



U.S. Department  
of Transportation

**Federal Transit  
Administration**

Administrator

1200 New Jersey Avenue, SE  
Washington, DC 20590

September 14, 2023

Dear Colleague:

In the interest of promoting equity in the provision of public transportation service, I am writing to focus attention on various Federal Transit Administration (FTA) programs that can provide paratransit service to eligible riders on a real-time basis and/or allow for intermediate stops.

For decades, most complementary paratransit has been operated on a next-day basis, consistent with the minimum requirements under the U.S. Department of Transportation (DOT) [regulations](#) implementing the transportation provisions of the Americans with Disabilities Act of 1990 (ADA). This means that paratransit riders must know their plans and reserve their trips the day before they wish to travel. Last-minute changes in plans typically require cancellation of trips, often triggering a no-show penalty to the rider if a trip is canceled within an hour or two of their scheduled pickup time. Advanced reservations can be cumbersome for both the rider and the transit agency.

Meanwhile, fixed route riders can spontaneously travel for last-minute work obligations, spur-of-the-moment social engagements, and unexpected events—an impossibility for people with disabilities who rely on next-day paratransit service. The local option to provide similarly flexible paratransit service is underutilized. The DOT ADA regulations at [49 CFR 37.131\(b\)\(3\)](#) expressly permit paratransit service to be provided on a real-time basis. Given technological advances over the past three decades, it is often possible to schedule and provide real-time paratransit service. Many transit agencies are already providing a form of real-time service for some trips with uncertain schedules, such as return trips from medical appointments.

Technological innovation has also made it easier for transit agencies to allow paratransit riders to arrange for a quick, intermediate stop, similar to the flexibility often afforded to fixed route riders. Appendix E to 49 CFR Part 37 gives an example for paratransit: “A passenger with a disability arranges to be picked up at a medical facility and dropped off at home. On the way, the passenger with a disability wishes to stop by a pharmacy and requests that the driver park outside of the pharmacy, wait for the passenger to return, and then continue the ride home.” While the regulations make clear that intermediate stops are not required, an agency may find it can save time and money by not having to schedule a separate trip and dispatch another vehicle for that quick stop, and the customer avoids having to wait a considerable time for the next vehicle to arrive.

While specific funding for real-time paratransit and intermediate stops would need to be authorized by Congress, FTA’s existing formula grant programs can be used for these purposes. The Urbanized Area Formula Program (Section 5307), Enhanced Mobility of Seniors &

Individuals with Disabilities Formula Program (Section 5310), Formula Grants for Rural Areas Program (Section 5311), and Buses and Bus Facilities Formula Program (Section 5339) make Federal resources available to urbanized areas and governors for transit capital and, except for Section 5339, operating assistance and transportation-related planning in urbanized and rural areas.

Examples of how FTA funds can support enhanced paratransit service include:

#### *Sections 5307 and 5311 Grants*

- Among other eligible activities, Section 5307 and Section 5311 provide funding according to a formula for activities such as capital projects, planning activities, and job access and reverse commute projects, as well as operating costs for all areas of less than 200,000 people, and for some providers in areas with over 200,000 people. The definition of “capital project” found in [49 U.S.C. 5302\(4\)\(I\)](#) includes the provision of paratransit in accordance with the ADA. Recipients in rural and urbanized areas can use up to 20 percent of their Section 5307 or Section 5311 funding for paratransit operations with an 80 percent Federal share if the recipient meets certain requirements. Planning funds might be used for studies to identify specific service needs in the community, including outreach to stakeholders and potential riders to understand their service needs. Capital projects typically funded under these programs include the purchase of vehicles, which could support a more flexible paratransit service. Mobility management projects intended to build coordination among transit service providers in order to expand service or make it more efficient are also eligible.

#### *Section 5310 Grants*

- The Section 5310 program provides funding to improve the mobility of seniors and individuals with disabilities. This program aims to improve mobility for seniors and individuals with disabilities by removing barriers to transportation services and expanding transportation mobility options. Eligible activities include projects that exceed the requirements of the ADA, including incremental costs associated with providing real-time paratransit service and intermediate stops. For example, a recipient could use these funds to purchase and install state-of-the-art dispatching and communications systems for more efficient and flexible trip scheduling. Activities such as travel training, trip planning for customers, and developing and operating traveler call centers are also eligible for funding under this program.

#### *Section 5339 Grants*

- Section 5339 funding may be used for bus-related capital projects, which may include the purchase or lease of equipment, technology, or vehicles required to implement a real-time paratransit service and intermediate stops.

It is a local decision for transit agencies to choose to operate real-time paratransit service or provide intermediate stops. As demonstrated above, however, there are existing sources of Federal funding available. In addition to advancing equity, transit agencies may find efficiencies in operating their paratransit systems on a real-time basis, along with their existing advanced reservations mode, and in allowing an intermediate stop between a rider's pickup location and final destination.

It must be stressed that real-time service and/or intermediate stops would have to be provided to *all* paratransit-eligible riders, including those who use wheelchairs or otherwise require an accessible vehicle. Agencies may consider pilot programs with a limited number of passengers to assess the viability of real-time service but cannot limit such pilots to ambulatory riders. Providing real-time service only to ambulatory riders while relegating wheelchair users to next-day reservations is neither equitable nor permissible under DOT ADA regulations. All other ADA complementary paratransit service requirements must, of course, be met.

If you have any questions about FTA's grant programs and how they may be used to support improvements in paratransit service, please contact your [FTA Regional Office](#).

Sincerely,



Nuria I. Fernandez