



U.S. Department
of Transportation
**Federal Transit
Administration**

CIRCULAR

FTA C 9070.1H

November 1, 2024

**Subject: ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH
DISABILITIES PROGRAM GUIDANCE**

1. **PURPOSE.** This circular is a reissuance of guidance on the administration of the transit assistance program for seniors and individuals with disabilities under 49 U.S.C. 5310 and guidance for the preparation of grant applications. This revision incorporates provisions of the Bipartisan Infrastructure Law, enacted as the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. 117-58 (2021) and includes the most current available guidance as of the date of publication. To the extent this circular is inconsistent with changes in any statute or regulation, the statute or regulation will supersede this circular. This circular is in effect as of November 1, 2024.
2. **CANCELLATION.** This circular cancels Federal Transit Administration (FTA) Circular 9070.1G, “Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance and Application Instructions,” dated July 7, 2014.
3. **AUTHORITY.**
 - a. Federal Transit Laws, title 49, United States Code, Chapter 53.
 - b. Title 49 CFR 1.91.
4. **WAIVER.** FTA reserves the right to waive any requirements of this circular to the extent permitted by Federal law or regulation.
5. **FEDERAL REGISTER NOTICE.** In association with the publication of this circular, a Federal Register notice will be published.
6. **AMENDMENTS TO THE CIRCULAR.** FTA reserves the right to update this circular to reflect changes in other revised or new guidance and regulations that undergo notice and comment without further notice and comment on this circular. FTA will post updates on the [FTA website](#). The website allows the public to register for notification when FTA issues Federal Register notices or new guidance. Please visit the website and click on “Subscribe to Email Updates” for more information.

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7. ACCESSIBLE FORMATS. This document is available in accessible formats upon request. To obtain paper copies of this circular as well as information regarding these accessible formats, call FTA's Administrative Services Help Desk at 202-366-4865. Individuals with hearing impairments may contact the Federal Relay Service at 1-800-877-8339 for assistance with the call.

/S/ Original Signed by
Veronica Vanterpool
Deputy Administrator

The contents of this document do not have the force and effect of law and are not meant to bind the public in any way. This document is intended only to provide clarity to the public regarding existing requirements under the law or agency policies. Recipients and subrecipients should refer to statutes and regulations for applicable requirements.

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CHAPTER I

INTRODUCTION AND BACKGROUND

1. THE FEDERAL TRANSIT ADMINISTRATION

FTA is one of 10 operating administrations within the U.S. Department of Transportation (USDOT). Headed by an administrator appointed by the President of the United States, FTA functions through a Headquarters office in Washington, DC, 10 Regional Offices, and several Metropolitan Offices that assist transit agencies in all 50 States, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, Northern Mariana Islands, American Samoa, and federally recognized Indian Tribes.

As defined in 49 U.S.C. 5302, “public transportation” means regular, continuing, shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income. Public transportation generally includes, but is not limited to, transportation services provided by buses; heavy rail; light rail; commuter rail; fixed guideway; bus rapid transit; passenger ferry boats; trolleys; inclined railways; people movers; vans; streetcars; jitneys; and aerial tramways. Public transportation can be either fixed-route or demand-response service but excludes intercity passenger rail provided by Amtrak; intercity bus service; charter bus service; school bus service; sightseeing services; courtesy shuttle services provided by individual businesses; and intra-terminal or intra-facility shuttle services.

The Federal government, through FTA, provides financial assistance to develop new transit systems and improve, maintain, and operate existing systems. FTA oversees thousands of awards to hundreds of State and local transit providers, primarily through its 10 Regional Offices. Recipients and subrecipients of Federal assistance are responsible for managing their projects and programs in accordance with Federal requirements, and FTA is responsible for ensuring that recipients follow Federal statutory and administrative requirements.

2. AUTHORIZING LEGISLATION AND GUIDANCE

Most Federal transit laws are codified in 49 U.S.C. Chapter 53. Authorizing legislation enacted by Congress establishes or continues the legal operation of a Federal program or agency. FTA’s most recent authorizing legislation is the Infrastructure Investment and Jobs Act (IIJA), Pub. L. 117-582, signed into law on November 15, 2021, with an effective date of October 1, 2021. The legislation reauthorizes surface transportation programs for Fiscal Year (FY) 2022 through FY 2026. This circular reflects changes to Federal transit law and changes required by other laws that have become effective since the circular was last published in July 2014.

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3. HOW TO CONTACT FTA

FTA's Regional and Metropolitan Offices are responsible for managing financial assistance to FTA recipients and oversight of implementation for most FTA programs. Certain programs are the responsibility of FTA Headquarters Offices. Inquiries should be directed to either the FTA Regional or Metropolitan Office responsible for the geographic area in which the recipient is located. See [FTA's website](#) for contact information. For further information, visit the [FTA website](#) or contact FTA at the following address and phone number:

Federal Transit Administration
Office of Communication and Congressional Affairs
1200 New Jersey Avenue SE
Room E56-205
Washington, DC 20590
Phone: 202-366-4043
Fax: 202-366-3472

4. DEFINITIONS AND ACRONYMS

All definitions in 49 U.S.C. 5302, including the following, apply to this circular:

a. Definitions:

- (1) Applicant: In this circular, the term "applicant" is used to identify an entity that is seeking, but has not yet been awarded, specific Federal financial assistance directly from FTA in the form of a grant or cooperative agreement.
- (2) Award (used interchangeably with Grant): An Award of financial assistance, in the form of money or property in lieu of money, by the Federal government to an eligible recipient or subrecipient. Used interchangeably with grant agreement.
- (3) Capital Project: A category of reimbursable projects that includes all activities identified in 49 U.S.C. 5302(4).
- (4) Coordinated Public Transit-Human Services Transportation Plan (Coordinated Plan): A locally developed, coordinated transportation plan that identifies the transportation needs of individuals with disabilities, seniors, and people with low incomes, provides strategies for meeting those needs, and prioritizes transportation services for funding and implementation.

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- (5) Designated Recipient: (A) An entity designated, in accordance with the planning process under 49 U.S.C. 5303 and 5304 by the governor of a State, responsible local officials, and publicly owned operators of public transportation, to receive and apportion amounts under Section 5336 to urbanized areas of 200,000 or more in population or (B) a State or regional authority, if the authority is responsible under the laws of a State for a capital project and for financing and directly providing public transportation (49 U.S.C. 5302).
- (6) Direct Recipient: An entity that receives funding directly from FTA.
- (7) Disability: The term “disability” has the same meaning as in Section 3(1) of the Americans with Disabilities Act of 1990, 42 U.S.C. 12102. The term “disability” means, with respect to an individual: (1) a physical or mental impairment that substantially limits one or more major life activities of such individual, (2) a record of such an impairment, or (3) being regarded as having such an impairment. In this circular, the terms “person with a disability” or “people with a disability” have the same meaning as “individual(s) with a disability.”
- (8) Equipment: Tangible property (including Information Technology [IT] systems) having a useful life of more than one year and a per-unit acquisition cost that equals or exceeds the lesser of the capitalization level established by the recipient for financial statement purposes, or as defined in 2 Code of Federal Regulations (CFR) 200.1 (currently \$10,000.) Equipment includes rolling stock, computing devices, IT systems, and all other such property used in the provision of public transit service.
- (9) Governor: The governor of a State, the mayor of the District of Columbia, and the governor of a territory of the United States, including the designee of the governor.
- (10) Grant (used interchangeably with Award): An Award of financial assistance, in the form of money or property in lieu of money, by the Federal government to an eligible recipient or subrecipient. Used interchangeably with grant agreement.
- (11) Grant Application: A complete application for an Award of financial assistance, in the form of money or property in lieu of money, by the Federal government to an eligible recipient.

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- (12) Human Services Transportation: 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, seniors, and people with low incomes.
- (13) Incidental Use: The limited non-transit use of project property that does not conflict with the original authorized purpose of the project property or the recipient's ability to maintain satisfactory continuing control.
- (14) Large Urbanized Area: An Urbanized Area (UZA) with a population of at least 200,000 at the time of the most recent decennial census.
- (15) Local Governmental Authority: A political subdivision of a State, an authority of at least one State or political subdivision of a State, an Indian Tribe, or a public corporation, board, or commission established under the laws of a State.
- (16) Master Agreement: The FTA document containing FTA and other cross-cutting Federal requirements applicable to the FTA recipient's Award. FTA updates the Master Agreement annually and publishes the latest version and superseded versions on its public website. The Master Agreement is incorporated by reference and made part of each FTA grant or cooperative agreement and each amendment thereto.
- (17) Metropolitan Planning Organization (MPO): The policy board of an organization designated by agreement between the governor and units of general purpose local government to carry out the metropolitan planning process, including development of long-range transportation plans and Transportation Improvement Programs (TIP) for metropolitan planning areas of a State (49 U.S.C. 5303). The process and requirements of MPO designation are described at 23 CFR 450.310.
- (18) 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 (other than Section 5309). Mobility management does not include operating public transportation services.

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- (19) Net Project Cost: The part of a public transportation project that reasonably cannot be financed from revenues. See 49 U.S.C. 5302. FTA interprets “revenues” as farebox revenues.
- (20) Nonprofit Organization: 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. 501(a), or one which has been determined under State law to be nonprofit and for which the designated State agency has received documentation certifying the status of the nonprofit organization.
- (21) Operating Expenses (interchangeable with Operating Costs): Those costs necessary to operate, maintain, and manage a public transportation system. Operating expenses usually include such costs as driver salaries, fuel, and items having a useful life of less than one year.
- (22) Preventive Maintenance: All maintenance costs related to vehicles and non-vehicles. Specifically, preventive maintenance includes all the activities, supplies, materials, labor, services, and associated costs required to preserve or extend the functionality and serviceability of the asset in a cost-effective manner, up to and including the current state of the art for maintaining such an asset. Under 49 U.S.C. 5302, preventive maintenance is a type of capital project.
- (23) Pre-Award Authority: The authority FTA extends to an anticipated recipient, in writing, to incur otherwise allowable project costs before the effective date of a Federal Award. Such costs are allowable only to the extent that they would have been allowable if incurred after the date of the Federal Award and only with the written approval of FTA. Pre-Award authority is announced in the annual Apportionment Notice, Notice of Funding Opportunities, a Letter of No Prejudice, or other written notification. Failure to comply with applicable Federal requirements will render those project costs or, in certain cases, the project in its entirety to be ineligible for FTA assistance.

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- (24) Program of Projects (POP): A list of projects to be funded in grant applications submitted to FTA by a Designated Recipient, State or local government. The POP lists the recipients and subrecipients and indicates whether they are private nonprofit agencies, governmental authorities, or private providers of transportation service. The POP also designates the areas served (including rural areas, as applicable) and identifies any tribal entities. In addition, the POP includes a brief description of the projects, the total project cost, the Federal share for each project, and the amount of funds used for program administration from the allowed percentage.
- (25) Project Property: Any real property, equipment, supplies, or improvements included in the costs of an FTA-assisted project, regardless of whether such property was acquired using FTA assistance, provided as the non-Federal share, donated by a third party, or acquired in some other way.
- (26) Public Transportation: Regular, continuing shared-ride surface transportation services that are open to the general public or open to a segment of the general public defined by age, disability, or low income. Public transportation generally includes, but is not limited to, transportation services provided by buses; heavy rail; light rail; commuter rail, fixed guideway; bus rapid transit; passenger ferryboats; trolleys; inclined railways; people movers; vans; streetcars; jitneys; and aerial tramways. Public transportation can either be fixed-route or demand-response service but excludes intercity passenger rail provided by Amtrak; intercity bus service; charter bus service; school bus service; sightseeing services; courtesy shuttle services provided by individual businesses; and intra-terminal or intra-facility shuttle services (49 U.S.C. 5302).
- (27) Recipient: An entity that is awarded funds directly from FTA to carry out an activity under a Federal program to support a specific project. In this circular, FTA uses the term “recipient” interchangeably with “grant recipient” and “Direct Recipient.” The term “recipient” does not include “subrecipient.”
- (28) Rural Area: An area encompassing a population of fewer than 50,000 people (49 U.S.C. 5302).
- (29) Senior: An individual who is 65 years of age or older (49 U.S.C. 5302). In this circular, the term “older adult” has the same meaning as the term “senior.”

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- (30) Shared-ride: Two or more passengers in the same vehicle who are otherwise not traveling together. Every trip does not have to be shared-ride in order for a service to be considered shared-ride, but the general nature of the service must include shared-rides.
- (31) Small Urbanized Areas: An urbanized area (UZA) with a population of at least 50,000 but less than 200,000 (as used in the context of FTA formula programs).
- (32) Subrecipient: An entity, usually but not limited to non-Federal entities, that receives a subaward from a pass-through entity to carry out part of a Federal Award. A subrecipient does not include an individual that is a recipient of such Award; however, a subrecipient may also be a recipient of other Federal Awards directly from a Federal awarding agency (2 CFR 200.1).
- (33) Traditional Section 5310 Projects: Those public transportation capital projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable.
- (34) Urbanized Area (UZA): An area encompassing a population of not less than 50,000 people that has been defined and designated in the most recent decennial census as an Urban Area by the Secretary of Commerce (49 U.S.C. 5302).

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b. Acronyms

Acronym	Full Name or Term
ADA	Americans with Disabilities Act
ALI	Activity Line Item
AoA	Agency on Aging
BIL	Bipartisan Infrastructure Law
CAA	Clean Air Act
CAP	Community Action Programs
CCAM	Coordinating Council on Access and Mobility
CE	Categorical Exclusion
CFR	Code of Federal Regulations
D&A	Drug and Alcohol
DBE	Disadvantaged Business Enterprises
DOL	Department of Labor
DOT	Department of Transportation
EEO	Equal Employment Opportunity
EIS	Environmental Impact Statement
FAST Act	Fixing America's Surface Transportation Act
FFATA	Federal Funding Accountability and Transparency Act of 2006 or Transparency Act, Public Law 109-282, as amended by Section 202(a) of Public Law 110-25, 31 U.S.C. 6101
FFR	Federal Financial Report
FHWA	Federal Highway Administration
FMCSA	Federal Motor Carrier Safety Administration
FONSI	Finding of No Significant Impact
FR	Federal Register
FTA	Federal Transit Administration
FY	Fiscal Year
GIS	Geographic Information System
GPRA	Government Performance and Results Act
ICAM	Innovative Coordinated Access and Mobility Pilot Program
IJA	Infrastructure Investment and Jobs Act
ISTEA	Intermodal Surface Transportation and Efficiency Act of 1991

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Acronym	Full Name or Term
IT	Information Technology
ITS	Intelligent Transportation Systems
JARC	Job Access and Reverse Commute
MAP-21	The Moving Ahead for Progress in the 21st Century Act
MPO	Metropolitan Planning Organization
MPR	Milestone Progress Report
MTP	Metropolitan Transportation Plan
NEPA	National Environmental Policy Act
NOFO	Notice of Funding Opportunity
NTD	National Transit Database
PMP	Program Management Plan
POP	Program of Projects
RFP	Request for Proposal
ROD	Record of Decision
RTAP	Rural Transportation Assistance Program
SAFETEA-LU	Safe, Accountable, Flexible, Efficient Transportation Equity Act A Legacy for Users
SMP	State Management Plan
STBG	Surface Transportation Block Grant Program
STIP	Statewide Transportation Improvement Program
TEA-21	Transportation Equity Act for the 21st Century
TIP	Transportation Improvement Program
TMA	Transportation Management Area
TNC	Transportation Network Company
TOD	Transit-Oriented Development
TrAMS	Transit Award Management System
TVM	Transit Vehicle Manufacturer
USDOT	U.S. Department of Transportation
U.S.C.	United States Code
UZA	Urbanized Area

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CHAPTER II

PROGRAM OVERVIEW

1. STATUTORY AUTHORITY. Title 49 U.S.C. 5310 authorizes the formula assistance program for the Enhanced Mobility of Seniors and Individuals with Disabilities Program and provides formula funding to States, Designated Recipients, and State or local governmental authorities that operate a public transportation service (recipients) to improve mobility for seniors and individuals with disabilities.

This program provides funds for capital and operating expenses to recipients for:

- Public transportation projects planned, designed, and carried out to meet the needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable.
- Public transportation projects that exceed the requirements of the Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. 12101 et seq.).
- Public transportation projects that improve access to fixed-route service and decrease reliance on complementary paratransit; and
- Alternatives to public transportation projects that assist seniors and individuals with disabilities with transportation.

This program provides apportionments specifically for large UZAs, small UZAs, and rural areas via a formula. Consistent with the type of projects eligible under the former New Freedom program, eligible activities include operating expenses and capital investments. FTA refers to this formula program as “the Section 5310 program.”

Section 5310 (b) provides that of the amounts apportioned to States and Designated Recipients, not less than 55 percent shall be available for traditional Section 5310 projects—those public transportation capital projects planned, designed, and carried out to meet the needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Further, the law provides that a recipient may allocate the funds apportioned to it to:

- a. A private nonprofit organization; or
- b. A State or local governmental authority that:

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- (1) Is approved by a State to coordinate services for seniors and individuals with disabilities; or
- (2) Certifies that there are no nonprofit organizations readily available in the area to provide the service.

These provisions, found at 49 U.S.C. 5310(b)(1) and (b)(2), essentially maintain the status quo for traditional Section 5310 projects and the eligible subrecipients for traditional Section 5310 projects.

Eligible subrecipients for other eligible Section 5310 activities include a State or local governmental authority, a private nonprofit organization, or an operator of public transportation that receives a Section 5310 grant indirectly through a recipient.

The Assistance Listing for the Section 5310 program is 20.513.

2. **PROGRAM GOALS.** The goal of the Section 5310 program is to improve mobility for seniors and individuals with disabilities throughout the country by removing barriers to transportation services and expanding the transportation mobility options available. Toward this goal, FTA provides financial assistance for transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in all areas—large urbanized, small urbanized, and rural. The program requires coordination with other federally assisted programs and services to make the most efficient use of Federal resources.
3. **PROGRAM MEASURES.** The Government Performance Results Act (GPRA) modernization act of 2010, pub. L. 111–352, requires FTA and other federal agencies to “establish performance goals to define the level of performance to be achieved in the agency annual performance plan” and to “establish a balanced set of performance indicators to be used in measuring or assessing progress toward each performance goal” included in the agency performance plan.

FTA will conduct independent evaluations of the program focused on specific data elements to better understand the implementation strategies and related outcomes associated with the program. The following indicators are targeted to capture overarching program information as part of the Annual Report that each State and Designated Recipient submits to FTA. The State and Designated Recipient should submit both quantitative and qualitative information as available on each of the following measures.

- a. Traditional Section 5310 projects.

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- (1) Gaps in Service Filled. Provision of transportation options that would not otherwise be available for seniors and individuals with disabilities measured in numbers of seniors and people with disabilities afforded mobility they would not have without program support because of traditional Section 5310 projects implemented in the current reporting year; and
 - (2) Ridership. Actual or estimated number of rides (as measured by one-way trips) provided annually for individuals with disabilities and seniors on Section 5310-supported vehicles and services because of traditional Section 5310 projects implemented in the current reporting year.
- b. Other Section 5310 projects.
- (1) Increases or enhancements related to geographic coverage, service quality, and/or service times that impact availability of transportation services for seniors and individuals with disabilities as a result of other Section 5310 projects implemented in the current reporting year;
 - (2) Additions or changes to physical infrastructure (e.g., transportation facilities, sidewalks, etc.), technology, and vehicles that impact availability of transportation services for seniors and individuals with disabilities because of other Section 5310 projects implemented in the current reporting year; and
 - (3) Actual or estimated number of rides (as measured by one-way trips) provided for seniors and individuals with disabilities because of other Section 5310 projects implemented in the current reporting year.

The State or Designated Recipient should ensure that the above information is reported for all recipients and subrecipients of Section 5310 funding in projects selected by the State or Designated Recipient. The State or Designated Recipient may consolidate information for all projects in the Annual Report for any open Section 5310 grant awarded to the Designated Recipient. If Section 5310 funds have been awarded to other Designated Recipients pursuant to a supplemental agreement with the State or Designated Recipient, that Direct Recipient may report on behalf of itself and any subrecipients.

4. FTA ROLE IN PROGRAM ADMINISTRATION.

- a. FTA Headquarters in Washington, DC, serves a broad, program-level role in the administration of the program. FTA Headquarters:
 - (1) Provides overall policy and program guidance for the Section 5310 program;

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- (2) Apportions funds annually to the States and Designated Recipients;
 - (3) Develops and implements financial management procedures;
 - (4) Initiates and manages program support activities; and
 - (5) Conducts national program reviews and evaluations.
- b. FTA Regional Offices have the day-to-day responsibility for administration of the Section 5310 program. FTA Regional Offices:
- (1) Review and approve grant applications;
 - (2) Obligate funds, monitor and close grants, and oversee the recipient's implementation of the annual program, including revisions to the POP;
 - (3) Receive State or Designated Recipient certifications;
 - (4) Review and approve State Management Plans (SMPs) and Program Management Plans (PMPs);
 - (5) Provide technical assistance, advice, and guidance to States and Designated Recipients as needed; and
 - (6) Perform Triennial Reviews and State Management Reviews every three years or as circumstances warrant and other reviews as necessary.
5. DESIGNATED RECIPIENT ROLE IN PROGRAM ADMINISTRATION. The State agency designated by the governor of the State has the authority and responsibility for administering the Section 5310 program in urbanized areas under 200,000 in population and rural areas. The Designated Recipient of Section 5310 funds in urbanized areas over 200,000 in population has the authority and responsibility for administering the Section 5310 program in those areas.

The Designated Recipient is responsible for selection of projects and may, but is not required to, include a competitive selection process. If the Designated Recipient decides to hold a competitive selection, it may conduct the competitive selection itself or establish alternative arrangements to administer and conduct the competitive selection. For example, the MPO could be the lead agency for the competitive selection, even if it is not the Designated Recipient. Alternatively, the Designated Recipient may, through interagency agreement or third-party contracts, provide for the administrative management and oversight of the competitive selection process.

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The Designated Recipient will apply to FTA for funding using TrAMS on behalf of itself and/or eligible subrecipients for Section 5310 projects within the recipient's area. The Designated Recipient is responsible for the following actions:

- a. Document the State or Designated Recipient's procedures in an SMP or PMP;
- b. Plan for future transportation needs and ensure integration and coordination among diverse transportation modes and providers;
- c. Develop project selection criteria consistent with the coordinated planning process;
- d. Notify eligible local entities of funding availability;
- e. Solicit applications from potential subrecipients;
- f. Determine applicant and project eligibility;
- g. Certify that allocations of funds to subrecipients are made on a fair and equitable basis;
- h. Submit an annual POP and grant application to FTA;
- i. Ensure subrecipients comply with Federal requirements;
- j. Certify that all projects are included in a locally developed, coordinated public transit-human services transportation plan developed and approved through a process that included participation by seniors; individuals with disabilities; representatives of public, private, and nonprofit transportation and human service providers; and other members of the public;
- k. Certify that to the maximum extent feasible, services funded under Section 5310 are coordinated with transportation services assisted by other Federal departments and agencies;
- l. Ensure that at least 55 percent of the area's apportionment is used for traditional Section 5310 projects carried out by the eligible subrecipients as described in Section 5 of Chapter III of this circular;
- m. Oversee the implementation of projects as developed and prioritized in the coordinated plan, including, where not specified in the coordinated plan, selecting entities to carry out projects consistent with procedures approved in the coordinated plan and/or documented in the Designated Recipient's State or Program Management Plan. In cases where the Designated Recipient is responsible for allocating funding

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- among localities or regions that have developed and approved individual coordinated plans, the Designated Recipient shall select projects consistent with a process developed in collaboration with organizations responsible for developing local or regional coordinated plans;
- n. Manage all aspects of award distribution and oversight for subrecipients receiving funds under this program;
 - o. Submit required FTA reports;
 - p. Comply with pass-through entity requirements outlined in 2 CFR Part 200;
 - q. Ensure that all activities are conducted in compliance with Federal civil rights statutes and regulations, including title VI of the Civil Rights Act of 1964, the Equal Employment Opportunity Act, Disadvantaged Business Enterprise requirements, and the Americans with Disabilities Act; and
 - r. Oversee any required audits and award closeout.

The Designated Recipient is not directly responsible for developing the coordinated plan but is responsible for ensuring that the plan from which a selected project was included was developed in compliance with the statutory requirements. An agency or organization other than the Designated Recipient may take the lead in developing the coordinated plan.

Funds are obligated based on the annual POP included in a grant application. FTA does not conduct project-by-project review and approval of each project. The Designated Recipient must ensure that local applicants and project activities are eligible and in compliance with Federal requirements 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, the Designated Recipient monitors local projects; ensures that all program activities are included in a TIP for activities in urbanized areas; ensures that all program activities are included in a statewide transportation improvement program (STIP); and oversees project audits and closeouts. The Designated Recipient must certify to FTA annually that the recipient and subrecipients have met or will meet all Federal requirements, including all metropolitan and statewide planning requirements. Once FTA has approved the application, funds are available for administration and for allocation to individual subrecipients.

Under the 2 CFR Part 200, “Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards” (also known as Uniform Guidance) and DOT’s adoption and deviations under 2 CFR Part 1200, States often rely on their own laws and

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procedures, particularly in the areas of equipment management and procurement. States may have uniform requirements for their subrecipients, both private nonprofit agencies and governmental authorities, as long as such requirements are not inconsistent with 2 CFR Part 200 and 2 CFR Part 1200.

6. DESIGNATED RECIPIENT DESIGNATION PROCESS. As described above for UZAs with a population of 200,000 or more, a requirement for funding under Section 5310 is the selection of a Designated Recipient. The Designated Recipient(s) designated in each UZA must be a governmental authority and have the legal authority to receive and dispense Federal funds in the UZA.
 - a. Designated Recipient and State Roles in Program Administration. FTA apportions Section 5310 funds annually for UZAs to States and Designated Recipients, which are responsible for receiving and apportioning the funds to eligible projects and recipients within the applicable UZA(s).

The State or Designated Recipient has the principal authority and responsibility for Section 5310 funds within a UZA. A State is responsible for administering these programs on behalf of all UZAs under 200,000 in population, or portions thereof, that are located within its boundaries. A Designated Recipient is responsible for administering funds on behalf of a UZA with a population of 200,000 or more. For UZAs with a population of at least 200,000, a Designated Recipient must be selected in accordance with the local planning process, as detailed in the “Recipient Designation Process” section below.

The governor of a State or the governor’s official designee may designate a single Designated Recipient for multiple contiguous large UZAs. In cases where a UZA extends into more than one State and the public transportation providers are also located in more than one State, the governor of each State must participate in the process to designate a Designated Recipient.

The governor or the governor’s designee performs the role of the Designated Recipient for UZAs under 200,000 in population and for the State’s portion of any multistate UZAs under 200,000 in population. Although the governor or the governor’s designee may authorize a local entity, such as an MPO, to develop and recommend funding allocations, the governor or the governor’s designee must approve the final allocation of program funds for these areas. In addition, the governor or the governor’s designee may authorize eligible public transportation operators to apply directly to FTA for Awards as Direct Recipients.

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Designations for UZAs of 200,000 or more in population become effective when the governor of a State officially notifies the appropriate FTA Regional Administrator(s) in writing of that designation. The designation remains in effect until changed by the governor of a State by official written notice of redesignation to the appropriate FTA Regional Administrator. The written designation notice must include:

- (1) A letter expressing the governor's concurrence; and
- (2) Documentation of concurrence in the selection of the Designated Recipient by the providers of publicly owned public transportation service in the UZA and an appropriately certified resolution of the MPO concurring in the designation.

Each Designated Recipient must submit an Opinion of Counsel certifying the entity's legal capacity to perform the functions of a Designated Recipient. The governor of each State or an official designee must designate a public entity to be the recipient for Section 5310 funds. The designated agency must have the requisite legal, financial, and staffing capabilities to receive and administer Federal funds under this program. In urbanized areas with populations less than 200,000 and in rural areas, the State is the Designated Recipient. For these areas, the governor of a State designates a State agency responsible for administering the Section 5310 program and officially notifies the appropriate FTA Regional Office in writing of that designation. The governor of a State may designate the State agency that receives Rural Area Formula Funds (Section 5311) to be the Section 5310 recipient, or the governor of a State may designate a different agency.

In urbanized areas over 200,000 in population, the recipient charged with administering the Section 5310 program must be officially designated through a process consistent with 49 U.S.C. 5302(5), which defines Designated Recipient as:

an entity designated in accordance with the planning process under Sections 5303 and 5304 by the governor of a State, responsible local officials, and publicly owned operators of public transportation to receive and apportion amounts under Section 5336 to urbanized areas of 200,000 or more in population.

The Urbanized Area Formula Funding Program (Section 5307)–Designated Recipient provides and coordinates transportation services for the region and is familiar with FTA's program oversight requirements; therefore, it is appropriate for the Designated Recipient for the Section 5310 program to be the same as the Designated Recipient for Section 5307 funds. Alternatively, the MPO, State, or another public agency may be a preferred choice based on local circumstances. A State agency may be the

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Designated Recipient of Section 5310 funds for a large, urbanized area, as long as all apportioned funds for the large, urbanized area are allocated to agencies within the large urbanized area.

The designation letter must be on file with the FTA Regional Office before grant applications may be submitted for FTA review and funds awarded.

Designations remain in effect until changed by the governor by official notice of redesignation to the appropriate FTA Regional Office.

7. **FTA OVERSIGHT.** Congress has charged FTA with conducting reviews of recipients or requiring that recipients have independent audits conducted on their programs to determine whether the recipients have met the program's requirements and certifications.

Recipients may be subject to a triennial, State management, or other regularly scheduled comprehensive review to evaluate their performance. FTA must ensure that the recipient is carrying out its program in compliance with Federal statutory and administrative requirements. These comprehensive reviews of recipient performance allow FTA to determine if the recipient is complying with the certifications it has made.

FTA may also conduct/determine technical capability and capacity; procurement; financial management; civil rights; Drug and Alcohol (D&A); safety; security; and other compliance reviews and audits, in addition to the Triennial Review. When FTA evaluations or independent audits identify compliance deficiencies, FTA provides technical assistance to the recipient to facilitate compliance with Federal requirements. FTA may reduce or withdraw financial assistance as a result of review findings or withhold further Awards until the recipient comes into compliance.

The Single Audit Act, as amended (31 U.S.C. 7501 et seq.) and implemented by 2 CFR Part 200 subpart F, also requires recipients of Federal Awards resulting in expenditures of \$1,000,000 or more to have independent audits conducted annually. For more information regarding FTA Oversight, please see FTA Circular 5010.1, "Award Management Requirements."

8. **RELATIONSHIP TO OTHER PROGRAMS.** Other public transportation-related Federal programs may provide support for Section 5310 projects, and Section 5310 projects may in turn enhance the effectiveness of these programs. Unless an issue is specifically addressed in this circular or in other FTA guidance specific to the Section 5310 program, recipients should reference the current FTA Circular 5010.1, which provides guidance for other FTA programs, for project management issues not unique to Section 5310.

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The following is a brief discussion of these programs.

- a. Section 5307 (Urbanized Area Formula Grants Program) and Section 5311 (Formula Grants for Rural Areas Program). The Section 5307 program makes funds available to Designated Recipients to assist in the development, improvement, and use of public transportation systems in urbanized areas. The Section 5311 program makes Federal funds available to States to assist in the development, improvement, and use of public transportation systems in rural areas. Job Access and Reverse Commute (JARC) projects are eligible under both Section 5307 and 5311. While the overall objectives of the Section 5307, 5311, and 5310 programs differ (that is, the objectives of Sections 5307 and 5311 are to provide transportation to the general public in urbanized and rural areas, and the objective of Section 5310 is to serve seniors and individuals with disabilities in both rural and urbanized areas), there are parallels that make it desirable for Designated Recipients and States to consider all resources and plan for their use in a complementary way. FTA expects local transit providers to participate in the development of a coordinated public transit–human services transportation plan.

The Section 5311 program makes funds available to States to assist with the development, improvement, and use of public transportation systems in rural areas. Under Section 5311, the Rural Transportation Assistance Program (RTAP) provides for technical assistance, training, and related support services in rural areas. At the State’s discretion, Section 5310 providers may participate in RTAP sponsored activities, as long as the activities are primarily designed and delivered to benefit rural transit providers.

- b. Federal Highway Administration (FHWA) Flexible Funds. Surface Transportation Block Grants Program (STBG) funds, among others, are a source of flexible funds for both highway and transit projects. At the State’s discretion, these flexible funds may be used for transit capital projects. This provision includes transit capital projects funded through Section 5310 that meet the transportation needs of seniors and individuals with disabilities.
- c. The Federal Interagency Coordinating Council on Access and Mobility (CCAM). CCAM, comprised of 11 Federal departments and agencies, was established by Executive Order 13330, “Human Services Transportation Coordination,” signed by President George W. Bush on February 24, 2004. The members consist of the secretaries of the U.S. Departments of Transportation, Health and Human Services, Labor, Education, Agriculture, Housing and Urban Development, Interior, and

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Veterans Affairs, as well as the commissioner of Social Security, the Attorney General, and the chair of the National Council on Disabilities.

CCAM coordinates more than 130 Federal programs providing transportation funding for seniors, people with disabilities, and individuals with low incomes. CCAM works at the Federal level to improve Federal coordination of transportation resources and to address barriers faced by States and local communities when coordinating transportation. Additional information on CCAM can be found on the [CCAM website](#).

- d. Other Interagency Coordination. FTA encourages State Departments of Transportation and Designated Recipients' participation in interagency efforts, such as the State Rural Development Councils, Economic Development Councils, and Human Services Transportation Coordinating Councils. Coordination councils at the State and local levels often include participation from public and private transportation providers, human service providers, and passengers, including seniors and individuals with disabilities. These councils are actively working on identifying needs, resources, and gaps for seniors, individuals with disabilities, and others who require assistance with transportation services.

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CHAPTER III

GENERAL PROGRAM INFORMATION

1. APPORTIONMENT OF PROGRAM FUNDS. Of the total Section 5310 funds available, FTA apportions 60 percent among Designated Recipients in large UZAs; 20 percent to the States for small UZAs; and 20 percent to the States for rural areas with less than 50,000 in population. Section 5310 funds are apportioned among the recipients by formula. The formula is based on the ratio of the number of seniors and individuals with disabilities in each such area to the number of seniors and individuals with disabilities in all such areas. Example: A large UZA's apportionment is based on the ratio of the number of seniors and individuals with disabilities in that large UZA to the number of seniors and individuals with disabilities in all large UZAs. The number of seniors and individuals with disabilities in an area is determined according to the latest available U.S. Census data for adults over the age of 65 and individuals over the age of five who have disabilities. The annual apportionment for Section 5310 is published on FTA's website following the enactment of the annual USDOT appropriations act.
2. AVAILABILITY OF FUNDS. Section 5310 funds are available for obligation during the fiscal year of apportionment plus two additional years. Thus, for example, funds apportioned in FY 2024 are available until the end of FY 2026 (September 30, 2026). Any funds remaining unobligated at the end of the period of availability are added to the next year's program apportionment and are reapportioned among all areas.
3. TRANSFER OF APPORTIONMENTS.
 - a. Transfer to Other FTA Programs. Transfers of Section 5310 funds to other programs are not permitted.
 - b. Transfer to Other Areas within the Program. A State may use funds apportioned for small urbanized and rural areas for projects serving another area of the State if the governor of the State certifies that all the objectives of the Section 5310 program are being met in the specified areas. For example, if all objectives of the Section 5310 program are being met in rural areas, funds designated for rural areas may be transferred to urbanized areas of less than 200,000 in population. Funds apportioned to small urbanized and rural areas may also be transferred for use anywhere in the State, including large, urbanized areas, if the State has established a statewide program for meeting the objectives of the Section 5310 program. A recipient may transfer apportioned funds only after consulting with responsible local officials,

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publicly owned operators of public transportation, and nonprofit providers in the area from which the funds to be transferred were originally apportioned. Funds apportioned to large UZAs may not be transferred to other areas

- c. Transfer of FHWA Flexible Funds. Some funds appropriated to FHWA can be used to support transit projects, and some funds appropriated to FTA can be used to support highway projects. These “flexible” or “flex” funds are authorized by Section 104(f) of title 23, United States Code, and 49 U.S.C. 5334(i), to be transferred between FHWA and FTA for eligible highway or transit projects, respectively. Flexible funding authority facilitates a multimodal approach to meeting transportation needs at both the statewide and local levels by giving the local area the option of choosing which Federal surface transportation funds should be used for a particular project or activity based on local planning priorities. Flexible funds may only be used for a purpose for which they were originally authorized. Flexible funds transferred to FTA are administered under applicable FTA program requirements. Funding transfers are permitted only for projects contained in an approved metropolitan TIP for urbanized areas, and the STIP. In addition, like all other funds available under Section 5310, flex funds may only be used toward projects and activities identified in the final program of projects. Flexible funds from the FHWA may be transferred to the Section 5310 program for use by the recipient. The funds will be treated under the Section 5310 program requirements, with the exception of the local match and the minimum requirement that 55 percent be spent on traditional Section 5310 projects. The FHWA funds will maintain the FHWA eligible match, including the application of the sliding scale for a higher Federal share. The State or UZA must obligate the flexed funds during the Federal transit program period of availability.

For transfers of flexible funds to Section 5310, the recipient must notify both FHWA and FTA and request FHWA to transfer the funds to the appropriate FTA account. The transfer must be completed prior to grant Award.

4. CONSOLIDATION OF GRANTS TO INSULAR AREAS. FTA grants to insular areas may be consolidated under the provisions of 48 U.S.C. 1469a. This provision permits Federal agencies to streamline and consolidate certain grant-in-aid programs available to the Virgin Islands, Guam, American Samoa, and the Northern Mariana Islands. These insular areas receive Section 5311 apportionments and Rural Transportation Assistance Program (RTAP) allocations annually as well as Section 5310 funds, Section 5339(a) Grants for Buses and Bus Facilities funds, and, in some cases, Section 5307 funds. (Note: Section 5307(g) provides that the Virgin Islands shall be treated as an urbanized area for the purposes of Section 5307. FTA does not apportion Section 5311 or RTAP funds to the Virgin Islands). Specifically, 48 U.S.C. 1469a permits:

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- a. Federal agencies to consolidate any or all grants to each of the insular areas and to waive requirements for matching funds, applications, and reports with respect to the consolidated grants; and
- b. Each insular area to use the consolidated grant funds for any purpose or program authorized for any of the consolidated grants.

For these areas, FTA will consolidate Section(s) 5307, 5310, 5311, and 5339(a) funding into a single grant by transferring funds from one section to another. The insular areas may transfer all or a portion of the funds apportioned for Sections 5307, 5310, and 5339(a) to Section 5311 for use under any of these sections. This should improve the efficiency of grant making and grant management for these areas that have limited staff resources and receive small amounts of funds under each of these programs. Those insular areas interested in submitting applications for consolidated grants should notify the appropriate FTA Regional Office for application procedures and consolidation requirements. Among other things, the area should identify the intended use of consolidated funds and should document that the transportation of seniors and individuals with disabilities will not be adversely affected. FTA's emergency relief funds, authorized at 49 U.S.C. 5324, may not be consolidated with other FTA grants. Emergency relief funds must be expended on approved response, recovery, and resilience projects.

In addition, 48 U.S.C. 1469a(d) allows a Federal agency to waive any local matching share requirements for grants to insular areas, and FTA waives local share for these areas. FTA has no authority under 48 U.S.C. 1469a to waive any cross-cutting requirements, such as Buy America, title VI, or D&A testing.

5. ELIGIBLE DIRECT RECIPIENTS.

- a. Urbanized Areas over 200,000. Eligible Direct Recipients include States, Designated Recipients, and State or local government authorities that operate public transportation service. As discussed, the Designated Recipient for Section 5310 in a large UZA over 200,000 in population may or may not be the same agency as the Designated Recipient for Section 5307 funds.

The coordinated planning and project selection process may result in Section 5310 funds being allocated to a transit agency that is not the Designated Recipient for the Section 5310 program but is a Designated or Direct Recipient for Section 5307 funds and, thus, typically receives funds directly from FTA. Instead of entering into a subrecipient relationship with the Section 5310 Designated Recipient, the selected agency may request that FTA make the Section 5310 Award for the project directly to the transit agency that is a Designated or Direct Recipient for Section 5307. If this

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- occurs, the Section 5310 Designated Recipient must enter into a supplemental agreement with the Section 5307 recipient as part of the application to release the Section 5310 Designated Recipient from any liability under the award agreement. Supplemental agreements are provided in TrAMS and must be electronically executed.
- b. Rural and Small Urbanized Areas under 200,000 in Population. Eligible Direct Recipients are States and State or local government authorities that operate public transportation. Instead of entering into a subrecipient relationship with the State, a local government authority that operates public transportation may apply directly to FTA for grant funds the State has awarded to it. A State or Direct Recipient may apply for funds for itself and its subrecipients. If this occurs, the State must enter into a supplemental agreement with the local governmental authority as part of the application to release the State from any liability under the award agreement. Supplemental agreements are provided in TrAMS and must be electronically executed.
- c. Tribes as Direct Recipients. As “local governmental authorities,” Indian Tribes are eligible Direct Recipients. A Tribe that wishes to provide Section 5310-eligible service or capital equipment may follow the process defined in the State’s or Designated Recipient’s State or Program Management Plan to apply for the funds. If the Tribe is selected to receive State- or Designated Recipient-administered Section 5310 funding, the Tribe then has the option to become a Direct Recipient of the allocated funding and receive it directly through FTA or receive funds through the State or Designated Recipient as a subrecipient. After the State or Designated Recipient has notified a Tribe of the selection of its project(s), the Tribe may notify the State or Designated Recipient of its desire to apply directly to FTA for these funds. Both the Tribe and the State or Designated Recipient must agree to the decision for the Tribe to receive the allocated funding directly from FTA. When an agreement has been reached, the State or Designated Recipient will notify FTA by a letter of the project(s) and amount of funds that it allocated to the Tribe from the State or Designated Recipient’s Section 5310 apportionment. As a Direct Recipient of Section 5310 funds, the Tribe must comply with all management requirements of the Section 5310 program and with all terms and conditions of FTA’s standard award agreements. The special terms and conditions that FTA developed for Tribes receiving funding under the Tribal Transit Program are applicable only to that program.
6. ELIGIBLE SUBRECIPIENTS FOR TRADITIONAL SECTION 5310 PROJECTS. Section 5310 (b) provides that of the amounts apportioned to States and Designated

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Recipients, not less than 55 percent shall be available for traditional Section 5310 projects—those public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Further, the law provides that, for these projects, a recipient may allocate the funds apportioned to it to:

- a. A private nonprofit organization; or
- b. A State or local governmental authority that:
 - (1) Is approved by a State to coordinate services for seniors and individuals with disabilities; or
 - (2) Certifies that there are no nonprofit organizations readily available in the area to provide the service.

Governmental authorities eligible to apply for Section 5310 funds as “coordinators of services for seniors and individuals with disabilities” are those designated by the State to coordinate human service activities in a particular area. Examples of such eligible governmental authorities are a county agency on aging or a public transit provider that the State has identified as the lead agency to coordinate transportation services funded by multiple Federal or State human service programs.

7. ELIGIBLE SUBRECIPIENTS FOR OTHER SECTION 5310 PROJECTS. Eligible subrecipients for other eligible Section 5310 activities include a State or local governmental authority, a private nonprofit organization, or an operator of public transportation that receives a Section 5310 Award indirectly through a recipient.
8. PRIVATE TAXI OPERATORS AND TRANSPORTATION NETWORK COMPANIES AS SUBRECIPIENTS. Private operators of public transportation are eligible subrecipients. Private taxi companies and Transportation Network Companies (TNCs) that provide shared-ride on-demand service to the general public on a regular basis are operators of public transportation and, therefore, eligible subrecipients. “Shared-ride” means two or more passengers in the same vehicle who are otherwise not traveling together. Similar to general public and ADA Demand Response (DR) service, every trip does not have to be shared-ride in order for a taxi company or TNC to be considered a shared-ride operator, but the general nature of the service must include shared-rides.

Local (municipal/State) statutes or regulations or company policy will generally determine whether a taxi company or TNC provides shared-ride or exclusive-ride service. For example, if the local regulation or policy permits the driver to determine whether or

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not a trip may be shared, the service is not shared-ride. Similarly, if the regulation or policy requires consent of the first passenger to hire a taxi or TNC be obtained before the taxi or TNC may take on additional riders, the service is not shared-ride. In essence, services that can be reserved for the exclusive use of individuals or private groups, either by the operator or the first passenger's refusal to permit additional passengers, is exclusive-ride service. A recipient should request documentation from the taxi company or TNC to ensure the company is providing shared-ride service prior to award in order to determine whether the company qualifies as a subrecipient.

As subrecipients, private taxi operators and TNCs are subject to the same Federal requirements as the public entity making the subaward. This includes ensuring that service for persons with disabilities, particularly wheelchair users, is equivalent to that available to persons without disabilities. See 49 CFR 37.77(c). There also may be other requirements under the program access requirements applicable to public entities by regulations issued under title II of the ADA by the U.S. Department of Justice.

Taxi companies and TNCs that provide only exclusive-ride service are not eligible subrecipients; however, they may participate in the Section 5310 program as contractors. For example, an exclusive-ride taxi company or TNC may receive Section 5310 funds to purchase accessible vehicles while under a transportation service contract with a State, Designated Recipient, or eligible subrecipient, such as a local government or nonprofit organization, in order to provide accessible transportation services on behalf of the recipient or subrecipient. The taxi company or TNC may hold title to the accessible vehicle(s) as long as the agreement between the State, Designated Recipient, or subrecipient and the taxi company or TNC is sufficient to establish satisfactory continuing control. Acceptable means of establishing satisfactory continuing control could include a State, Designated Recipient, or subrecipient's lien on the vehicle or contract provisions that require that:

- The accessible vehicle will be used to provide transportation for seniors and people with disabilities; and
- The vehicle may not be removed from service or disposed of prior to the end of its useful life without the express written consent of the FTA recipient or subrecipient.

9. RECIPIENT ADMINISTRATIVE EXPENSES. Up to 10 percent of the recipient's total fiscal year apportionment may be used to fund program administration costs including administration, planning, and technical assistance for projects funded under this program.

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Recipients may pass any portion of funds available for administrative expenses, up to the allowable 10 percent, on to subrecipients for the same purpose. Program administration costs may be funded at 100 percent Federal share.

The State and the Designated Recipient in urbanized areas have pre-award authority to incur administrative costs for Section 5310. Because the program is continuously managed, oldest funds available are drawn first, regardless of the year of award for program activity.

FTA encourages recipients to identify all the available Section 5310 administrative funds they intend to use routinely in each annual grant application. However, recipients may choose to accumulate Section 5310 administrative funds within their period of availability to augment the funds available for a special administrative need in a subsequent year.

Recipients may accumulate Section 5310 administrative funds in the year of apportionment plus two years.

If a recipient includes program administration expenses in excess of the 10 percent in its grant application, it must document the unused Section 5310 administrative funds from prior years available to augment the amount of Section 5310 administrative funds in the current apportionment.

The recipient must document the availability of Section 5310 administrative funds in each grant application. The grant application should include a list of all other grants for administrative expenses that utilize funds from the same apportionment. The list must include the total amount of administrative funds included in each Award and the fiscal year in which the funds were apportioned. The list should account for all funds for administrative expenses added through award budget revisions or amendments. The list should include all other pending grant applications, budget revisions, or amendments that include administrative expenses that utilize funds from the same apportionment.

Allowable administrative costs may include, but are not limited to, general administrative and overhead costs, staff salaries, office supplies, and development of specifications for vehicles and equipment. Guidance on eligible administrative costs is in the Subpart E to 2 CFR Part 200, Cost Principles. The program administration budget line item also may include technical assistance and planning activities, including allocations to subrecipients to support the local coordinated planning process. Any general overhead costs included in the award budget must be supported by an indirect cost allocation plan that has been approved by the recipient or subrecipient's cognizant agency for indirect costs or elect the de minimis rate, if eligible. Recipients receiving direct funding from the Federal

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government and seeking indirect costs must have an agreement with their Federal cognizant agency for indirect costs. Subrecipients must use their federally negotiated agreement, if one exists. In the absence of a federal agreement, subrecipients must use the de minimis rate or negotiate a rate with the primary recipient.

These eligible program administrative costs may be used directly by the Designated Recipient or may be passed through by the Designated Recipient to subrecipients for administration, planning, or technical assistance purposes. The funds can be obligated before the completion of the coordinated planning process and project selection process in order to assist with either activity.

10. LOCAL SHARE OF PROJECT COSTS.

- a. General. Section 5310 funds may be used to finance capital and operating expenses. The Federal share of eligible capital costs shall be in an amount equal to 80 percent of the net cost of the activity. The Federal share of the eligible operating costs may not exceed 50 percent of the net operating costs of the activity. Administrative costs, as outlined under “Recipient Administrative Expenses” in this chapter, may be funded at 100 percent Federal share.

The local share of eligible capital costs shall be not less than 20 percent of the net cost of the activity, and the local share for eligible operating costs shall be not less than 50 percent of the net operating costs. Farebox revenue is subtracted from total operating costs to get to net operating costs.

The local share may be provided from an undistributed cash surplus, a replacement or depreciation cash fund or reserve, a service agreement with a State or local service agency or private social service organization, or new capital. Some examples of these sources of local match include State or local appropriations; dedicated tax revenues; private donations; revenue from service contracts; transportation development credits; and net income generated from advertising and concessions. Non-cash share, such as donations, volunteered services, or in-kind contributions, is eligible to be counted toward the local match as long as the value of each is documented and supported, represents a cost which would otherwise be eligible under the program, and is included in the net project costs in the project budget.

Income from contracts to provide human services transportation may be used either to reduce the net project cost (treated as revenue) or to provide local match for Section 5310 operating assistance. In either case, the cost of providing the contract service is included in the total project cost. No FTA program funds can be used as a source of local match for other FTA programs, even when used to contract for service. All

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sources of local match must be identified and described in the grant application at the time of award.

In addition, the local share may be derived from Federal programs that are eligible to be expended for transportation other than DOT programs or from DOT's Federal Lands Highway program. Examples of programs that are potential sources of local match include employment, training, aging, medical, community services, and rehabilitation services. Specific resources for finding program information about other Federal funding that can be used to meet local share requirements can be found on [FTA's website](#).

- b. Exceptions. The Federal share may exceed 80 percent for certain projects related to ADA and Clean Air Act (CAA) compliance as follows:
- (1) Vehicles. The Federal share is 85 percent for the acquisition of vehicles for purposes of complying with or maintaining compliance with ADA (42 U.S.C. 12101 et seq.) or the CAA. A revenue vehicle that complies with 49 CFR Part 38 may be funded at 85 percent Federal share.
 - (2) Vehicle-Related Equipment and Facilities. The Federal share for project costs for acquiring vehicle-related equipment or facilities (including clean fuel or alternative fuel vehicle-related equipment or facilities) for purposes of complying or maintaining compliance with the CAA (42 U.S.C. 7401 et seq.) or required by the ADA is 90 percent. FTA considers vehicle-related equipment to be equipment on and attached to the vehicle.
- c. Sliding Scale—FHWA Transfers Only. Higher Federal share rates for capital costs are available to 14 States described in 23 U.S.C. 120(b). The higher Federal shares under 23 U.S.C. 120(b)(1) are based on the ratio of designated public lands area to the total area of these 14 States. For FHWA transfers to FTA Section 5310 for capital projects, the Federal share increases from 80 percent in proportion to the share of public lands in the State. The sliding scale rates in public lands States can be found on the [FHWA website](#).

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CHAPTER IV

ELIGIBLE PROJECTS & REQUIREMENTS

1. ELIGIBLE ACTIVITIES. Section 5310 funds are available for capital and operating expenses to support the provision of transportation services to meet the specific needs of seniors and individuals with disabilities.

Section 5310 (b) provides that of the amounts apportioned to recipients, not less than 55 percent shall be available for traditional Section 5310 projects—those public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Notably, this 55 percent is a floor, not a ceiling—recipients may use more than 55 percent of their apportionment for this type of project.

This means that at least 55 percent of any rural, small urbanized area, or large urbanized area's annual apportionment must be utilized for public transportation capital projects that are planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities. It is not sufficient that seniors and individuals with disabilities are merely included (or assumed to be included) among the people who will benefit from the project.

Eligible projects for the required 55 percent of capital projects include the capital cost of contracting for the provision of transit services for seniors and individuals with disabilities and other specialized shared-ride transportation services. The purchase of rolling stock or the acquisition of ADA complementary paratransit service are eligible capital expenses that may also qualify as public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate, provided the projects are carried out by eligible subrecipients (see Chapter III) and these projects are included in the area's coordinated plan.

In addition to the above required capital projects, up to 45 percent of an area's apportionment may be utilized for additional public transportation projects that:

- a. Exceed the ADA minimum requirements as found in 49 CFR Parts 27, 37, 38, and 39;
- b. Improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA-complementary paratransit service; or

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- c. Provide alternatives to public transportation that assist seniors and individuals with disabilities with transportation.

Such projects must be targeted toward meeting the transportation needs of seniors and individuals with disabilities, although they may be used by the general public. It is not sufficient that seniors and individuals with disabilities are included (or assumed to be included) among the people who will benefit from the project. FTA encourages projects that are open to the public as a means of avoiding unnecessary segregation of services.

Recipients must clearly identify the projects that are part of the required 55 percent capital projects as part of the Activity Line Item narrative descriptions and list in the POP. Many projects may be eligible under both the required and optional criteria, but a discrete set of projects that meet the required criteria constituting at least 55 percent of the award amount, exclusive of administrative expenses, must be identified. Alternatively, the grant application may assign less than the required 55 percent to such projects if other Awards in the same fiscal year utilize more than the required 55 percent, so long as at least 55 percent of the total annual apportionment will be used for required projects. In such cases, a list of the other Awards and the funding amounts must be included within the new grant application.

2. ELIGIBLE CAPITAL EXPENSES THAT MEET THE 55 PERCENT REQUIREMENT.

Funds for the Section 5310 program are available for capital expenses as defined in 49 U.S.C. 5302 to support public transportation capital projects planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, unavailable, or inappropriate. Examples of capital expenses that meet the 55 percent requirement, which must be carried out by an eligible recipient or subrecipient as described in Chapter III, include but are not limited to:

a. Rolling Stock and Related Activities for Section 5310-Funded Vehicles.

- (1) Acquisition of expansion or replacement buses or vans, and related procurement, testing, inspection, and acceptance costs;
- (2) Vehicle rehabilitation or overhaul;
- (3) Preventive maintenance;
- (4) Radios and communication equipment; and
- (5) Vehicle wheelchair lifts, ramps, and securement devices.

b. Passenger Facilities Related to Section 5310-Funded Vehicles.

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- (1) Purchase and installation of benches, shelters, and other passenger amenities.
- c. Support Facilities and Equipment for Section 5310-Funded Vehicles.
- (1) Extended warranties that do not exceed the industry standard;
 - (2) Computer hardware and software;
 - (3) Transit-related intelligent transportation systems (ITS);
 - (4) Dispatch systems; and
 - (5) Fare collection systems.
- d. Lease of Rolling Stock or Related Equipment. Requirements regarding leases are governed by the Uniform Guidance, 2 CFR Part 200. Please see FTA Circular 5010.1 for a summary of requirements related to leasing.
- e. Acquisition of Transportation Services under a Contract, Lease, or Other Arrangement. This may include acquisition of ADA complementary paratransit services when provided by an eligible recipient or subrecipient as defined in Chapter III. Both capital and operating costs associated with contracted service are eligible capital expenses. User-side subsidies/vouchers for alternatives to public transportation are considered one form of eligible arrangement. All services must meet all Federal civil rights requirements, including those requiring equivalent service to persons with disabilities, particularly wheelchair users, in the provision of demand-responsive service and any ADA title II program access responsibilities administered by the U.S. Department of Justice. Funds may be requested for contracted services covering a time period of more than one year. The capital eligibility of acquisition of services as authorized in 49 U.S.C. 5310(b)(4) is limited to the Section 5310 program.
- f. Support for Mobility Management and Coordination Programs among Public Transportation Providers and Other Human Service Agencies Providing Transportation. Mobility management is an eligible capital cost. Mobility management techniques may enhance transportation access for populations beyond those served by one agency or organization within a community. For example, a nonprofit agency could receive Section 5310 funding to support the personnel costs of sharing services it provides to its own clientele with other seniors and/or individuals with disabilities and to coordinate usage of vehicles with other nonprofits; however, operating costs of service are excluded. Mobility management is intended to build coordination among existing public transportation providers and other transportation

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service providers with the result of expanding the availability of service. Mobility management activities may include:

- (1) The promotion, enhancement, and facilitation of access to transportation services, including the integration and coordination of services for individuals with disabilities, seniors, and low-income individuals;
- (2) Support for short-term management activities to plan and implement coordinated services;
- (3) The support of State and local coordination policy bodies and councils;
- (4) The operation of transportation brokerages to coordinate providers, funding agencies, and passengers;
- (5) The provision of coordination services, including employer-oriented transportation management organizations' and human service organizations' customer-oriented travel navigator systems and neighborhood travel coordination activities, such as coordinating individualized travel training and trip planning activities for customers;
- (6) 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
- (7) 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; technologies to track costs and billing in a coordinated system; and single smart customer payment systems. (Acquisition of technology is also eligible as a standalone capital expense).

Capital activities (e.g., acquisition of rolling stock and related activities, acquisition of services, etc.) to support ADA complementary paratransit service may qualify toward the 55 percent requirement, so long as the service is provided by an eligible recipient or subrecipient as defined in Chapter III and is included in the coordinated plan.

3. OTHER ELIGIBLE CAPITAL AND OPERATING EXPENSES.

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- a. General. Up to 45 percent of a rural, small urbanized area or large urbanized area's annual apportionment may be utilized for:
- (1) Public transportation projects (capital only) planned, designed, and carried out to meet the specific needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable;
 - (2) Public transportation projects (capital and operating) that exceed the minimum requirements of the ADA;
 - (3) Public transportation projects (capital and operating) that improve access to fixed-route service and decrease reliance by individuals with disabilities on ADA complementary paratransit service; or
 - (4) Alternatives to public transportation (capital and operating) that assist seniors and individuals with disabilities with transportation.

Since the 55 percent requirement is a floor, not a ceiling, the activities listed above in Section 2 are eligible expenses for all funds available to a recipient under Section 5310. For example, mobility management and ITS projects may be eligible under both categories. In order for the project to qualify toward the 55 percent requirement, the project must meet the definition of a capital project, be specifically geared toward the target population, and be carried out by an eligible recipient or subrecipient. The list of eligible activities is intended to be illustrative, not exhaustive. FTA encourages recipients to develop innovative solutions to meet the needs of seniors and individuals with disabilities in their communities and discuss proposed projects with FTA regional staff to confirm eligibility.

- b. Public Transportation Projects that Exceed the Requirements of the ADA. The following activities are examples of eligible projects meeting the definition of public transportation service and exceed the minimum requirements of the ADA.
- (1) Enhancing Paratransit Beyond Minimum Requirements of the ADA. ADA complementary paratransit services can be eligible under the Section 5310 program in several ways:
 - (a) Expansion of paratransit service parameters beyond the three-fourths mile required by the ADA;
 - (b) Expansion of current hours of operation for ADA paratransit services that are beyond those provided on the fixed-route services;

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- (c) The incremental cost of providing same day service;
 - (d) The incremental cost (if any) of making door-to-door service available to all eligible ADA paratransit riders but not on a case-by-case basis for individual riders in an otherwise curb-to-curb system;
 - (e) Enhancement of the level of service by providing escorts or assisting riders through the door of their destination;
 - (f) Acquisition of vehicles and equipment designed to accommodate wheelchairs that are larger than 30" × 48" and/or weigh more than 600 pounds when occupied and labor costs of aides to help drivers assist passengers with oversized wheelchairs. This would permit the acquisition of lifts with a larger capacity modifications to lifts with a 600-pound design load, and the acquisition of heavier duty vehicles for paratransit and/or demand-response service in order to accommodate lifts with a heavier design load; and
 - (g) Installation of additional securement locations in public transit buses beyond minimum ADA requirements.
- (2) Feeder Services. Accessible “feeder” service (transit service that provides access) to commuter rail, commuter bus, intercity rail, and intercity bus stations, for which complementary paratransit service is not required under the ADA.
- c. Public Transportation Projects that Improve Accessibility. The following activities are examples of eligible projects that improve accessibility to the fixed-route system.
- (1) Making Accessibility Improvements to Transit and Intermodal Stations Not Designated as Key Stations. Improvements for accessibility at existing transportation facilities that are not designated as key stations established under 49 CFR 37.47, 37.51, or 37.53 and that are not required under 49 CFR 37.43 as part of an alteration or renovation to an existing station, so long as the projects are clearly intended to remove barriers that would otherwise have remained. Section 5310 funds are eligible to be used for accessibility enhancements that remove barriers to individuals with disabilities so they may access greater portions of public transportation systems such as fixed-route bus service, commuter rail, light rail, and rapid rail. This may include:

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- (a) Building an accessible path to a bus stop that is currently inaccessible, including curb cuts, sidewalks, accessible pedestrian signals, or other accessible features;
 - (b) Adding an elevator or ramps, detectable warnings, or other accessibility improvements to a non-key station that are not otherwise required under the ADA;
 - (c) Improving signage or wayfinding technology; or
 - (d) Implementation of other technology improvements, including ITS, that enhance accessibility for people with disabilities.
 - (2) Travel Training. Training programs for individual users on awareness, knowledge, and skills of public and alternative transportation options available in their communities. This includes travel instruction and travel training services.
- d. Public Transportation Alternatives that Assist Seniors and Individuals with Disabilities with Transportation. The following activities are examples of projects that are eligible public transportation alternatives.
- (1) Purchasing Vehicles to Support Accessible Taxi, TNC, Ride-Sharing, and/or Vanpooling Programs. Section 5310 funds can be used to purchase and operate accessible vehicles for use in taxi, TNC, ride-sharing, and/or vanpool programs provided that the vehicle meets the same requirements for lifts, ramps, and securement systems specified in 49 CFR Part 38, subpart B, at a minimum, and permits a passenger whose wheelchair can be accommodated pursuant to Part 38 to remain in their personal mobility device inside the vehicle.
 - (2) Supporting the Administration of and Expenses Related to Voucher Programs for Transportation Services Offered by Human Service Providers. This activity is intended to support and supplement existing transportation services by expanding the number of providers available or the number of passengers receiving transportation services. Vouchers can be used as an administrative mechanism for payment of alternative transportation services to supplement available public transportation. The Section 5310 program can provide vouchers to seniors and individuals with disabilities to purchase rides, including: (a) mileage reimbursement as part of a volunteer driver program; (b) a taxi trip; or (c) trips provided by a human service agency. Providers of transportation can then submit the voucher for reimbursement to the recipient

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for payment based on predetermined rates or contractual arrangements. Transit passes or vouchers for use on existing fixed-route or ADA complementary paratransit service are not eligible. Vouchers are an operational expense which requires a 50/50 (Federal/local) match.

- (3) Supporting Volunteer Driver and Aide Programs. Volunteer driver programs are eligible and include support for costs associated with administration; management of driver recruitment; safety; background checks; scheduling; coordination with passengers; related support functions; mileage reimbursement; and insurance associated with volunteer driver programs. The costs of enhancements to increase capacity of volunteer driver programs are also eligible. FTA encourages communities to offer consideration for utilizing all available funding resources as an integrated part of the design and delivery of any volunteer driver/aide program.
- e. Limits on Operating Assistance. Given the 55 percent requirement for traditional Section 5310 capital projects, a recipient may allocate up to 45 percent of its apportionment for operating assistance. However, this funding is limited to eligible projects as described in 49 U.S.C. 5310(b)(1)(B–D) and described in this section (b, c, and d) above. Operating assistance cannot be used for required ADA complementary paratransit services except under the following instances: 1) Operating assistance can be used to extend ADA complementary paratransit services beyond those required by the USDOT ADA regulations (as noted in Section 3b of this chapter) and 2) Acquisition of transportation services for seniors and individuals with disabilities, including ADA complementary paratransit services, are eligible as a capital expense (as noted in Section 2e of this chapter).

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TABLE IV-1: SAMPLE ALLOCATIONS OF AN AREA’S APPORTIONMENT

Activity	Example 1 Amount Awarded	Example 1 % of Total Allocation	Example 2 Amount Awarded	Example 2 % of Total Allocation
Total Amount Allocated	\$1,000,000	100%	\$1,000,000	100%
State or Designated Recipient Program Administrative Funding	\$100,000	10%	\$0	0%
Traditional Section 5310 Projects	\$550,000	55%	\$550,000	55%
Other Section 5310 Projects	\$350,000	35%	\$450,000	45%

Included here are two different examples of allocating an area’s apportionment. In the first example, the Designated Recipient retains 10 percent of the apportionment for administrative expenses. In that case, with the mandatory 55 percent set aside for traditional Section 5310 projects, 35 percent of the apportionment remains for other Section 5310 projects.

In the second example, the Designated Recipient does not retain any funds for administrative expenses. After the mandatory 55 percent set aside for traditional Section 5310 projects, 45 percent of the apportionment remains available for other Section 5310 projects.

4. **CAPITAL RESERVE ACCOUNTS.** Recipients of Section 5310-funded vehicles are permitted to establish capital reserve accounts to replace existing equipment as long as no FTA funds or proceeds from the sale or lease of FTA-assisted property are placed in those accounts.

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CHAPTER V

PLANNING & PROGRAM DEVELOPMENT

1. COORDINATION REQUIREMENTS. Title 49 U.S.C. 5310 requires a recipient of Section 5310 funds to certify that projects selected for funding under this program are included in a locally developed, coordinated public transit–human services transportation plan and that the plan was developed and approved through a process that included participation by:
 - Seniors;
 - Individuals with disabilities;
 - Representatives of public, private, nonprofit transportation and human service providers; and
 - Other members of the public.

This coordinated transportation plan should be prepared through a process that is consistent with the applicable metropolitan or statewide planning process, as described below. Transit service and demographic information developed and used in the broader metropolitan and statewide processes may provide a useful starting point for the more detailed review that will take place in preparing the coordinated plan. Similarly, the extensive public participation and stakeholder consultation provisions of metropolitan and statewide planning can provide a useful context and basis for the more focused local public involvement in preparing the coordinated plan. For these reasons, FTA strongly encourages coordination and consistency between the local coordinated public transit–human services transportation plan and metropolitan or statewide transportation planning processes described in 23 CFR Part 450.

2. PLANNING REQUIREMENTS. To be eligible for funding, Section 5310 projects in UZAs must be included in the Metropolitan Transportation Plan (MTP) prepared and approved by the MPO, the TIP approved jointly by the MPO and the governor, and the STIP developed by a State and jointly approved by FTA and FHWA. Projects outside UZAs must be included in or be consistent with the statewide long-range transportation plan developed by the State and must be included in the STIP. With limited exceptions, all federally funded highway or transit projects must be included in the applicable plan and program documents according to State and local procedures. Areas may choose to include project level information or more aggregated program level information. For convenience, the recipient may group its planned expenditures of Section 5310 funds into statewide or metropolitan areawide projects, such as vehicle acquisitions or services

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contracted for rural and urban recipients, and administration costs. All projects must adhere to the requirements of 49 U.S.C. 5303, 5304, and 5306.

MPOs that serve areas designated as a Transportation Management Area (TMA) must include representation by providers of public transportation. Composed of local elected and appointed officials, appropriate State officials, and officials of public agencies that operate major modes of transportation in the region (including representation by providers of public transportation), the MPO is responsible for the development and adoption of the MTP (minimum 20-year horizon) and the shorter term fiscally constrained (minimum of four years) TIP.

See Appendix B for further information on how the various planning processes relate to one another.

3. PROGRAM OF PROJECTS (POP). The POP identifies the projects and subrecipients for which the recipient is applying for financial assistance in a given year. The Section 5310 POP the recipient submits to FTA for approval must:
 - Indicate the total number of projects and the funding source;
 - Indicate the total number of subrecipients;
 - Identify each subrecipient and indicate whether they are governmental authorities, private nonprofit agencies, or operators of public transportation; and
 - Identify any that are Indian tribal governments or tribal transit agencies (including both federally recognized and other tribal governments).

For each project, the POP must show a brief description of counties, tribal needs served, total project cost, and the Federal share. The total Federal funding level for the POP cannot exceed the total amount of Section 5310 funds available. The POP must indicate whether a project is a capital or an operating expense and clearly identify which projects meet the 55 percent minimum for traditional Section 5310 projects. A sample POP is included in Appendix A. The POP must be identical to or consistent with listings contained in the applicable TIP and STIP.

So that FTA can comply with the Federal Funding Accountability and Transparency Act (FFATA) of 2006 (Pub. L 109–282), the recipient must provide FTA with the following information for each subrecipient: the name of the entity receiving the Award, the amount of the Award, the location of the entity receiving the Award, and the primary location of performance under the Award, including the city, State, and congressional district. The recipient may choose to submit this information as a separate attachment in FTA's TrAMS or to include the information in the POP.

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- a. Categories of Approval. FTA's approval of a POP does not reflect unconditional approval of all projects within the program. Neither does FTA's approval of a POP reflect unconditional approval of all prospective subrecipients identified in the program. FTA recognizes that not all projects in a State or Designated Recipient's (recipient) POP may be at the same stage of development; therefore, not all grant applications may be complete at the time the recipient forwards its annual POP to FTA. FTA also recognizes that all subrecipients identified in the POP may not yet be in compliance with all applicable Federal requirements. To expedite award, FTA allows recipients to separate projects and funds included in its POP into two different categories, depending on whether all Federal requirements have been met.
- (1) Category A. Projects in Category A include those projects that the recipient has certified as having met all the Federal statutory and administrative requirements for approval applicable to both the project activities and subrecipients that will carry out those activities. FTA's approval of Category A projects is unconditional upon award. When FTA executes the Award, the recipient may start drawing down funds to implement projects in Category A. FTA expects most, if not all, projects included in the recipient's POP to be in this category.
 - (2) Category B. Projects in Category B are those projects the recipient anticipates approving during the current year but which have not met all the Federal statutory or administrative requirements. Category B also includes projects proposed to be implemented by a subrecipient that have not yet met all applicable Federal requirements. For example, a major capital project other than vehicle purchase in Category B may be a project that has not yet completed the National Environmental Policy Act (NEPA) process or other Federal environmental requirements. Category B may also include contingency projects that may be funded if any selected project is deleted from the program of projects. However, contingency projects should be shown at the zero funding level and not calculated in the total program costs. When the recipient determines that the necessary Federal requirements have been satisfied for a project, FTA's approval of that project becomes unconditional, and the recipient may advance the project to Category A. Cash drawdowns for that project may commence after the recipient advances it to Category A.

In addition, any Category B project requires issuance of a combined final EIS/record of decision (ROD), a finding of no significant impact (FONSI), or determination that the project meets the conditions of a categorical exclusion (CE) from FTA before being advanced to Category A. FTA Circular 5010.1 provides additional information on NEPA and other Federal environmental

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laws, regulations, and Executive orders. If a recipient can list all its projects in Category A, it would not list any projects in Category B, except contingency projects.

- b. Approval. FTA is committed to promptly processing Awards upon receipt of a complete and acceptable grant application. FTA awards grants and obligates funds for the total amount the recipient requests for both categories. The FTA Award constitutes FTA approval of the recipient's annual POP.

As noted, FTA approval of the Section 5310 POP does not constitute unqualified approval of each project in the program. The Award does constitute FTA approval of those projects in Category A. Thus, the recipient may draw down Federal funds to reimburse expenses incurred for Category A projects immediately upon execution of the award agreement.

The FTA Award also constitutes its conditional approval of those projects in Category B, conditioned on the subrecipient meeting all applicable Federal requirements. The recipient must ensure that subrecipients meet all Federal requirements and advance the projects to Category A before it may draw down funds to support those projects.

- c. Revisions to POP and TIP/STIP. Prior FTA approval is not required to reallocate funds among projects included in an approved POP, so long as the single change does not modify the total amount of funds reflected in the original POP by more than 20 percent. Any other changes to the POP require prior approval by FTA. The recipient's request for approval should include documentation that the proposed changes in the POP are projects that are included in a locally developed coordinated plan.

If appropriate, revisions to the POP should be accompanied by a budget revision to the applicable Award in TrAMS. The recipient should attach the revised POP, TIP, and STIP to the Recipient Profile in TrAMS. In the Annual Program Status Report, the recipient should reference the date that a new POP was attached. The most recently updated POP submitted by the recipient to FTA in its Quarterly or Annual Report or in the course of making revisions will be considered the current approved POP, incorporated by reference in the grant agreement. Only the addition of Federal funds or a change in the scope of the approved POP requires amendment of the agreement. However, FTA may determine that an amendment is warranted to capture some changes and approvals.

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Below are examples of project and funding revisions that do not change the scope of the approved POP. Unless FTA notifies the Designated Recipient otherwise, the following levels of notification and FTA approval apply to revisions:

- (1) Revisions Not Requiring Prior FTA Notification or FTA Approval. The recipient may make the following revisions without prior notification to FTA, so long as the original reservation of funds is not impacted:
 - (a) Delete a project from the POP if the project cost is less than 20 percent of the total cost of the affected POP and the recipient has confirmed the change is consistent with the applicable TIP/STIP;
 - (b) Advance projects from Category B to A, provided the prospective subrecipient is in compliance with all applicable Federal requirements;
 - (c) Reallocate funds within an approved POP among approved projects within a local area or from one local area to another and the recipient has confirmed the change is consistent with the applicable TIP/STIP. This includes adjustments of local project funding levels to accommodate changes in project requirements; and
 - (d) Add equipment or property transferred from one subrecipient to another subrecipient listed in the POP, regardless of whether the items were originally funded from a different grant, so long as the change is consistent with the applicable TIP/STIP;
 - (e) Create new projects that are less than 20 percent of the total of the POP, so long as the recipient has confirmed eligibility and confirms the project is consistent with the TIP/STIP; and
 - (f) Reduce a project cost by less than 20 percent of the total cost of the POP and the recipient has confirmed the change is consistent with the applicable TIP/STIP.

- (2) Revisions Requiring Prior FTA Approval. A Designated Recipient may make the following revisions to an approved POP and relevant project listing in the TIP and STIP only after obtaining approval from FTA:
 - (a) Prior FTA approval is required when the Federal share of the Award exceeds \$100,000 and the cumulative amount of project funds to be transferred between or among activities, including all budget revisions

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since the last one specifically approved by FTA, exceeds 20 percent of the total cost of the POP; and

(b) Prior FTA approval is required when the revision would transfer funds between operating and capital categories or between Activity Line Items with different Federal matching ratios.

(3) Prior FTA approval is required if the budget revision would:

(a) Change the size or physical characteristics of the activities specified in the Award;

(b) Advance to Category A any prospective subrecipient with serious questions of compliance with Federal requirements remaining unresolved; or

(c) Advance to Category A any project for the acquisition of property with a value in excess of 20 percent of the total value of the POP.

4. COORDINATED PUBLIC TRANSIT–HUMAN SERVICES TRANSPORTATION PLAN. Federal transit law requires that projects selected for funding under the Section 5310 program be “included in a locally developed, coordinated public transit–human services transportation plan” and that the plan be “developed and approved through a process that included participation by seniors, individuals with disabilities, representatives of public, private, and nonprofit transportation and human services providers and other members of the public” (49 U.S.C. 5310(e)). The development and implementation of the local public transit–human services transportation plan required under the Section 5310 program provides a foundation for providing coordinated human services transportation as encouraged by the CCAM.

Many States and regions have established plans that may form a foundation for a coordinated plan that includes the required elements outlined in this chapter and meets the requirements of 49 U.S.C. 5310. FTA maintains flexibility in how projects appear in the coordinated plan. Projects may be identified as strategies, activities, and/or specific projects addressing an identified service gap or transportation coordination objective articulated and prioritized within the plan.

5. DEVELOPMENT OF THE COORDINATED PUBLIC TRANSIT–HUMAN SERVICES TRANSPORTATION PLAN.

a. Overview. A locally developed, coordinated public transit–human services transportation plan (“coordinated plan”) identifies the transportation needs of

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individuals with disabilities (including those who use wheelchairs) and seniors and may include people with low incomes; provides strategies for meeting those local needs; and prioritizes transportation services and projects for funding and implementation. Local plans may be developed on a local, regional, or statewide level. The decision as to the boundaries of the local planning areas should be made in consultation with the State, Designated Recipient, and the MPO, where applicable. The agency leading the planning process is decided locally and does not have to be the State or Designated Recipient.

In UZAs where there are multiple Designated Recipients, there may be multiple plans and each Designated Recipient will be responsible for the selection of projects in the Designated Recipient's area. A coordinated plan should maximize the programs' collective coverage by minimizing duplication of services. Further, a coordinated plan must be developed through a process that includes participation by seniors, individuals with disabilities, representatives of public, private and nonprofit transportation and human services transportation providers, and other members of the public. While the plan is only required in communities seeking funding under the Section 5310 program, a coordinated plan should incorporate activities offered under other programs sponsored by Federal, State, and local agencies to greatly strengthen its impact.

- b. Required Elements. Projects selected for funding shall be included in a coordinated plan that minimally 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 nonprofit);
 - (2) An assessment of transportation needs for individuals with disabilities, including those who use wheelchairs, and older adults. This assessment can be based on the experiences and perceptions of the planning partners, 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;
 - (4) Priorities for implementation based on resources (from multiple program sources), time, and feasibility for implementing specific strategies and/or activities identified; and

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- (5) Where less than 100 percent fleet accessibility for demand-response service is anticipated, a demonstration of how the requirement for equivalent service will be met.
- c. Local Flexibility in the Development of a Local Coordinated Public Transit–Human Services Transportation Plan. The decision for determining which agency has the lead for the development and coordination of the planning process should be made at the State, regional, and local levels. FTA recognizes the importance of local flexibility in developing plans for human services transportation. Therefore, the lead agency for the coordinated planning process may be different from the State or the agency that will serve as the Designated Recipient for the Section 5310 program. FTA supports communities building on existing assessments, plans, and action items. FTA encourages communities to consider inclusion of new partners, new outreach strategies, and new activities related to the targeted programs and populations.

Plans will vary based on the availability of resources and the existence of populations served under these programs. A rural community may develop its plans based on perceived needs emerging from the collaboration of the planning partners, whereas a large urbanized community may use existing data sources to conduct a more formal analysis to define service gaps and identify strategies for addressing the gaps.

This type of planning is also an eligible activity under four other FTA programs—the Metropolitan Planning (Section 5303), Statewide Planning (Section 5304), Section 5311, and Section 5307 programs—all of which may be used to supplement the limited (10 percent) planning and administration funding under this program. Other resources may also be available from other entities to fund coordinated planning activities. All “planning” activities undertaken in UZAs, regardless of the funding source, must be included in the Unified Planning Work Program of the applicable MPO.

- d. Tools and Strategies for Developing a Coordinated Plan. States and communities may approach the development of a coordinated plan in different ways. The amount of available time, staff, funding, and other resources should be considered when deciding on specific approaches. Regardless of the method chosen, seniors; individuals with disabilities, including wheelchair users; representatives of public, private, and nonprofit transportation and human service providers; and other members of the public must be involved in the development and approval of the coordinated plan. The following is a list of potential strategies for consideration:
- (1) Community Planning Session. A community may choose to conduct a local planning session with a diverse group of stakeholders in the community. This

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session would be intended to identify needs based on personal and professional experiences and strategies to address the needs, as well as to set priorities based on time, resources, and feasibility for implementation. This process can be done in one meeting or over several sessions with the same group. It is often helpful to identify a facilitator to lead this process. Also, as a means to leverage limited resources and to ensure broad exposure, this could be conducted in cooperation or coordination with the applicable metropolitan or statewide planning process.

- (2) Focus Groups. A community 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.
 - (3) Survey. The community may choose to conduct a survey to evaluate the unmet transportation needs within a community and/or available resources. Surveys can be conducted through mail, email, or in-person interviews. Survey design should consider sampling, data collection strategies, analysis, and projected return rates. Surveys should be designed taking into account accessibility considerations, including alternative formats, access to the Internet, literacy levels, and limited English proficiency.
 - (4) Detailed Study and Analysis. A community may decide to conduct a complex analysis using inventories, interviews, GIS mapping, and other types of research strategies. A decision to conduct this type of analysis should take into account the amount of time and funding resources available, and communities should consider leveraging State and MPO resources for these undertakings.
6. PARTICIPATION IN THE COORDINATED PUBLIC TRANSIT–HUMAN SERVICES TRANSPORTATION PLANNING PROCESS. Recipients shall certify that the coordinated plan was developed and approved through a process that included participation by seniors; individuals with disabilities, including wheelchair users; representatives of public, private, and nonprofit transportation and human services providers; and other members of the public. Note that the required participants include not only transportation providers but also providers of human services and members of the public who can provide insights into local transportation needs. It is important that stakeholders be included in the development, approval, and implementation of the local

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coordinated public transit–human services transportation plan. A planning process in which stakeholders provide their opinions but have no assurance that those opinions will be considered in the outcome does not meet the requirement of “participation.” Explicit consideration and response should be provided to public input received during the development of the coordinated plan. Stakeholders should have reasonable opportunities to be actively involved in the decision-making process at key decision points, including, but not limited to, development and approval of the proposed coordinated plan document. The following possible strategies facilitate appropriate inclusion:

- a. Adequate Outreach to Allow for Participation. Outreach strategies and potential participants will vary from area to area. Potential outreach strategies could include notices or flyers in centers of community activity; newspaper or radio announcements; email lists; website postings; and invitation letters to other government agencies, transportation providers, human services providers, and advocacy groups. Conveners should note that not all potential participants have access to the Internet, and they should not rely exclusively on electronic communications. It is useful to allow many ways to participate, including in-person testimony, mail, email, and teleconference. Any public meetings regarding the plan should be held in a location and time where accessible transportation services can be made available and adequately advertised to the general public using techniques such as those listed above. In addition, interpreters for individuals with hearing impairments and limited English proficiency and accessible formats (e.g., large print, Braille, electronic versions) should be provided as needed and required by law.

Consideration should be given to including groups and organizations such as the following in the coordinated planning process if present in the community:

- (1) Transportation Partners:
 - (a) Area transportation planning agencies, including MPOs; councils of government (COGs); rural planning organizations (RPOs); regional councils; associations of governments; State Departments of Transportation; and local governments;
 - (b) Public transportation providers, including ADA paratransit providers and agencies administering the projects funded under FTA urbanized and rural programs;
 - (c) Private transportation providers, including private transportation brokers; taxi and TNC operators; vanpool providers; school transportation operators; and intercity bus operators;

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- (d) Nonprofit transportation providers, including volunteer programs;
 - (e) Past or current organizations funded under the Section 5310, Job Access and Reverse Commute (JARC), and/or New Freedom programs; and
 - (f) Human service agencies funding, operating, and/or providing access to transportation services.
- (2) Passengers and Advocates:
- (a) Existing and potential riders, including both general and targeted population passengers (individuals with disabilities and seniors);
 - (b) Protection and advocacy organizations;
 - (c) Representatives from independent living centers; and
 - (d) Advocacy organizations working on behalf of targeted populations.
- (3) Human Service Partners:
- (a) Agencies that administer health, employment, or other support programs for targeted populations. Examples of such agencies include, but are not limited to, departments of social/human services; employment one-stop services; vocational rehabilitation; workforce investment boards; Medicaid; community action programs (CAP); Agency on Aging (AoA); Developmental Disability Council; community services board; and centers for independent living;
 - (b) Nonprofit human service provider organizations that serve the targeted populations;
 - (c) Job training and placement agencies;
 - (d) Housing agencies;
 - (e) Healthcare facilities; and
 - (f) Mental health agencies.
- (4) Other:
- (a) Security and emergency management agencies;

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- (b) Tribes and tribal representatives;
- (c) Economic development organizations;
- (d) Faith-based and community-based organizations;
- (e) Representatives of the business community (e.g., employers);
- (f) Appropriate local or State officials and elected officials;
- (g) School districts; and
- (h) Policy analysts or experts.

Note: Participation in the planning process will not bar providers (public or private) from bidding to provide services identified in the coordinated planning process. This planning process differs from the project selection process, and it differs from the development and issuance of a request for proposal (RFP) as described in the Uniform Guidance (2 CFR Part 200).

- b. Levels of Participation. The suggested list of participants above neither limits participation by other groups nor requires participation by every group listed. Communities will have different types of participants depending on population and size of community, geographic location, and services provided at the local level. FTA expects that planning participants will have an active role in the development, approval, adoption, and implementation of the plan. Participation may remain low even though a good faith effort is made by the lead agency to involve passengers; representatives of public, private, and nonprofit transportation and human services providers; and others. The lead agency convening the coordinated planning process should document the efforts it utilized, such as those suggested above, to solicit involvement and should modify its outreach if participation is low. Alternative times/places/formats may increase participation.

In addition, Federal, State, regional, and local policy makers, providers, and advocates should consistently engage in outreach efforts that enhance the coordinated process because it is important that all stakeholders identify the opportunities that are available in building a coordinated system. To increase participation at the local levels from human service partners, State Department of Transportation offices are encouraged to work with their partner agencies at the State level to provide information to their constituencies about the importance of partnering with human services transportation programs and the opportunities that are available through building a coordinated system.

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- c. Adoption of a Plan. As a part of the local coordinated planning process, the lead agency, in consultation with participants, should identify the process for approving and adopting the plan, and this process must include participation by stakeholders identified in the law: seniors; individuals with disabilities; representatives of public, private, and nonprofit transportation and human service providers; and other members of the public. A strategy for adopting the plan could also be included in the State's SMP and the Designated Recipient's PMP, further described in Chapter VII.

FTA will not formally review and approve coordinated plans. The recipient's grant application (see Appendix A) will document the plan from which each project listed is included, including the lead agency, the date of adoption of the plan, or other appropriate identifying information. This may be done by citing the section of the plan or page references from which the project is included.

7. RELATIONSHIP TO OTHER TRANSPORTATION PLANNING PROCESSES.

- a. Relationship Between the Coordinated Planning Process and the Metropolitan and Statewide Transportation Planning Processes. The coordinated plan either may be developed separately from the metropolitan and statewide transportation planning processes and then incorporated into the broader plans or developed as a part of the metropolitan and statewide transportation planning processes. If the coordinated plan is not prepared within the broader process, the lead agency for the coordinated plan should ensure coordination and consistency between the coordinated planning process and metropolitan or statewide planning processes. For example, planning assumptions should not be inconsistent. Projects identified in the coordinated planning process and selected for FTA funding must be incorporated into both the TIP and STIP in UZAs with populations of 50,000 or more and incorporated into the STIP for rural areas under 50,000 in population. Depending on the projects resulting from the coordinated planning and selection process, a single line item on the TIP/STIP for capital or operating projects may be sufficient. However, a recipient may need to consider more detailed programming, such as categorizing the projects based on the types of projects (capital or operating) and/or types of subrecipients, e.g., nonprofit, public entity, etc. In some areas, where the coordinated plan or project selection is not completed in a time frame that coincides with the development of the TIP/STIP, the TIP/STIP amendment processes will need to be utilized to include selected projects in the TIP/STIP before FTA Award. The lead agency developing the coordinated plan should communicate with the relevant MPOs, State Departments of Transportation, or regional planning agencies at an early stage in plan development. States with coordination programs may wish to incorporate the needs and strategies identified in local coordinated plans into statewide coordination plans. Depending upon the

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structure established by local decision makers, the coordinated planning process may or may not become an integral part of the metropolitan or statewide transportation planning processes. State and local officials should consider the fundamental differences in scope, time horizon, and level of detail between the coordinated planning process and the metropolitan and statewide transportation planning processes. However, there are important areas of overlap between the planning processes. Areas of overlap represent opportunities for sharing and leveraging resources between the planning processes for such activities as:

- Needs assessments based on the distribution of targeted populations and locations of employment centers, employment-related activities, community services and activities, medical centers, housing, and other destinations;
- Inventories of transportation providers/resources, levels of utilization, duplication of service, and unused capacity;
- Gap analyses;
- Any eligibility restrictions; and
- Opportunities for increased coordination of transportation services.

Local communities may choose the method for developing plans that best fits their needs and circumstances.

- b. Relationship Between the Requirement for Public Participation in the Coordinated Plan and the Requirement for Public Participation in Metropolitan and Statewide Transportation Planning. Title 49 U.S.C. 5303(i)(6) and 5304(f)(3) require MPOs and States to engage interested parties in preparing transportation plans, TIPs, and STIPs. “Interested parties” include, among others, affected public agencies, private providers of transportation, representatives of users of public transportation, and representatives of individuals with disabilities.

MPOs and/or States may work with the lead agency developing the coordinated plan to coordinate schedules, agendas, and strategies of the coordinated planning process with metropolitan and statewide planning in order to minimize additional costs and avoid duplication of efforts. MPOs and States must still provide opportunities for participation when planning for transportation related activities beyond the coordinated public transit–human services transportation plan.

- c. Participants in the Planning Process. Metropolitan and statewide planning under 49 U.S.C. 5303 and 5304 require consultation with an expansive list of stakeholders. There is significant overlap between the lists of stakeholders identified under those provisions (e.g., private providers of transportation, representatives of transit users,

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and representatives of individuals with disabilities) and the organizations that should be involved in preparation of the coordinated plan.

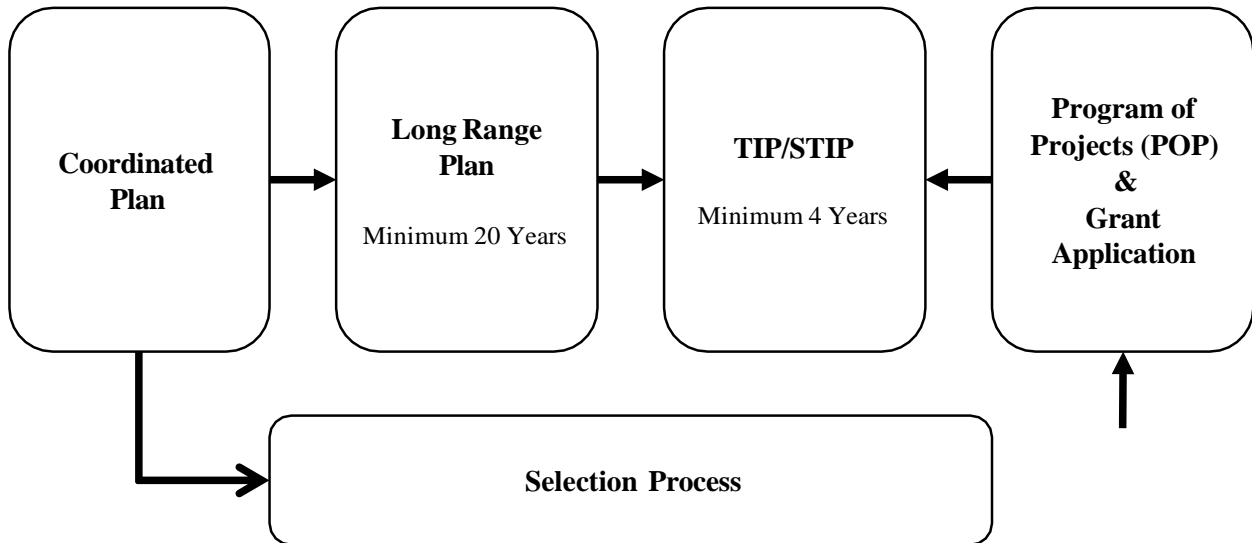
- d. Cycle and Duration of the Coordinated Plan. At a minimum, the coordinated plan should follow the update cycles for metropolitan transportation plans (MTPs) (i.e., four years in air quality nonattainment and maintenance areas and five years in air quality attainment areas). States, MPOs, Designated Recipients, and public agencies that administer or operate major modes of transportation should set up a cycle that is conducive to and coordinated with the metropolitan and statewide planning processes to ensure that selected projects are included in the TIP and STIP and to receive funds in a timely manner.
- e. Role of Transportation Providers that Receive FTA Funding Under the Urbanized and Rural Area Formula Grant Programs in the Coordinated Planning Process. Recipients of Section 5307 and Section 5311 assistance are the “public transit” in the coordinated public transit–human services transportation plan, and their participation is assumed and expected. Further, 49 U.S.C. 5307(b)(5) requires that, “Each recipient of a grant shall ensure that the proposed POP provides for the coordination of public transportation services ... with transportation services assisted from other United States Government sources.” In addition, 49 U.S.C. 5311(b)(2)(C)(ii) requires the Secretary of DOT to determine that a State’s Section 5311 projects “provide the maximum feasible coordination of public transportation service ... with transportation service assisted by other Federal sources.” Finally, under the Section 5311 program, States are required to expend 15 percent of the amount available to support intercity bus service.

FTA expects the coordinated planning process in rural areas to take into account human service needs that require intercity transportation.

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FIGURE V-1: COORDINATED PLAN RELATIONSHIP TO SELECTION AND PLANNING PROCESSES

The schematic here illustrates the relationship between the coordinated plan and the metropolitan and statewide planning processes.



8. TECHNICAL ASSISTANCE FOR HUMAN SERVICES TRANSPORTATION. The DOT, FTA, and partner agency participants in the CCAM support a range of technical assistance initiatives for coordinating human services transportation. These programs and centers are charged with providing training, resources, and direct assistance to communities and States interested in enhancing the mobility and transportation options for all citizens, including older adults, individuals with disabilities, and people with low incomes.

A list of technical assistance and training resources available for providers of human services transportation can be found on [FTA's website](#).

9. LABOR PROTECTIONS. Title 49 U.S.C. 5333(b) requires that, as a condition of FTA financial assistance, fair and equitable arrangements be made to protect the interests of employees affected by such assistance. The Department of Labor (DOL) is responsible under Federal law for the administration of Section 5333(b).

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Section 5310 gives the Secretary of Transportation the discretion to determine the terms and conditions “necessary and appropriate” for grants under this section. In 1974, the Secretary determined that it was not “necessary or appropriate” to apply the conditions of Section 5333(b) to subrecipients participating in the Section 5310 program.

Nevertheless, case-by-case determinations of the applicability of 49 U.S.C. 5333(b) will be made for all transfers of “flex funds” for Section 5310 purposes.

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CHAPTER VI

PROGRAM MANAGEMENT AND ADMINISTRATIVE REQUIREMENTS

1. PROGRAM ADMINISTRATIVE REQUIREMENTS AND OTHER PROVISIONS.

Award administration requirements are outlined in Circular 5010.1, “Award Management Requirements.” Most of the information and requirements outlined in this circular are specific to Section 5310 funding. Unless an issue is specifically addressed in this circular or in other FTA guidance specific to the Section 5310 program, recipients should reference FTA Circular 5010.1, which provides guidance for other FTA programs, for project management issues not unique to Section 5310.

In addition to the aforementioned program-specific requirements covered in the previous chapters of this circular and earlier in this chapter, FTA recipients are held to a number of FTA-specific and other Federal laws and requirements. Refer to FTA’s Master Agreement for additional requirements.

2. EQUIPMENT MANAGEMENT.

General. In general, under 2 CFR Part 200 (also referred to as the Uniform Guidance), States may use, manage, and dispose of equipment acquired under a Section 5310 grant in accordance with State laws and procedures. State recipients must dispose of federally assisted property acquired with an Award by the State in accordance with State laws and procedures. Subrecipients of States will follow such policies and procedures allowed by the State with respect to disposition of equipment acquired with an FTA Award. Per 2 CFR 200.313, if an item of equipment purchased with Federal assistance has met its minimum useful life and is sold for \$10,000 or less, the recipient may retain the full proceeds from the disposition. If the proceeds are greater than \$10,000, then, per 49 U.S.C. 5334(h)(4)(B), the recipient may retain \$5,000 and the percentage of the local share in the original Award of the remaining proceeds, with the remaining Federal share returned to FTA. In either case, selling and handling expenses are not permitted to be deducted from the amount returned or in determining the sale proceeds. Non-State Section 5310 recipients are not afforded the flexibility to follow internal procedures and are required to follow the requirements included in 2 CFR Part 200. Please see C. 5010.1 for specific guidance on disposition of equipment.

- a. Transfer of Property. Section 5310 (g) permits a recipient to transfer facilities and equipment acquired with assistance under Section 5310 to any entity eligible to receive assistance under 49 U.S.C. Chapter 53 with the consent of the entity currently in possession of such facilities or equipment, if the facility or equipment will continue

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to be used in accordance with the requirements of Section 5310. This provision complements the Uniform Guidance requirements regarding the management of equipment and extends the recipient's flexibility in the management of facilities, including real property.

The entity receiving equipment or facilities under this provision to provide Section 5310 service must comply with all the State and Federal requirements for Section 5310 recipients. The names of the entities involved in the transfer of equipment or real property, along with a description of the equipment or real property transferred, should be included in a new or revised POP. The transfer may be shown in the POP for any active Award. It does not have to be in the Award under which the equipment or property was originally funded.

In addition, 49 U.S.C. 5334(h)(1) through (3) allows facilities and equipment and other assets (including land) that are no longer needed for the purposes for which they were acquired to be transferred to a local governmental authority to be used for a public purpose with no further obligation to the Federal government or to a local governmental authority, nonprofit organization, or other third-party entity if, among other factors, it will be used for transit-oriented development (TOD) and includes affordable housing and if it is authorized by the Secretary of Transportation (i.e., approved by FTA). Recipients should review the current FTA Circular 5010.1 and contact their FTA Regional Office for further information.

- b. Vehicle Useful Life and Replacement Standards. FTA Circular 5010.1 provides guidance for recipients regarding vehicle useful life and replacement standards. The Uniform Guidance provides that a State will use, manage, and dispose of federally assisted property acquired under an Award by the State in accordance with State laws and procedures, 2 CFR 200.313(b). Designated Recipients that are not a State must adhere to the vehicle useful life criteria that are detailed in FTA Circular 5010.1.
3. VEHICLE USE. FTA encourages maximum use of vehicles funded under the Section 5310 program. Consistent with the requirements under 2 CFR Part 200, vehicles are to be used first for program-related needs for which a Section 5310 Award is made and then to meet other Federal programs or project needs, providing these uses do not interfere with the project activities originally funded. If the vehicle is no longer needed for the original program or project, the vehicle may be used in other activities currently or previously supported by a Federal agency. Disposition information is included in FTA Circular 5010.1. States and their subrecipients should follow State laws and procedures for disposing of equipment. Note there are specific requirements under 49 U.S.C. 5334

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pertaining to disposition, and these requirements are outlined in the current Award Management Circular (5010.1).

Vehicles may be used:

- a. For Section 5310 Project and Program Purposes. Recipients should consider how best to meet the needs of all seniors and people with disabilities in a particular community in the recipient's project selection process. The program must provide for maximum feasible coordination with transportation services assisted by other Federal sources. Subrecipients should be encouraged, to the extent feasible, to also provide service to seniors 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 seniors 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 situations in which it is not feasible for the agency to provide services to those in the community beyond its own clients, that agency must, when practicable, make the vehicle itself available to provide transportation service to other seniors and people with disabilities at times the agency is not using the vehicle for award-related purposes. The recipient 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 Programs or Project Purposes. During the period the vehicle is used to serve the project or program needs for which it was acquired, the recipient or 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 use will be given to other projects or programs sponsored by FTA, and second preference will be given to projects or programs sponsored by other Federal agencies. Finally, vehicles may be used by non-federally funded providers, first to meet the needs of seniors and people with disabilities and then to serve the transportation needs of the general public on an incidental basis.
- c. Incidental Use. Incidental use is when a recipient or subrecipient allows the use of federally funded assets by another entity for non-public transit purposes. Incidental use of federally funded assets is permitted for recipients of funding under all FTA programs, including Section 5310. The incidental use cannot interfere with the purpose of the original grant (2 CFR 200.313). That is, the non-transit activity may not reduce or limit transit service provided with those same assets. Incidental use, by definition, is not public transportation. Thus, it is impossible for an incidental use trip

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to be a public transportation trip. FTA is required to exclude service data for incidental use from the apportionment of formula grants.

- (1) For Meal Delivery. Under the Incidental Use policy, transit service providers receiving assistance under this section may coordinate and assist in providing meal delivery services for homebound people on a regular basis, if the meal delivery services do 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 may 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. For further information regarding incidental use, please refer to FTA Circular 5010.1.
4. LEASING VEHICLES ACQUIRED WITH SECTION 5310 FUNDS. Vehicles acquired under the Section 5310 program may be leased to other entities such as local governmental authorities or agencies, other private nonprofit agencies, or private for-profit operators. Under such a lease, the lessee operates the vehicles 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 contains the terms and conditions that must be met in providing transportation service to seniors and people with disabilities. Because the purpose of the Section 5310 grant is to provide transportation service to seniors and people with disabilities, other uses of the vehicle are permitted only as long as such uses do not interfere with service to seniors and people with disabilities.

The recipient, being responsible for ensuring that the terms and conditions of the original Award with FTA are met, must agree, in writing to each lease between the subrecipient and the lessee. Such an agreement should specify that the leased vehicle shall be used to provide transportation service to seniors and people with disabilities and that the vehicle may be used for incidental purposes only after the needs of these individuals have been met.

Recipients may lease any of their assets to others on an incidental basis so long as the lease agreement holds the lessee responsible for compliance with all of the requirements the recipient itself is responsible for. Thus, the lessee must adhere to applicable and relevant terms and conditions of FTA's master agreement in the maintenance and use of the asset. For example, a recipient may not lease its revenue vehicles to a private

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company to conduct charter operations except to the extent the recipient itself would be able to conduct charter operations.

A recipient may lease its assets to a private entity to operate in public transit service so long as the entity has been selected through a competitive process and so long as the lease agreement obliges the lessee to adhere to all of the applicable and relevant requirements of the FTA master agreement. A finite lease term, as well as a clear price and scope of work, should be established.

5. TITLE TO VEHICLES. When leasing a vehicle to another entity, the recipient is encouraged to either hold title or record a lien against the title to vehicles. This is not mandatory, however. What is mandatory is that the recipient establish continuing control over the vehicles and accept the responsibility for continued public transit use of the vehicles and, more particularly, use for Section 5310 purposes, whether by the recipient or a subrecipient. If there is a substantial public transit benefit to be gained, such as low-cost, blanket insurance or bulk purchase of fuels or maintenance and supplies at rates less expensive than available to the subrecipient, then the recipient should consider retaining title in a governmental entity that can provide for the same and agrees to be bound by all the terms and conditions of the Award.
6. SATISFACTORY CONTINUING CONTROL AND RESPONSIBILITY. When vehicles, capital equipment, or facilities are acquired, built, or improved for use by any entity utilizing FTA funding, provisions must be made to ensure satisfactory continuing control of the vehicles, capital equipment, and facilities funded. While the recipient may delegate these responsibilities to another entity, the recipient is ultimately responsible for compliance with this requirement.
7. REPORTING REQUIREMENTS.
 - a. Annual Program of Projects Status Reports. The status reports should be submitted electronically and are intended to meet minimal program information needs at the regional and national levels. Reports should include an updated POP for each approved Award that contains active projects. The updated POP should reflect revised project descriptions, changes in projects from one category to another, and adjustments within budget categories, if applicable. The updated POP can be imported as text into the project summary section of the Electronic Status Report.

If revisions to the POP result in changes to the line-item budget for the Award, appropriate prior approvals and post-award modifications, including amendments and budget revisions, may be required and documented in TrAMS. Significant civil rights compliance issues (such as Title VI, Equal Employment Opportunity [EEO], or

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Disadvantaged Business Enterprise [DBE] complaints against the recipient or subrecipients) occurring during the year should be addressed in the Annual Status report. In addition, the recipient may report notable accomplishments or problems involving Section 5310 subrecipients.

- b. Milestone Progress Reports (MPR). For Activity Line Items for which milestones were required at the time of grant application (e.g., for vehicle procurements, construction projects, and program reserve) and any added through post-award modifications, the recipient should enter revised milestone dates as part of the Annual Report. If the estimated completion date for the grant has changed, the revised date should be entered, with an explanation as to why the date has changed.
- c. Federal Financial Report (FFR). The recipient must submit electronically an annual FFR for each active Award for the period ending September 30. For the purpose of this report, funds are considered encumbered when agreements are signed with subrecipients. Reports should be prepared using the accrual method of accounting.
- d. Disadvantaged Business Enterprise (DBE) Reports. If the State or Designated Recipient receives planning, capital, and/or operating assistance and awards prime contracts exceeding \$250,000 in FTA funds in a Federal fiscal year, DOT regulations require the State or Designated Recipient to have a DBE program and establish a DBE goal methodology that applies to all direct and subrecipient contracting activity resulting from those funds. Subrecipients must follow the recipient's established DBE program. FTA recipients that meet the above thresholds must submit a DBE goal to FTA for review by August 1 at three-year intervals, based on a schedule established by FTA. Such recipients must also submit the Uniform Report of DBE Awards/Commitments on June 1 and December 1 of each year.
- e. Transit Vehicle Manufacturer Disadvantaged Business Enterprise (DBE) Program Requirement. Recipients must ensure that each transit vehicle manufacturer (TVM), as a condition of being authorized to bid or propose on FTA-assisted transit vehicle procurements, certifies that it has complied with the requirements of 49 CFR Part 26, "Participation by Disadvantaged Business Enterprises in Department of Transportation Financial Assistance Programs." The recipient is obligated to determine, by checking the TVM listing on [FTA's website](#) or by checking with FTA's Office of Civil Rights at the time of bid opening, that the manufacturer likely to receive the contract is in compliance with Part 26.

TVMs must establish and submit to the FTA Office of Civil Rights for approval an annual overall percentage goal. In setting this overall goal, manufacturers should be guided, to the extent applicable, by the principles underlying 49 CFR 26.45. TVMs

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that are certified to bid on federally funded transit agency contracts are listed on FTA's website. For further guidance, contact the FTA Office of Civil Rights.

8. NATIONAL TRANSIT DATABASE (NTD) REPORTING. Section 5335(c) requires all FTA recipients, including recipients under Section 5310, to report an asset inventory or condition assessment conducted by the recipient to the NTD

9. DRUG AND ALCOHOL TESTING. Recipients or subrecipients that receive only Section 5310 program assistance are not subject to FTA's D&A testing rules but must comply with the Federal Motor Carrier Safety Administration (FMCSA) rule for all employees who hold commercial driver's licenses (49 CFR Part 382). Section 5310 recipients and subrecipients that also receive funding under one of the covered FTA programs (Section 5307, 5309, or 5311) should include any employees funded under Section 5310 projects in their testing program. An FTA compliant testing program, as required by the receipt of FTA operating or capital funding (5307, 5309, 5311), may be used for Section 5310 employees; there is no need to have separate testing programs. Employees of a subrecipient of Section 5310 funds from a State or Designated Recipient of another FTA program (e.g., 5307 or 5311) should also be included in the Designated Recipient's testing program. States and Designated Recipients that receive funds for Sections 5307, 5309, or 5311, in addition to Section 5310, should consult FTA's regulation at 49 CFR Part 655, "Prevention of Alcohol Misuse and Prohibited Drug Use in Transit Operations." The regulation applies to recipients of funds identified above. The regulation requires that FTA recipients follow the D&A testing procedures found in applicable FTA (49 CFR Part 655) and DOT (49 CFR Part 40) regulations.

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CHAPTER VII

STATE AND PROGRAM MANAGEMENT PLANS

1. GENERAL. The SMP is a document that describes the State's policies and procedures for administering FTA's Section 5310, 5311, and 5339(a) programs. The PMP is a document that describes the Designated Recipient's policies and procedures for administering FTA's Section 5310 program in a large urbanized area. The requirements for the PMP are the same as those for the SMP with exception that the PMP is developed by Designated Recipients in large urbanized areas, whereas the SMP is developed by the State.

Each recipient, whether a State or a Designated Recipient in a large urbanized area, is required to have an approved SMP/PMP on file with the appropriate FTA Regional Office and to update it regularly to incorporate any changes in program management or new requirements. The recipient shall provide an opportunity for review by stakeholders when it develops a new plan or significantly revises an existing plan. In addition, development of SMP/PMPs should be done in the context of local and statewide planning processes. Certain contents of the SMP/PMP, such as coordination of service, project selection criteria, and method of distributing funds, should be coordinated with the STIP and TIP.

At the State level, the State may include the required SMP for Section 5310 and 5311 and 5339(a) programs in a single document or separate documents. Further, where Designated Recipients serve multiple population areas (e.g., the State is the Designated Recipient for a large urbanized area(s) and areas under 200,000 in population), the Designated Recipient may choose to have a single management plan, provided it adequately addresses policies and procedures for each of the areas and subrecipients from the respective population areas know which policies and procedures are relevant to them.

2. PURPOSE. The SMP/PMP is intended to facilitate both recipient management and FTA oversight by documenting the State's and Designated Recipient's procedures and policies for administering the Section 5310 program. The SMP/PMP should be a document that is useful to the State, Designated Recipient, subrecipients, and FTA. At a minimum, this document must include the recipient's program objectives, policies, procedures, and administrative requirements in a form readily accessible to potential subrecipients, recipient staff, FTA, and the public. The SMP/PMP's primary purposes are to serve as the basis for FTA to perform recipient-level management reviews of the program and to provide public information on the recipient's administration of the Section 5310 program. It may also be used internally by the recipient as a program guide for local project

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applicants. If the recipient has other relevant documentation that provides the same information requested for the SMP/PMP, such as an annual application instructions manual, it may be included by reference as an attachment.

3. MANAGEMENT PLAN REVIEWS. FTA conducts oversight reviews to assess recipient compliance with Federal requirements. When a State Management or Triennial Review is scheduled, FTA's contractors request a copy of the current SMP or PMP as part of the Recipient Information Request. The contractor confirms with the FTA Regional Office that the SMP or PMP received is the current FTA approved plan and that there have been no changes. During the site visit, the Contractor determines if the plan reflects current policy and procedures as the related area is addressed and discusses any significant changes made to the plan since the last review. Review findings relating to the SMP might include recommendations that the Designated Recipient revise the SMP/PMP to reflect its actual procedures or that it change its procedures, document them in revisions to the SMP/PMP, and submit to the FTA Regional Office for approval.
4. MANAGEMENT PLAN CONTENT. While there is no prescribed format for the SMP/PMP, the plan should address the following topics and provide the information as requested for each topic below.
 - a. Program Goals and Objectives. Describe the philosophy and policy underlying the recipient's management of the Section 5310 program. Include a description of any process that exists for establishing long-term goals for providing transportation services to seniors and people with disabilities in the recipient's area, including the process for long range planning and consultation with elected officials.
 - b. Roles and Responsibilities. Specify the agencies designated to administer the Section 5310 program. Explain the respective roles and responsibilities of the recipients and their subdivisions, other recipient agencies or review boards, local governments, private providers, local applicants, and other involved parties.
 - c. Coordination. Describe how the recipient coordinates with other agencies at the State or Designated Recipient level and encourages and enhances coordination at the project level. This could include a description of any recipient-level coordinating mechanisms, legislation, review boards, and State or Designated Recipient policies that encourage or mandate coordination at the local level.
 - d. Eligible Subrecipients. Describe which entities are eligible to apply for funds and describe any recipient eligibility requirements that are more restrictive than Federal eligibility.

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- e. Local Share and Local Funding Requirements. Describe any recipient policies on provision of local matching share. Include a description of any programs which provide matching funds for Section 5310.
- f. Project Selection Criteria and Method of Distributing Funds. A competitive selection process is not required; whether or not the recipient engages in a competitive selection process, the recipient should describe the recipient's criteria for selecting projects and distributing funds among various applicants. Whether the recipient uses a formula for allocation, imposes its own limitations on use of the funds, or uses an entirely discretionary selection process, the plan should explain the policy rationale and the methods used. This description should include the recipient's procedures for (1) assuring equity of distribution of benefits among eligible groups within the State or urbanized area, as required by title VI of the Civil Rights Act; (2) assuring that projects were included in a locally developed coordinated plan; and (3) documenting evidence that the local coordinated plan was developed and approved in cooperation with stakeholders, including individuals with disabilities and seniors utilizing transportation services.
- g. Annual Program of Projects Development and Approval Process. Describe the recipient's process and timetable for soliciting, reviewing, and approving applications for local projects to be included in the State's annual POP for Section 5310. The SMP/PMP may include instructions to potential subrecipients on how to prepare local project applications.
- h. State Administration, Planning, and Technical Assistance. Describe how the recipient uses Section 5310 funds within the 10 percent limitation for administration, planning, and technical assistance. Also describe additional resources, including planning, technical, and management assistance, the recipient makes available to local areas and/or subrecipients.
- i. Transfer of Funds. Describe any policy the State has for transferring funds between rural and small urbanized areas or to any area of the State if the State has a statewide program for meeting the objectives of Section 5310.
- j. Private Sector Participation. Describe the recipient's procedures for providing for maximum feasible participation by private providers of public transportation.
- k. Civil Rights. Describe how the recipient meets Federal civil rights requirements and monitors subrecipients to ensure compliance with the requirements of title VI, EEO, and DBE. The management plan must include title VI requirements detailed in FTA Circular 4702.1B, "Title VI Requirements and Guidelines for Federal Transit

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- Administration Recipients,” including the recipient’s efforts to assist minority applicants and to include subrecipients serving significant minority populations.
- l. Section 504 and ADA Reporting. Describe the recipient’s method for monitoring subrecipients’ compliance with Section 504 and ADA regulations and for processing the plans, reports, and certifications submitted to it under the provisions of those regulations. In particular, if the recipient’s Demand Response (DR) fleet does not consist of 100 percent accessible vehicles, describe the recipient’s activities to ensure that equivalent service is provided to persons with disabilities, including wheelchair users.
 - m. Program Measures. Describe the recipient’s method for collecting and reporting the data for program measurement described in Chapters II and VI of this circular.
 - n. Program Management. Describe how the recipient administers its program management responsibilities in such areas as procurement; financial management; property management; vehicle use; maintenance and disposition; accounting systems; audit; and closeout. In addition, include any procedures for management, financial reviews, project monitoring, or on-site reviews. Describe any standards set by the recipient for matters such as productivity, cost effectiveness, or service standards. Detail any reporting requirements.
 - o. Other Provisions. Describe the process by which the recipient complies with other Federal requirements, such as environmental protection; Buy America provisions; pre-award and post-delivery reviews; restrictions on lobbying; prohibition of exclusive school transportation; and D&A testing, including the State’s procedures for monitoring compliance by subrecipients.
5. MANAGEMENT PLAN REVISIONS. All recipients must have an SMP/PMP approved by FTA on file with the FTA Regional Office. An approved SMP/PMP remains valid until FTA approves a later plan submitted by the recipient, an FTA management review results in a specific request to the recipient by FTA for a revised SMP/PMP, or FTA announces significant new program documentation requirements. FTA strongly encourages the recipient to issue timely revisions to the SMP/PMP, particularly when information helpful to minority applicants, subrecipients, and third-party contractors is involved. When the recipient proposes significant revisions to the SMP/PMP, it should give an opportunity to comment, at minimum, to potential subrecipients of assistance, potential service providers, other State agencies and representatives of other funding sources, and any relevant State associations and professional organizations.

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If revisions are substantive but not pervasive, the recipient may submit changes and additions in the form of page changes that can be approved by FTA and incorporated into the SMP/PMP on file. If the recipient changes the SMP/PMP significantly, however, it should submit the entire revised plan to FTA for approval. The recipient is responsible for ensuring that FTA has a complete copy of the current SMP/PMP. The recipient may submit minor changes and technical corrections to FTA to update the approved plan, without the need for additional FTA approval.

APPENDIX A
SAMPLE SECTION 5310 PROGRAM OF PROJECTS

State:	
5310 Fiscal Year	
Apportionment (DS, DM, DL) ¹ :	\$
Carryover:	
Transfer Funds (plus or minus):	
Total Funds Available:	
Total number of subrecipients funded in this Program of Projects:	

1. **LIST OF PROJECTS.** Required subrecipient information includes the name of entity receiving the Award, amount of Award, location of the entity receiving the Award, and the primary location of performance under the Award, including the city or county and Congressional District.

¹ (DS = Rural Areas (under 50,000); DM - Small Urbanized Areas (50,000-200,000); DL = Large Urbanized Areas (200,000 or more))

2. CAPITAL, OPERATING, AND PROGRAM ADMINISTRATION.

(Projects may include reasonable contingencies. Subrecipient Types may include: a nonprofit organization, State or local governmental authority, or operators of public transportation).

Program of Projects & Subrecipients	City	Service Area Urban/Rural	Sub Type Private/Public	Project Description /ALI	Quantity	FTA Amount	Local Amount	Total Amount	Coordination Plan Date & Page	Eligible Project Type ²	Capital/Operating
Category A											
Sub A										(A)	
Sub B										(C)	
Sub C										(D)	
Sub D										(A)	
Sub E										(B)	
Total											
Category B											
Sub F										(A)	
Total											
Program Admin											
Grand Total											
Total Traditional 5310 55% Capital Amount											
Total Other Capital Amount											
Total Operating Expense Amount											

² Eligibility Project Type refers to 49 U.S.C. 5310 (b)(1) criteria

3. STATE ADMINISTRATION, PLANNING, AND TECHNICAL ASSISTANCE.

Funds not to exceed 10 percent of Section 5310 apportionment and any flex funds transferred to the Section 5310 account may be used to provide a 100 percent Federal share.

Subtotal State Administration (funded at 100 percent):	
SUBTOTAL STATE ADMINISTRATION:	

A list of technical assistance and training resources available for providers of human services transportation can be found on [FTA's website](#).

APPENDIX B

RELATIONSHIP BETWEEN COORDINATED PLANNING AND METROPOLITAN AND STATEWIDE PLANNING (TABLE)

Plan Name	Summary
Coordinated Public Transit - Human Services Transportation Plan	<p>49 U.S.C. 5310 requires preparation of a locally developed, coordinated public transit–human services transportation plan (coordinated plan) for all activities funded with Section 5310 funds.</p> <p>The coordinated plan is required to be developed and approved through a process that includes participation by seniors; individuals with disabilities; representatives of public, private, and nonprofit transportation and human service providers; and other members of the public. The services funded will be coordinated with transportation services assisted by other Federal departments and agencies, including any transportation activities carried out by a recipient of an Award from the Department of Health and Human Services, to the maximum extent feasible. This plan includes:</p> <ul style="list-style-type: none"> • An assessment of available services that identifies current transportation providers (public, private, and nonprofit); • An assessment of transportation needs for individuals with disabilities, seniors, and people with low incomes; • Strategies, activities, and/or projects to address the identified gaps between current services and needs, as well as opportunities to improve efficiencies in service delivery; and • Priorities for implementation based on resources (from multiple program sources), time, and feasibility for implementing specific strategies or activities identified. <p>The coordinated plan serves as the foundation for the program of projects and should be integrated into the metropolitan and statewide transportation planning processes and documents to demonstrate local policy support and Federal fund eligibility.</p>

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Plan Name	Summary
<p>Metropolitan Transportation Plan or Statewide Long-Range Transportation Plan</p>	<p>The Metropolitan Transportation Plan (MTP) is the official multimodal transportation plan that is developed, adopted, and updated by the MPO through the metropolitan transportation planning process. The MTP represents the consensus of State and local officials in the long-range (not less than 20 years) policies and investment priorities for the transportation system in metropolitan areas. The MTP includes both long-range and short-range program strategies/actions that lead to the development of an integrated intermodal transportation system that facilitates the efficient movement of people and goods.</p> <p>The statewide long-range transportation plan is a comparable plan that includes non-metropolitan and rural portions of the State as well as the MTP.</p> <p>MTP or statewide long-range transportation plan does the following:</p> <ul style="list-style-type: none"> • Identifies policies, strategies, and projects for the future; • Determines project demand for transportation services over 20 years; • Provides a focus on the systems level, including roadways, transit, nonmotorized transportation, and intermodal connections; • Provides estimated costs and identifies reasonably available financial sources for operation, maintenance, and capital investments; and • Articulates regional land use patterns, development trends, housing and transportation connections, mobility needs, and employment goals and plans. <p><i>Connections to the coordinated plan: By direct inclusion of or explicit reference to the coordinated plan, projects or strategies serving human services transportation needs over the 20-year planning horizon should be referenced in the MTP or statewide long-range transportation plan.</i></p>

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Plan Name	Summary
<p>Transportation Improvement Program</p>	<p>The Transportation Improvement Program (TIP) is a prioritized, financially constrained four-year program of federally supported projects addressing the most immediate implementation and priorities from the MTP. The TIP is developed and adopted by the MPO as part of the metropolitan transportation planning process and represents a consensus of State and local decision makers for allocating funds among the various capital and operating needs of the area.</p> <p>Under Federal law, the TIP:</p> <ul style="list-style-type: none"> • Covers a minimum four-year period of investment and is updated at least every four years; • Represents realistic expectations on available funding (known as a fiscally constrained TIP) for projects and is not just a wish list; • Is incorporated into the Statewide Transportation Improvement Program (STIP); and • Has projects that are drawn from or consistent with the MTP. <p><i>Connections to the coordinated plan: All strategies proposed for funding under FTA’s Section 5310 program are required to be listed in the TIP, which may include discrete projects or more aggregated program-level information. For example, a nonprofit seniors vanpool service could be listed in the TIP if it received a Section 5310 Award, or the TIP may just reference the amount of Section 5310 funding available to the area on an annual basis.</i></p>

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Plan Name	Summary
<p>Statewide Transportation Improvement Program</p>	<p>The STIP is a statewide prioritized, financially constrained four-year program of federally supported projects that is consistent with the statewide long-range transportation plan, MTPs, and TIPs. Joint approval by FTA and FHWA renders the projects, programs, and strategies contained in the STIP eligible for funding under FTA and FHWA programs.</p> <p>Under Federal law, the STIP:</p> <ul style="list-style-type: none"> • Covers a minimum four-year period of investment and is updated at least every four years; • Is realistic in terms of available or anticipated funding (known as a fiscally constrained STIP) and is not just a wish list of projects; and • Contains the projects, strategies, and programs of TIPs from throughout the State, as well as projects, programs, and strategies from non-metropolitan areas. <p><i>Connections to the coordinated plan: All strategies proposed for funding under FTA’s Section 5310 program are required to be listed in the STIP, which may include discrete projects or more aggregated program-level information. For example: a nonprofit seniors vanpool service could be listed in the STIP if it received a Section 5310 Award, or the STIP may just reference the amount of Section 5310 funding available to the area on an annual basis. Strategies and/or projects that receive Federal funding are required to be listed in the STIP—verbatim or by reference to the project listing included in TIPs of metropolitan areas of the State.</i></p>
<p>Program of Projects</p>	<p>FTA requires a POP for processing Section 5310 Awards. The POP is submitted to FTA for approval with the TrAMS grant application. The POP lists the subrecipients and indicates whether they include private nonprofit agencies, governmental authorities, or private operators of public transportation services and, in the case of a State application, designates whether they serve urbanized or rural populations and identifies any Indian Tribal agencies. In addition, the POP includes a brief description of the projects, total project costs, and the 5310 share for each project. The POP should also include funding amounts required for planning, technical assistance, and program administration.</p>

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