

**CHAPTER 1200**  
**TRANSIT SYSTEMS**  
*H.F. 2386*

**AN ACT** relating to transportation programs by defining a public transit system, requiring coordinated funding and services, establishing criteria to determine compliance, and providing penalties for violations.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 601J.1, Code 1983, is amended by adding the following new subsections:

**NEW SUBSECTION. 5.** "Public transit system" means an urban or regional transit system providing transit services accessible to the general public and receiving federal, state or local tax support.

**NEW SUBSECTION. 6.** "Urban transit system" means a system designated by the department in which motor buses are operated primarily upon the streets of cities for the transportation of passengers who present themselves for transportation without discrimination up to the limit of the capacity of each motor bus. "Urban transit system" also includes motor buses operated upon the streets of adjoining cities, whether interstate or intrastate for the transportation of passengers without discrimination up to the limit of the capacity of each motor bus. A privately chartered bus service or interurban carrier subject to the jurisdiction of the state department of transportation is not an urban transit system.

**NEW SUBSECTION. 7.** "Regional transit system" means a public transit system serving one county or all or part of a multicounty area whose boundaries correspond to the same boundaries as those of the regional planning areas designated by the governor except as agreed upon by the county and the department. Each county, through the county board of supervisors, within the region shall be responsible for determining the service and funding within its own county. However, the administration and overhead support services for the regional transit system shall be consolidated into one existing or new agency to be mutually agreed upon by the participating members.

**NEW SUBSECTION. 8.** "Transportation" means the movement of individuals in a four or more wheeled motorized vehicle designed to carry passengers, including a car, van, or bus, between one geographic point and another geographic point. "Transportation" does not include emergency or incidental transportation or transportation conducted by the department of human services at its institutions.

Sec. 2. Section 601J.2, unnumbered paragraph 1 and subsections 1 and 2, Code Supplement 1983, are amended to read as follows:

The department ~~may~~ shall, at the request of a state agency, political subdivision, or public transit system or organization affected by this chapter, provide to them the following technical transportation assistance to the political subdivision:

1. An evaluation of existing urban and rural transportation public transit systems, including but not limited to an evaluation of rolling stock, the costs of operation including the costs of fuel, maintenance and personnel and the development of common management and operating systems and procedures.

2. An analysis of existing urban and rural transit system services provided for transportation disadvantaged persons and the service needs of transportation disadvantaged persons, including an evaluation of specialized equipment required to meet the service needs of transportation disadvantaged persons.

Sec. 3. Section 601J.3, unnumbered paragraph 1, Code 1983, is amended to read as follows:

The department ~~may~~ shall at the request of a political subdivision, or public and private providers of transportation services affected by this chapter assist ~~such~~ the providers in the development of a fiscal and service plan which may be used by ~~political subdivisions~~ them to co-ordinate and consolidate all forms of urban and rural transportation services except public school transportation, including but not limited to, the following:

Sec. 4. Section 601J.4, subsection 1, Code 1983, is amended to read as follows:

1. The department shall compile and maintain current information on available and pending federal, state, local, and private aid ~~effecting~~ affecting urban and rural public transit programs. Public, private, and private nonprofit organizations applying for or receiving federal, state or local aid for providing transit services shall provide a copy of their fiscal year operating budget annually prior to ~~December~~ June 1 depicting funds used for public transit programs and such other information as the department may require prior to receiving any federal or state funds or any aid from a political subdivision of the state. The operating budget shall list all of the funding sources of the organization along with the listing of funds expended by that organization during the preceding fiscal year. The department, in co-operation with the regional planning agencies as the responsible agency for annual updating the regional transit development programs, shall compile this information annually. Any state agency or organization administering funds for transit services is required to submit all funding requests through the regional and state clearinghouse and the state department of transportation. Any organization ~~receiving federal, state or local aid to provide or contract for transit services, state agency, political subdivision, and public transit system, except public school transportation, must be in compliance with the state transit plan receiving federal, state or local aid to provide or contract for public transit services or transportation to the general public and specific client groups, must coordinate and consolidate funding and resulting service, to the maximum extent possible, with the urban or regional transit system.~~

Sec. 5. Section 601J.4, subsection 2, Code 1983, is amended to read as follows:

2. Upon request, the department shall provide assistance to political subdivisions, state agencies, and organizations affected by this chapter for federal aid applications for urban and rural ~~public~~ transit system program aid. The department, in co-operation with the regional planning agencies, shall maintain current information reflecting the amount of federal, state and local aid received by the public and private nonprofit organizations providing public transit services and the purpose for which ~~such~~ the aid is received. The department shall annually prepare a report to be submitted to the general assembly, the office for planning and programming, and to the governor, prior to February 1 of each year, stating the receipts and disbursements made during the preceding fiscal year and the adequacy of programs financed by federal, state, local, and private aid in the state. The department shall analyze the programs financed and recommend methods of avoiding duplication and increasing the efficacy of programs financed. The department shall receive comments from the department of human services, commission on aging, and the officers and agents of the other affected state and local government units relative to the department's analysis. The department shall use the following criteria to adopt rules to determine compliance with and exceptions to subsection 1:

a. Elimination of duplicative and inefficient administrative costs, policies and management.

- b. Utilization of resources for transportation services effectively and efficiently.
- c. Elimination of duplicative and inefficient transportation services.
- d. Development of transportation services which meet the needs of the general public and insure services adequate to the needs of transportation disadvantaged persons.
- e. Protection of the rights of private enterprise public transit providers.
- f. Coordination of planning for transportation services at the urban and regional level by all agencies or organizations receiving public funds that are purchasing or providing transportation services.
- g. Management of equipment and facilities purchased with public funds so that efficient and routine maintenance and replacement is accomplished.
- h. Training of transit management, drivers and maintenance personnel to provide safe, efficient, and economical transportation services.

Eligibility to receive or expend federal, state or local funds for transportation services by all agencies or organizations purchasing or providing these services shall be contingent upon compliance with these criteria as determined by the department, except that services provided by or purchased by the department of human services, which include transportation, shall be subject to section 601J.5, subsection 3, paragraph c.

Sec. 6. Chapter 601J, Code 1983, is amended by adding the following new section:

**NEW SECTION. 601J.5 COORDINATION OF TRANSPORTATION SERVICES.** The department of human services, commission on aging, and the officers and agents of other state and local governmental units shall assist the department in carrying out section 601J.4, subsections 1 and 2, insofar as the functions of these respective officers and departments are concerned with the health, welfare and safety of any recipient of transportation services.

1. Prior to July 1, 1985 all agencies or organizations purchasing or providing transportation services, except public school transportation, with federal, state or local funds shall comply with section 601J.4.

2. Any agency or organization found to be in noncompliance with section 601J.4 shall be notified in writing by the department of those activities which are not in compliance. The notice shall also provide for a period of thirty days during which compliance with section 601J.4 can be accomplished without penalty or sanction.

3. If noncompliant activities continue after the period of thirty days, the department shall, in cooperation with the attorney general and the state comptroller, initiate the following actions:

a. If the activities that are not in compliance with section 601J.4 are funded with state or federal funds which are administered by the state and can be used by agencies or organizations that are in compliance with section 601J.4, then upon notice by the department, the state comptroller shall not permit the expenditure of ten percent of the funds during fiscal year 1986, an additional twenty percent of funds during the following year, an additional thirty percent during the third year, and the remaining funds in the fourth year that the activities remain in noncompliance. Any funds retained by the state comptroller shall be distributed to agencies and organizations eligible to receive the funds for transportation purposes.

b. If the activities that are not in compliance with section 601J.4 are funded with state, federal or local funds which are not administered by the state or cannot be used by agencies and organizations that are in compliance with section 601J.4, then upon notice by the department, the attorney general shall file an action to enjoin agencies or organizations from expending funds for transportation purposes until and unless compliance with section 601J.4 is achieved. If federal funds are involved in such cases, then the attorney general shall notify the responsible federal agency of the actions and request its cooperation.

c. The department of human services shall not purchase services from any provider which has been denied a certificate of compliance with chapter 601J from the department.

d. The department shall establish an appeal process under chapter 17A which allows those agencies or organizations determined to not be in compliance with this chapter an opportunity for a timely hearing before the department.

e. The department shall, in accordance with chapter 17A, adopt and enforce rules setting minimum standards for determination of compliance and certification. The rules and standards required by this section shall be formulated in consultation with all affected state agencies, local government units with professional and consumer groups affected, and shall be designed to further the accomplishment of the purposes of this chapter.

Sec. 7. The department shall establish two pilot projects to evaluate the feasibility of developing area-wide ride-sharing programs. One pilot project shall be located in an urban area and the other in a rural area. The department shall coordinate its efforts with state and local agencies, existing transportation providers and planning agencies. The department shall consult with public and private organizations to ascertain ride-sharing needs and opportunities for client participation. Ride-sharing in privately-owned vehicles shall be included in the project. The department shall monitor the progress of the projects and report at least once annually to the general assembly and participating agencies. It is intended that if the pilot programs prove that ride-sharing is feasible, administration will be delegated to the urban and regional transit systems. The department shall implement in the pilot projects appropriate telecommunications and data processing technology to implement ride-sharing programs.

Approved May 8, 1984

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## CHAPTER 1201

### COUNTY PUBLIC HOSPITAL PURCHASES

*H.F. 2354*

**AN ACT** relating to the purchase of equipment and supplies by the board of trustees of a county public hospital.

*Be It Enacted by the General Assembly of the State of Iowa:*

Section 1. Section 347.13, subsection 2, Code 1983, is amended to read as follows:

2. Cause plans and specifications to be made and adopted for all hospital buildings and equipment, and advertise for bids, as required by law for other county buildings, before making any a contract for the construction of any such a building or the purchase of such equipment.

Sec. 2. Section 347.13, Code 1983, is amended by inserting after subsection 2 the following new subsection and renumbering the subsequent subsections:

NEW SUBSECTION. Procure equipment under bidding and contracting requirements prescribed by the board and procure supplies necessary for the operation of the hospital.

Approved May 4, 1984