit (Spill Kit)
- securements
- ____ Seat Belt Cutter

ACCESSIBILITY EQUIPMENT

- ____ One Complete Lift Cycle
- ____ Lift deploys only with parking brake set and/or transmission in park
- ____ Smooth movement
- ____ Works at proper
- ____ Platform is level
- entire operation
- ____ Smoothly clears door frame and opened door
- ____ Lift light operates
- ____ No physical damage to lift
- ____ Electric wires not cut frayed, corroded,
- ____ Switches operate
- ____ Hand pump
- properly
- ____ Hoses/fittings
- ____ Cables/belts/chains
- ____ Hydraulic fluid leaks
- ____ Mounting bolts
- ____ Bridge Plate
- ____ Handrails
- ____ Mobility aid
- ____ Floor plates

- _____ Extra Fuses
- _____ Fire Extinguisher
- _____ Rear Door Buzzer
- _____ Exit Windows/Buzzers
- _____ Roof Hatch
- _____ Two-way radio
- _____ Spare Tire/Jack/Lug Wrench

- _____ Lift Alarms
- _____ Lift Lights

INTERIOR

- _____ Mirrors
- _____ Lights
- _____ Horn
- _____ Registration/Insurance
- _____ Seats/Seat Belts
- _____ AC/Heat/Defroster/wipers
- _____ Transmission Selector
- _____ Gauges and Indicators
- _____ Brakes (foot/parking)
- _____ Signage/Decals
- _____ Cleanliness

COMMENTS

EXHIBIT D

Governor's Executive Order

GOVERNOR CORZINE SIGNS EXECUTIVE ORDER CREATING NEW JERSEY COUNCIL ON ACCESS AND MOBILITY

By [Governors Press...](#) - October 26, 2007 - 5:05pm

Tags: [Governor Jon S. Corzine](#),

Release Date: October 26, 2007

TRENTON - Noting that October is National Disability Employment Awareness month, Governor Jon S. Corzine today signed an executive order creating the New Jersey Council on Access and Mobility. This council will work to make the most efficient and effective use of State resources to ensure that the elderly, disabled and transportation disadvantaged have access to community based transportation services.

EXECUTIVE ORDER NO. 87

WHEREAS, the State of New Jersey has made great strides in the last 20 years in providing community based transportation services to its seniors, persons with disabilities, and economically disadvantaged populations; and

WHEREAS, having access to employment, health care, education, and other community services and amenities is critical to the quality of life of transportation-disadvantaged citizens; and

WHEREAS, enhancing access to transportation will improve mobility,

employment opportunities, and availability of community services to citizens who are transportation-disadvantaged; and

WHEREAS, both State and federal government have allocated millions of dollars to fund human service transportation programs through a variety of agencies within this State; and

WHEREAS, federal law now requires that human service transportation projects selected for certain federal funding be derived from a locally developed, coordinated public transit human services transportation plan; and

WHEREAS, at the federal level this coordination activity is centered around the United We Ride Initiative; and

WHEREAS, there is a need to both identify additional resources as yet untapped or underutilized and maximize the benefit of the State's monetary resources currently earmarked for human service transportation programs through the creation of strategies that efficiently and effectively deliver services and centralize the management of information and resources; and

WHEREAS, the quality of decision making in these matters can be enhanced by providing a forum that brings together input and insight from the participating agencies, the providers, and the consumers of these transportation services;

NOW, THEREFORE, I, JON S. CORZINE, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby ORDER and DIRECT:

1. There is hereby established in the Department of Human Services the New Jersey Council on Access and Mobility (the “Council”).

2. The Council shall be composed of four public members appointed by and serving at the pleasure of the Governor, one selected from each of the following communities: physically challenged individuals, seniors, individuals with developmental disabilities or mental health challenges, and low income individuals. The public members shall serve without compensation. In addition, the following individuals shall serve on the Council in an ex officio capacity and may appoint a designee to serve in his or her place: the Commissioners of Children and Families, Community Affairs, Education, Health and Senior Services, Human Services, Labor and Workforce Development, and Transportation, the State Treasurer, the Adjutant General, and the Executive Director of New Jersey Transit Corporation.

3. The Governor shall designate a chairman and vice chairman of the Council from among its members.

4. The Council is authorized to call upon any department, office, or agency of State government to provide such information, personnel, and

assistance as deemed necessary to discharge its responsibilities under this Order. Each department, office, and agency of State government is hereby required, to the extent not inconsistent with law, to cooperate with the Council and to furnish it with such information, personnel, and assistance as is necessary to accomplish the purpose of this Order.

5. The Council shall inventory existing State and federal transportation funding sources used for transportation services within the various departments and agencies in the State, study ways to improve coordination of resources, and make recommendations for improving services and programs.

6. The Council shall participate in the Federal United We Ride Program and coordinate activities with the Federal Council on Access and Mobility.

7. The Council shall meet no less than four times a year. The Council shall establish an appropriate number of subcommittees which may be composed of staff from a department or agency identified in paragraph 2 and representatives of consumers served by that department or agency. Such subcommittees shall meet monthly and report to the Council on a quarterly basis. All Council progress will be documented in written reports. By December 31st of each year of the Council's existence, the Council shall make a report of its activities, findings, and recommendations to the Governor and Legislature.

8. The Council shall expire on January 1, 2010.

9. This Order shall take effect immediately.