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SENATE FILE 363  
BY COMMITTEE ON TRANSPORTATION

(SUCCESSOR TO SF 149)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act establishing a senior citizen and disabled persons  
2 transportation pilot program in the state department of  
3 transportation, making an appropriation, and providing  
4 effective dates.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 363

1 Section 1. LEGISLATIVE INTENT. It is the intent of the  
2 general assembly to create a flexible, accessible, affordable,  
3 and equitable transportation system which will allow Iowans  
4 who have disabilities or are elderly to have a choice in  
5 accessing transportation regardless of geographic location.

6 Sec. 2. DEFINITIONS.

7 As used in this Act:

8 1. "Department" means the state department of  
9 transportation.

10 2. "Disability" means, with respect to an individual, a  
11 physical or mental impairment that substantially limits one or  
12 more of the major life activities of the individual, a record  
13 of physical or mental impairment that substantially limits one  
14 or more of the major life activities of the individual, or  
15 being regarded as an individual with a physical or mental  
16 impairment that substantially limits one or more of the major  
17 life activities of the individual. "Disability" does not  
18 include any of the following:

19 a. Homosexuality or bisexuality.

20 b. Transvestitism, transsexualism, pedophilia,  
21 exhibitionism, voyeurism, gender identity disorders not  
22 resulting from physical impairments, or other sexual behavior  
23 disorders.

24 c. Compulsive gambling, kleptomania, or pyromania.

25 d. Psychoactive substance abuse disorders resulting from  
26 current illegal use of drugs.

27 3. "Hours of operation" means the actual hours that a  
28 service provider is open to provide transportation services.

29 4. "Major life activity" includes functions such as caring  
30 for oneself, performing manual tasks, walking, seeing,  
31 hearing, speaking, breathing, learning, or working.

32 5. "Senior citizen" means an individual who is sixty years  
33 of age or older.

34 6. "Transit system" means a public transit system defined  
35 in section 324A.1.

1 Sec. 3. SENIOR CITIZEN AND DISABLED PERSONS TRANSPORTATION  
2 PILOT PROGRAM.

3 1. The department shall establish a pilot program to  
4 provide transportation for senior citizens and persons with  
5 disabilities. The pilot program shall involve four one-year  
6 pilot projects commencing on July 1, 1998. The pilot program  
7 shall be implemented by the department in cooperation with an  
8 oversight committee established by the department as follows:

9 a. The committee shall be comprised of eleven members,  
10 appointed by the director of the department in accordance with  
11 sections 69.16 and 69.16A.

12 b. Eight members of the committee shall be senior citizens  
13 and persons with disabilities who are currently transit system  
14 users.

15 c. Three members of the committee shall be employees of  
16 the department.

17 d. Membership on the committee shall, to the extent  
18 possible, be geographically balanced.

19 2. The committee shall have the following duties:

20 a. To develop a request for proposals to be issued by the  
21 department, not later than October 1, 1997, to all transit  
22 systems in the state regarding participation in the pilot  
23 program and develop requirements for submission of proposals.

24 b. To select, not later than April 1, 1998, four transit  
25 systems to participate in the pilot program.

26 c. To oversee operation of the pilot program and report to  
27 the department and the general assembly not later than  
28 December 31, 1999, regarding the pilot program. The report  
29 shall contain information regarding the utilization of  
30 transportation services by senior citizens and persons with  
31 disabilities which were provided by each participating transit  
32 system, the costs of providing the services which are incurred  
33 by each participating transit system, and recommendations  
34 regarding whether the pilot program should be expanded,  
35 modified, or eliminated.

1 d. To develop minimum required hours of operation and  
2 service user fees for the four transit systems selected to  
3 participate in the pilot program.

4 3. Public members of the committee shall receive their  
5 actual and necessary expenses associated with their official  
6 duties in serving on the committee.

7 Sec. 4. SELECTION OF TRANSIT SYSTEMS. The four transit  
8 systems selected by the committee to participate in the pilot  
9 program shall meet the following criteria:

10 1. Provide transportation services to all persons with  
11 disabilities or senior citizens within the service area of the  
12 transit system regardless of age or disability.

13 2. Provide transportation services seven days a week,  
14 including holidays, with hours of operation that meet the  
15 minimum requirements established by the committee and that are  
16 sufficient to meet the needs of persons with disabilities and  
17 senior citizens, including operation during evenings and on  
18 weekends.

19 3. Have the capability to respond to individual requests  
20 for transportation services, including door-to-door service.

21 4. Coordinate with neighboring transit systems to allow  
22 persons with disabilities and senior citizens to travel  
23 outside the service area of the pilot project transit system.

24 5. Be able to commence operations on July 1, 1998.

25 6. Establish a local advisory board to oversee the pilot  
26 project consisting of five persons with disabilities, five  
27 senior citizens, and one representative of the transit system.  
28 The advisory board shall meet at least quarterly to address  
29 service user and transit system concerns and shall develop a  
30 service user survey and forward the results to the department.

31 Sec. 5. APPROPRIATION. There is appropriated from the  
32 general fund of the state to the state department of  
33 transportation for the fiscal year beginning July 1, 1997, and  
34 ending June 30, 1998, the following amount, or so much thereof  
35 as is necessary, to be used for the purposes designated:

1 For the senior citizen and disabled persons transportation  
2 pilot program, including official expenses of members of the  
3 pilot program oversight committee, support, miscellaneous  
4 purposes, and for providing \$225,000 to each of the four  
5 transit systems chosen for the pilot program:

6 ..... \$ 1,000,000

7 The department may utilize up to \$100,000 of the funds for  
8 administrative costs and expenses of the oversight committee,  
9 which may include the costs of a program administrator. Each  
10 transit system selected for the pilot program may use up to  
11 \$50,000 of the funds allocated to the transit system for  
12 administrative costs.

13 Notwithstanding section 8.33, moneys appropriated in this  
14 section which remain unexpended or unobligated at the close of  
15 the fiscal year shall not revert to the general fund of the  
16 state but shall remain available for expenditure in the  
17 succeeding fiscal year. Funds remaining unobligated on June  
18 30, 1999, shall revert to the general fund of the state.

19 Sec. 6. EFFECTIVE DATES. Section 3, subsection 1, of this  
20 Act, being deemed of immediate importance, takes effect upon  
21 enactment. The remainder of the Act takes effect on July 1,  
22 1997.

23 EXPLANATION

24 This bill establishes a senior citizen and disabled persons  
25 transportation pilot program in the state department of  
26 transportation. The bill requires the department to establish  
27 an oversight committee to implement the pilot program  
28 consisting of eight members who are persons with disabilities  
29 and senior citizens and three members who are department  
30 employees. The committee is to develop a request for  
31 proposals to be distributed to transit systems in the state,  
32 select four transit systems to participate in the pilot  
33 program, and prepare a report to the department and the  
34 general assembly on the pilot program. The committee is to be  
35 politically and gender balanced and as geographically balanced

1 as possible.

2 The committee is to select four transit systems to  
3 participate in the pilot program based on their ability to  
4 provide transportation services to senior citizens and persons  
5 with disabilities in a flexible manner on a seven-days-a-week  
6 basis and during sufficient hours of operation to meet the  
7 needs of the senior citizens and persons with disabilities in  
8 the transit system's service area. Each transit system  
9 selected shall form an advisory board consisting of five  
10 members who are senior citizens and five members who have  
11 disabilities and one representative from the transit system.

12 The bill directs the department to issue the request for  
13 proposals not later than October 1, 1997, and directs the  
14 oversight committee to select the four participating transit  
15 systems not later than April 1, 1998, and to provide a report  
16 to the department and the general assembly not later than  
17 December 31, 1999. The actual transportation service portion  
18 of the pilot program shall last one year, from July 1, 1998,  
19 to June 30, 1999.

20 The bill defines several terms, including "senior citizen"  
21 (a person age 60 or older) and "transit system" (defined as a  
22 public, regional, or urban transit system under Code chapter  
23 324A). The bill defines the term "disability" the same as  
24 defined in Code section 15.102, subsection 5.

25 The bill takes effect on July 1, 1997, except for the  
26 provisions regarding the establishment of the committee by the  
27 department, which take effect upon enactment.

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