

HOUSE BILL 626

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R2
HB 758/03 - ENV

2004 Regular Session
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CF 4r1539

By: ~~Delegates McIntosh and Bobo~~, Bobo, Malone, Arnick, Barve, Bronrott, Cane, V. Clagett, Cluster, Frush, Glassman, Hogan, Holmes, Jennings, McConkey, Montgomery, Owings, Parker, Sossi, Stern, Stull, and Weir

Introduced and read first time: February 4, 2004
Assigned to: Environmental Matters

Committee Report: Favorable with amendments
House action: Adopted with floor amendments
Read second time: March 10, 2004

CHAPTER _____

1 AN ACT concerning

2 **Transportation - Maryland Senior Rides Demonstration Program**

3 FOR the purpose of establishing the Maryland Senior Rides Demonstration Program
4 within the Maryland Transit Administration; establishing the purpose of and
5 certain criteria for the participation in and the awarding of grants under the
6 Program; requiring the Administration to consult with certain parties regarding
7 the awarding of grants and the adoption of regulations under this Act;
8 authorizing grant participants to provide certain services; requiring the
9 Administration to adopt certain regulations; requiring Program participants to
10 submit certain reports to the Administration; requiring the Administration to
11 submit certain evaluations to the General Assembly; providing for a delayed
12 effective date; and generally relating to the Maryland Senior Rides
13 Demonstration Program.

14 BY adding to
15 Article - Transportation
16 Section 7-1001 through 7-1005, inclusive, to be under the new subtitle "Subtitle
17 10. Maryland Senior Rides Demonstration Program"
18 Annotated Code of Maryland
19 (2001 Replacement Volume and 2003 Supplement)

1 Preamble

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

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

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

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

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

16 **Article - Transportation**

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

18 7-1001.

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

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

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

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

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

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

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

2 7-1002.

3 (A) THERE IS A MARYLAND SENIOR RIDES DEMONSTRATION PROGRAM IN THE
4 ADMINISTRATION.

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

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

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

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

16 (2) USE PRIMARILY VOLUNTEER DRIVERS WHO DRIVE THEIR OWN
17 VEHICLES;

18 (3) USE A DISPATCHER SYSTEM TO RESPOND QUICKLY TO REQUESTS
19 FROM LOW-INCOME TO MODERATE-INCOME SENIORS FOR TRANSPORTATION TO
20 AND FROM APPOINTMENTS; AND

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

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

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

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

35 (H) NOTHING IN THIS SECTION PROHIBITS A PROGRAM PARTICIPANT FROM
36 PROVIDING SERVICES IN ADDITION TO THOSE DESCRIBED IN SUBSECTION (D) OF
37 THIS SECTION.

1 7-1003.

2 THE PROGRAM SHALL:

3 (1) SOLICIT GRANT APPLICATIONS FROM PROSPECTIVE PROGRAM
4 APPLICANTS;

5 (2) AWARD GRANTS OF UP TO \$100,000 EACH TO FOUR QUALIFIED
6 PROGRAM APPLICANTS OR, IF FEWER THAN FOUR QUALIFIED PROGRAM APPLICANTS
7 ARE IDENTIFIED BY THE ADMINISTRATION, TO EACH QUALIFIED PROGRAM
8 APPLICANT;

9 (3) ENSURE THAT THE GRANTS AWARDED UNDER ITEM (2) OF THIS
10 SECTION ARE DISTRIBUTED AMONG PROGRAM APPLICANTS PROVIDING
11 TRANSPORTATION SERVICES IN THE FOLLOWING AREAS WITH NO AREA RECEIVING
12 MORE THAN ONE GRANT PER YEAR:

13 (I) THE BALTIMORE METROPOLITAN AREA;

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

15 (III) WESTERN MARYLAND;

16 (IV) SOUTHERN MARYLAND; AND

17 (V) THE EASTERN SHORE; AND

18 (4) ENSURE, TO THE EXTENT PRACTICABLE, THAT AT LEAST ONE GRANT
19 IS AWARDED TO PROGRAM APPLICANTS PROVIDING TRANSPORTATION SERVICES IN
20 EACH OF THE FOLLOWING AREAS:

21 (I) A RURAL AREA;

22 (II) AN URBAN AREA; AND

23 (III) A SUBURBAN AREA.

24 7-1004.

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

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

30 (1) THE ABILITY OF THE PROGRAM APPLICANT TO PROVIDE
31 DOOR-TO-DOOR TRANSPORTATION SERVICES TO LOW-INCOME TO
32 MODERATE-INCOME SENIORS;

33 (2) THE PROJECTED VOLUME OF RIDERSHIP;

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

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

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

7 (I) SHARED RIDERSHIP;

8 (II) COORDINATION BETWEEN PUBLIC AND PRIVATE SECTOR
9 TRANSPORTATION PROVIDERS; AND

10 (III) INNOVATIONS IN RISK MANAGEMENT FOR DRIVERS AND
11 RIDERS.

12 (C) IN CONSULTATION WITH THE DEPARTMENT OF AGING, THE MARYLAND
13 INSURANCE ADMINISTRATION, AND SENIOR CITIZEN ADVOCACY GROUPS, THE
14 ADMINISTRATION SHALL ADOPT REGULATIONS TO IMPLEMENT THIS SUBTITLE,
15 INCLUDING REGULATIONS GOVERNING:

16 (1) CRIMINAL BACKGROUND AND DRIVING RECORD CHECKS OF
17 DRIVERS;

18 (2) DRIVER AND VEHICLE SAFETY;

19 (3) DRIVER TRAINING; AND

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

22 7-1005.

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

26 (1) THE NUMBER OF RIDERS AND DRIVERS PARTICIPATING IN THE
27 PROGRAM;

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

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

32 (4) INNOVATIONS IN RISK MANAGEMENT FOR DRIVERS AND RIDERS;
33 AND

1 (5) ANY OTHER INFORMATION REQUIRED BY THE ADMINISTRATION TO
2 EVALUATE AND OPERATE THE PROGRAM.

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

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