



Kids, Schools and Public Transit

Minnesota Public Transportation
Conference

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In general, here's what you **can't** do:

- Exclude members of the general public
- Compete with private operators





Can children ride your bus to school?

It depends...

- Federal School Bus Regulations
- Federal Charter Regulations
- Minnesota Statutes and Rules





Federal Guidance – School Bus Operations (see 49 CFR Part 605)

What about field trips and school-sponsored activities?

No, not if it's exclusive

But, may do it if

- ▶ One or more of the charter exceptions apply
- ▶ No willing and able charter operator available
- ▶ Significant number of persons with disabilities





Exclusivity

Does that mean I can provide exclusive service for students with disabilities?

No

It can't be exclusive, but it's okay if it conforms with charter regulations.

The student may also use paratransit service.





Brokered Service

What if a broker wins the local school bus service contract and wants to subcontract with the public transit system to provide services for students with disabilities?

No. Any use of the public transit system for exclusive use is prohibited. Charter exceptions apply.





Regular public transit

Can kids ride the regular transit bus to school?

Yes, it's called tripper service

Must be

- ▶ Regularly scheduled (in your service plan)
- ▶ Open to all members of the public
- ▶ May be modified to accommodate needs of students
- ▶ May use various forms of fare collection





Tripper Service

How is tripper service defined in dial-a-ride systems?

As long as the student's trip falls within your service plan and you don't exclude the general public, you **can do** it.

Those systems that operate deviated routes with "demand-response" pickups in named towns consider the whole town to be the bus stop.





Bus Stops

Can the bus stop directly in front of the school?

- **Yes, but** bus stops must be accessible to the general public and be marked as such (if applicable)
- Stops cannot be on private property or where access by the public is restricted
- Routes traveled must be part of the system's regular service design





Destination Signage

Can I put the school name as the destination on the bus?

Yes, if that is actually the final destination

No, if signage such as “school special” would deter the general public from using the bus





Price too high?

What if the school doesn't want to contract with a private operator because it's too expensive?

Exclusive service may be provided **but not** with any buses or equipment purchased with FTA funds.





Public Transit is the Only Available Service

How do I know if the school checked with private operators **who could do** school transportation at a reasonable rate?

The school could show you it did the following

- Notice in local newspaper
- Notice to all private school bus operators in area
- Opportunity for public hearing and found no private operator





More Federal Guidance – Charter Operations (see 49 CFR Part 604)

What are the charter exemptions?

- Transit systems transporting transit employees
- Private charter operators receiving federal funds
- Public transit agencies (5310, 5311, 5316 & 5317)
- Emergency preparedness and response





Definition

Charter is:

- Transportation provided by a recipient at the request of a third party for exclusive use at a negotiated price
- Transportation provided by a recipient on an irregular basis for which a premium is charged or the fee is paid by a third party





What it isn't

Charter exceptions:

- Transporting government officials
- Qualified Human Services Organizations serving groups of people who are elderly, disabled or low income
- When no registered charter provider responds to a notice sent by a recipient





What if someone asks you to do a “charter?”

Go to the FTA Charter Registration Website at:

<http://www.fta.dot.gov>

- ↳ Legislation, Regulations and Guidance
- ↳ Regulations
- ↳ Charter Bus Service (on right of screen)
- ↳ Registration
- ↳ Charter Registration Website (accept the terms and submit)
- ↳ Search Existing Private Charter Operator Registrations





Keep going, you're almost there....

- ↳ Enter your start and end points
- ↳ View your results
- ↳ Right click upper right to copy all e-mails to your clipboard
- ↳ Send an e-mail to all these companies explaining what your plan is





The E-mail must:

Be sent by close of business on the day the request for the charter is made (2 pm is official time)

Include

- Customer name, address, phone, and e-mail address
- Requested date of service
- Trip itinerary
- Approximate number of passengers
- What type of equipment—van or bus—*presumably this covers the accessibility requirements*





Then what happens?

If a registered charter operator responds to the e-mail indicating they will do the trip, regardless of the price, then the public transit system **cannot do** the trip.

If there are no responses, the transit system can do the trip.

Transit systems must report charter activities monthly to MnDOT.





State Statutes and Rules

Minnesota Department of Transportation

- Minn. Statutes § 174.22

Minnesota Department of Education

- Minn. Statutes § 123B (several locations)

Minnesota Department of Public Safety

- Minn. Statutes § 169.011, Sub. 71





It's complicated...

Keep a diary of your “non-standard” requests and the action you took.

If a request to enter into a contract or schedule a group trip doesn't seem right, contact your Transit Project Manager or Office of Transit staff.

Remember, many transportation problems are not your problems, they belong to the school. You can help problem solve.

