

2023

# KANSAS TRANSIT MANAGER HANDBOOK

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Kansas RTAP meets the needs of Kansas public transportation agencies for training and technical assistance.



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# KANSAS TRNASIT MANAGER HANDBOOK

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## PREFACE

This handbook was designed to assist new public transportation managers in navigating the policies, procedures, and scope of managing a public or specialized transportation agency in the state of Kansas. Core concepts of transportation management include operations and service design, project administration, procurement, financial management, and vehicle and facility maintenance, all of which will be covered by this handbook. Experienced managers may also find it a useful resource in clarifying state policies and grant requirements and identifying contacts and additional resources.

The Kansas Department of Transportation (KDOT) contributed to and consulted on these chapters, along with several Kansas transportation agency managers. KDOT reviews and updates these policies annually, so it is advised that you review the policies each time KDOT releases an update. Kansas RTAP will endeavor to update this handbook as frequently as possible to remain consistent with KDOT policies at all times, but all KDOT grant recipients are individually responsible for adhering to KDOT's current policies, regardless of the content of this handbook.

Furthermore, content in this handbook may also change based on changes to federal transportation policy and funding. The Fixing America's Surface Transportation (FAST) Act was signed into law in December 2015 and allocated funding through Fiscal Year (FY) 2020. The Federal Transit Administration (FTA) grant programs continued or established by the FAST Act may be discontinued or changed in future legislation.

## HOW TO USE THIS GUIDE

This guide may be used as a reference for experienced transit managers and new managers may find it beneficial to review the handbook in its entirety. There are footnotes/endnotes throughout to provide additional detail and cite laws and policies as well as a resource guide. Most references to other documents are hyper-linked, for those using the online PDF version of this handbook. All efforts have been made to provide both hyperlinks and the full URL for those using the print version.

Some information has been copied from the Federal Transit Administration (FTA) website and other state and federal government resources, but those agencies are not responsible for the content of this handbook.

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# KANSAS TRANSPORTATION MANAGER HANDBOOK

## CHAPTER 1 INTRODUCTION

This introduction outlines the details of the 5310 and 5311 Federal Transit Administration (FTA) grant programs and the organizations a Kansas transit manager will need to work with to successfully manage a transportation agency.

### FUNDING PUBLIC TRANSPORTATION IN KANSAS

The Kansas Department of Transportation (KDOT) receives funding from the FTA to administer public transportation throughout the state of Kansas. The FTA has many competitive and formula grant programs (1). This handbook is focused on two of those grant programs: Formula Grants for Rural Areas (Section 5311) and Enhanced Mobility of Seniors and Individuals with Disabilities (Section 5310) with a brief mention of Bus and Bus Facilities Infrastructure and Investment Program (Section 5339) (2).

There are a variety of entities that apply for FTA grants, including individual transit providers, non-profit organizations, tribal nations, municipalities, and states. Section 5310 and 5311 grants are formula grants awarded directly to state departments of transportation (DOTs). In Kansas, KDOT distributes the formula grants it receives from the FTA to transit agencies in the state, so KDOT is considered a direct recipient of FTA funds and each agency is considered an FTA sub-recipient. KDOT has the authority to set criteria for selecting sub-recipients, which is described in the Kansas State Management Plan (Appendix B), per federal law.

An eligible transit agency must apply each state fiscal year cycle to receive these funds (3). The next chapter of this handbook ([Chapter 2](#), Grant Management) will detail the process for potential sub-recipients to apply for 5310 and 5311 funds through KDOT.

Below is an overview of FTA grants KDOT receives and distributes throughout the state.

#### SECTION 5310: ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES

**Summary:** The program aims to improve mobility for seniors and individuals with disabilities by removing barriers to transportation service and expanding transportation mobility options. This program supports



transportation services planned, designed, and carried out to meet the special transportation needs of seniors and individuals with disabilities in all areas— large urbanized (over 200,000), small urbanized (50,000-200,000), and rural (under 50,000). Eligible projects include both “traditional” capital investment and “nontraditional” investment beyond the Americans with Disabilities Act (ADA) complementary paratransit services.

**Discretionary Pilot Program:** Section 3006(b) of the FAST Act created a discretionary pilot program for innovative coordinated access and mobility— open to 5310 recipients — to assist in financing innovative projects for the transportation-disadvantaged that improve the coordination of transportation services and non-emergency medical transportation (NEMT) services; such as: the deployment of coordination technology, projects that create or increase access to community, One-Call/One-Click Centers, etc. In the first year of the discretionary program (FFY 2016) Congress appropriated \$2 million, followed by \$3 million in FFY 2017, \$3.25 million in FFY 2018, and \$3.5 million in FFY 2019. For more information about the competitive grant program, visit the Rides to Wellness Demonstration and Innovative Coordinated Access and Mobility Grants website for the most recent notice of funding opportunity (NOFO).

(1) A list of all FTA grant programs is available online at: [www.transit.dot.gov/grants](http://www.transit.dot.gov/grants)

(2) These grants are referred to as 5310 and 5311 because of their location in the U.S. Code (federal law). The statutory reference for Formula Grants for Rural Areas is: [49 U.S.C. Section 5311](#), and its most recent funding is through the FAST Act: Pub.L. 114-94 Section 3007. The statutory reference for Enhanced Mobility of Seniors and Individuals with Disabilities is: [49 U.S.C. Section 5310](#), and its most recent funding is through the FAST Act: Pub.L. 114-94 Section 3006.

(3) The Kansas fiscal year runs from July 1 to June 30, so FY 2021 covers July 1, 2020 through June 30, 2021. The federal fiscal year (used by the FTA) runs from October 1 to September 30, so FY 2021 covers October 1, 2020 through September 30, 2021. In this handbook, the Kansas fiscal year will be referred to as “SFY21” (for state fiscal year) and the federal fiscal year will be referred to as “FFY21.”

For more information about Section 5310, refer to the most recent FTA circular, issued July 7, 2014, which provides program guidance: FTA C 9070.1G. FTA circulars can be accessed online, and paper copies can be requested from the FTA by contacting the FTA Region 7 office in Kansas City, MO (Call 816-329-3920).

**SECTION 5311: FORMULA GRANTS FOR RURAL AREAS (LESS THAN 50,000)**

**Summary:** The Formula Grants for Rural Areas program provides capital, planning, and operating assistance to states to support public transportation in rural areas with populations of less than 50,000, where many residents often rely on public transit to reach their destinations.

The program also provides funding for state and national training and technical assistance through the Rural Transportation Assistance Program (RTAP). Eligible Recipients: Eligible recipients include states and federally recognized Indian Tribes. Sub-recipients may include state or local government authorities, nonprofit organizations, and operators of public transportation or intercity bus service.

**Eligible Activities:** Eligible activities include planning, capital, operating, job access and reverse commute projects, and the acquisition of public transportation services.

**Matching Funds:** The federal share is 80 percent for capital projects, 50 percent for operating assistance. Section 5311 funds are available to the States during the fiscal year of apportionment plus two additional years (total of three years). Funds are apportioned to states based on a formula that includes land area, population, revenue vehicle miles, and low-income individuals in rural areas.

**Intercity Bus Program:** Each state must spend no less than 15 percent of its annual apportionment for the development and support of intercity bus transportation, unless it can certify, after consultation with intercity bus service providers, that the intercity bus needs of the state are being adequately met. For more information about Section 5311, refer to the most recent FTA circular, issued November 24, 2014, which provides program guidance: FTA C 9040.1G. FTA circulars can be accessed online, and paper copies can be requested from the FTA by contacting the FTA Region 7 office in Kansas City, MO (Call 816-329-3920).

**SECTION 5307: URBANIZED AREA FORMULA GRANTS (50,000 OR MORE)**

The Urbanized Area Formula funding program makes federal resources available to urbanized areas (defined as an incorporated area with a population of 50,000 or more that is designated as such by the U.S. Census Bureau).

Resources are also available to governors (or their designees) for transit capital and operating assistance in urbanized areas and for transportation-related planning. To be eligible, a recipient must be a public body with the legal authority to receive and dispense

funds. Similar to the 5310 and 5311 grants, the governor’s designated recipient (KDOT) applies for, receives and dispenses funds for urbanized areas with populations between 50,000 and 200,000. For urbanized areas with a population of 200,000 or over, funds are apportioned directly to the locally-determined designated recipient.

**SECTION 5339: BUS AND BUS FACILITIES INFRASTRUCTURE AND INVESTMENT PROGRAM**

**Summary:** This program makes federal resources available to states and direct recipients to replace, rehabilitate, and purchase buses and related equipment. Additionally, this program makes resources available to construct bus-related facilities including technological changes or innovations.

Funding is provided through formula allocations and competitive grants.

The Low or No Emission Vehicle program provides even more grants for bus facilities that support low and zero-emission vehicles

**FUNDING SOURCES**

Funding for public transportation through the 5310 and 5311 grant programs requires federal, state, and local funding streams. Figure 1.1 shows the share of expenses covered by each tier.

**Figure 1.1: Distribution of Funding for 5310 and 5311**

Funding Sources	5310 Capital	5310 Operating	5311 Capital & Administrative	5311 Operating
Federal	80%		80%	50%
State		70%		20%
Local	20%	30%	20%	30%

*Data Source: Federal Transit Administration, [www.transit.dot.gov/grants](http://www.transit.dot.gov/grants)*

*\*up to a maximum of \$5,000-\$10,000 per agency per year, depending on the size on the size of the agency.*

**Access, Innovation, and Collaboration Public transit Program (AIC Program)**

- Combines state and federal resources that enhance access to transit.
- Invests in emerging tech.
- Forms collaborations with public providers and private transport providers.

### Cost Share Program

- Provides financial assistance to local entities for transport projects that improve safety, support job retention and growth, improve access or mobility, relieve congestion, and help across the state to improve transportation systems.
- One of the most flexible funding opportunities for communities by allowing communities to apply for assistance with a wide range of projects (highway, bridge, rail, airport, pedestrian, etc.).

### Innovative Technology Program

- Established by the Eisenhower Legacy Transportation Program (IKE) to be funded at two million dollars per year.
- Kansas should leverage new innovative technology opportunities to position the state for the future.
- The Innovative Technology Program provides financial assistance to partners for innovative tech projects that improve safety, leverage state funds to increase total tech investment and help both rural and urban area to improve transportation systems.

## COORDINATED TRANSIT DISTRICTS (CTDS)

Currently, there are around 160 transit providers that operate systems with KDOT/FTA funds. These systems are each unique in service area, fleet size and scope of services. In an effort to organize the transit providers in Kansas, the Kansas Legislature passed the Coordinated Transit District law in 1992 (4). This law required that all transit providers funded by KDOT must participate in a local Coordinated Transit District (CTD). These districts were designed to serve as the fiscal agents for all KDOT grantee transit providers within a given geographic area. There were initially 15 CTDs, but the lines were redrawn, and, effective SFY 2020, there are now 10 CTDs.

Each CTD is a not-for-profit organization or a governmental designated entity that receives the 5310 and 5311 grant funding from KDOT to distribute directly to its member agencies. Each CTD is required to hold at least quarterly meetings, with a person from each agency (typically the manager) in attendance. These meetings can be held by conference call or virtual meeting format, but the CTD must meet in-person at least once per fiscal year.

Each CTD must have bylaws that address all aspects of the procedures of the required meetings, which are updated as needed. Bylaws must also include a process for members to remain in good standing and a process for those who fail to remain in good standing with the CTD.

## THE REGIONAL TRANSIT BUSINESS MODEL IMPLEMENTATION PLAN

Redrawing the CTD boundaries was an outcome of the Regional Transit Business Model Implementation Plan (hereafter referred to as “Kansas Regional Business Model”), which analyzed current travel patterns to redefine the districts and develop strategies for the efficient allocation of transit funding. The model is designed to improve the efficiency and

availability of rural transit service throughout the state, making transit more accessible and more useful to the state’s rural residents.

The Kansas Regional Business Model included a specific plan to optimize resources for each CTD with broad strategies as follows:

- Regional routes allow multiple providers to coordinate, combine, and share trips, while preventing duplication
- Coordinated scheduling utilizes the Global Positioning System (GPS), vehicle-based tablets, and scheduling software to aid providers in maximizing trip efficiency in their area
- Mobility management gives transit providers a regional resource to provide rider training and facilitates administrative transit connections between transit providers, employers, medical centers, and social agencies
- Regional governance structure provides a framework to make service and funding decisions related to regional transit, including oversight, financial participation, legal context, and regional branding
- Branding elements convey to the public the connection between the provider, the CTD, and KDOT’s public transportation program

The full text of the [Kansas Regional Transit Business Model Implementation Plan](#) is available on KDOT’s website.

## AGENCY COORDINATION AND ASSISTANCE

In addition to the KDOT Office of Public Transportation and your CTD administration, the Kansas Rural Transit Assistance Program (RTAP) and the local FTA Office will serve as important resources. To clarify the role of agencies assisting, regulating, or otherwise affecting your transit system, each agency’s responsibilities are outlined in this section.

### INDIVIDUAL AGENCY/TRANSIT PROVIDER

As the manager, much of the structure of your organization and its functions are at your discretion but staying compliant with state and federal requirements of your grant is crucial. Other agency managers will be an important resource, especially if you are new to the job. If you are a 5310 agency, it might help to reach out to other 5310s in your CTD, likewise for 5311s. Below are a few key responsibilities of a 5310/5311 sub-recipient in Kansas:

- Comply with program guidelines as outlined in the State Management Plan (Appendix B) application process and KDOT “Policies and Procedures” ([Appendix A](#)).
- Secure sources of funding for use as a local match.
- Document efforts to coordinate with CTD and other agencies.
- Comply with the Triennial Review Process (detailed in [Chapter 2](#), Grant Management).
- Meet subsequent contractual obligations to KDOT and your CTD.

A directory of all Kansas transportation providers is available at [www.kutc.ku.edu/map](http://www.kutc.ku.edu/map) or through the Black Cat grant management system.

4) 1Code Reference: [K.S.A. 75-5051](#) through 75-5058.



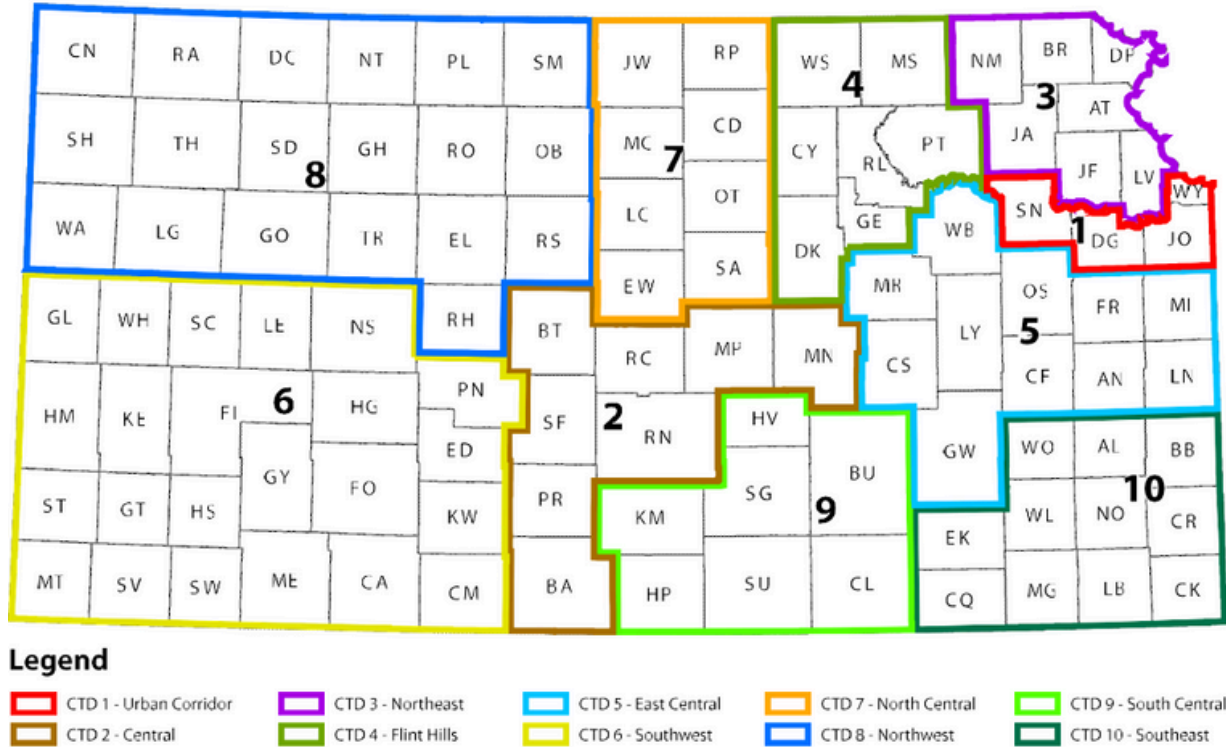
## COORDINATED TRANSIT DISTRICTS (CTDS)

Refer to Figure 1.2 on the next page to verify your CTD. Each CTD's executive board is responsible for developing the scope of work for the CTD's appointed administrator and how business should be handled. The list of administrators is updated annually on KDOT's website. The following are a few key responsibilities of each CTD: current administrators are listed here. Below are a few key responsibilities of each CTD:

- Receive federal and state funds.
- Meet at least quarterly.
- Assist KDOT in administrative functions, such as gathering input or data from agencies within the CTD and reporting.

**Figure 1.2: CTD Map**

Kansas Coordinated Transit Districts



## CTD CONTACTS

### CTD 1 (Urban Corridor)

*Meets: Bi-monthly on the 3rd Thursday as Scheduled in Lawrence*

### CTD 2 (Central)

*Meets: Quarterly on the 4th Wednesday of the Month as Scheduled in Hutchinson*

### CTD 3 (Northeast)

*Meets: Quarterly as Scheduled in Various Locations*

### CTD 4 (Flint Hills)

*Meets: Third Tuesday of the Month as Scheduled in Manhattan*

### CTD 5 (East Central)

*Meets: Quarterly on the 2nd Thursday Scheduled in Emporia*

### CTD 6 (Southwest)

*Meets: Quarterly on the 1st Wednesday of the Month as Scheduled in Garden City or Dodge City*

### CTD 7 (North Central)

*Meets: Quarterly on the 4th Tuesday of the Month as Scheduled in Various Locations*

### CTD 8 (Northwest)

*Meets: Quarterly as Scheduled in Various Locations*

### CTD 9 (South Central)

*Meets: Quarterly on the 3rd Tuesday as Scheduled in Wichita*

### CTD 10 (Southeast)

*Meets: Quarterly on the 3rd Wednesday as Scheduled in Chanute*

Contact information for the CTD administrator and Chairperson and specific meeting locations are located at Kansas Transit Provider Directory & Map, available at

[www.kutc.ku.edu/map](http://www.kutc.ku.edu/map) or under the Contact Lists section at [www.ksdot.org/burTransPlan/pubtrans/index.asp](http://www.ksdot.org/burTransPlan/pubtrans/index.asp)

## KANSAS COORDINATED TRANSIT DISTRICT COUNCIL (KCTDC)

The Kansas Coordinated Transit District Council (KCTDC) facilitates communication between providers and KDOT and represents providers in the annual procurement process for KDOT-owned vehicles. KCTDC consists of member representatives from each of the CTDs, and, as such, represents all KDOT-funded transportation providers under the 5310 and 5311 programs. Responsibilities include:

- With KDOT's assistance, write vehicle bid specifications, solicit courtesy bids, and determine lowest responsive and responsible bidder for the annual procurement of new vehicles for KDOT public transportation projects.
- Identify, discuss, evaluate, and make recommendations on Kansas public transportation issues.
- Give KDOT any requested advice on changes in public transportation policies, procedures, or forms.
- Assist KDOT with any training and education tasks needed for individual CTDs.

## KDOT OFFICE OF PUBLIC TRANSPORTATION

KDOT's Office of Public Transportation will be your primary contact for most issues related to your 5310 or 5311 grant funding. Some of the Office of Public Transportation responsibilities are outlined below:

- Ensure compliance with federal regulations during all phases of the creation of the CTD and the application for funding.
- Certify to FTA that the local recipient has met all statutory and program requirements and enters into an agreement with the local recipient.
- Provide appropriate technical assistance.
- Ensure fair and equitable distribution of program funds within Kansas.
- Ensure a process whereby private transit providers are given opportunity to participate to the maximum extent possible.
- Provide for maximum feasible coordination of public transportation services.
- Notify the local CTD of available funding who in turn notify their members of the program.
- Assist the CTDs in determining applicant eligibility, developing project selection criteria, selecting projects for funding and ensuring adherence to federal program guidelines. Each eligible applicant must apply to KDOT through the CTD in their area for assistance under this program.

## AGENCY COORDINATION AND ASSISTANCE

### Kansas Department of Transportation

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Eisenhower State Office Building, 700 SW Harrison,  
2nd Floor Tower  
Topeka, Kansas 66603  
Fax: (785) 296-0963  
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## KANSAS RURAL TRANSIT ASSISTANCE PROGRAM (KANSAS RTAP)

KDOT awards grant funding to the University of Kansas Transportation Center (KUTC) to administer the state's Rural Transit Assistance Program. Kansas RTAP is also the primary provider of driver and manager training in Kansas.

The Kansas RTAP staff trainer travels around the state to provide required training to transit agency employees.



(See [Chapter 8](#), Training, for more information on these trainings.) Kansas RTAP is tasked with the following:

- Provide training to Kansas agency staff (drivers, managers, other personnel).
- Maintain a directory of transit providers in the state of Kansas.
- Maintain library of resources and publications for transit providers.
- Publish quarterly newsletter for Kansas transit agencies (the [Kansas TransReporter](#), [www.kutc.ku.edu/rtap-newsletters](http://www.kutc.ku.edu/rtap-newsletters))
- Provide technical assistance to agencies, as needed.

## KANSAS RTAP CONTACTS

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### **Megan Hazelwood**

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Outreach Coordinator and RTAP Trainer  
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## NATIONAL RURAL TRANSIT ASSISTANCE PROGRAM (NRTAP OR NATIONAL RTAP)

RTAP services are offered in each state, and a national resource center for RTAP training materials is housed at National RTAP, which has offices in Woburn, MA and Washington, DC.

National RTAP has free resources for transportation agencies, including a website builder and a marketing toolkit. NationalRTAP previously offered recorded trainings on disc, but that has been replaced by the eLearning portal on their website. NationalRTAP eLearning is an online learning management system that hosts National RTAP training modules and links to outside trainings and other resources. To register, visit the national RTAP website: [www.nationalrtap.org](http://www.nationalrtap.org).

National RTAP's primary functions include:

- Improve the quality of training and technical assistance resources available to the rural transit industry.
- Encourage and assist state, local, and peer networks to address training and technical assistance needs.

- Promote the coordination of transportation services.
- Build a national database of information about the rural transit industry.

## NATIONAL RTAP CONTACT INFORMATION

Wheeling Avenue, Unit B  
Woburn, MA, 01801  
Main: (888) 589-6821  
Website: [www.nationalrtap.org](http://www.nationalrtap.org)

## FTA REGIONAL OFFICE (REGION 7)

The Federal Transit Administration (FTA) is managed through regional offices, which work with local transit officials in developing and processing grant applications. Kansas falls under Region 7, which also includes Missouri, Iowa and Nebraska. Typically, you will work with KDOT rather than directly through the Region 7 office, but it is helpful to be aware of how the FTA regional offices fit into the bigger management picture. Here are some of the regional office responsibilities:

- Administer Section 5310 and 5311 programs
- Review and approve State Management Plans (SMPs)
- Provide technical assistance and perform state management reviews

The Region 7 office has previously created a guide for new grantees, but an updated version is not currently available. Check the Region 7 Grant Management webpage for future availability of the guide and other resources:

<https://www.transit.dot.gov/about/regional-offices/region-7/grant-management>

## FTA REGIONAL OFFICE (REGION 7)

### **FTA Region 7 Office**

901 Locust Street, Suite 404  
Kansas City, Missouri 64106  
Telephone: (816) 329-3920  
Fax: (816) 329-3921

## KANSAS MOBILITY MANAGERS

The state of Kansas is divided into 10 Coordinated Transit Districts by the Kansas Department of Transportation. Each of the CTDs establishes its own goals and objectives for general public transportation. There are six Kansas Mobility Managers in place to help with those goals.

Mobility management is a strategic approach to service coordination and customer service. When implemented, mobility management will move transit agencies away from their roles as separate service operators, and toward collaboration with other transportation providers. The idea behind this approach is to create a full range of well-synchronized mobility services within a community, county, region, or state.

Within each of our respective service areas, we work with local transit organizations to provide the highest quality transportation options to the communities we serve. We are continuously looking for new ways of improving service to those that need it most.

Mobility Managers has the following responsibilities:

- Work with Local transit organizations.
- Provide the highest quality transportation options to the communities.
- Look for new ways of improving service to those that need it most.
- Provide guidance and assistance along with information and resources.

## KANSAS MOBILITY MANAGER CONTACTS

### **Dre'Vel Taylor**

CTD 1 – Lawrence/Douglas County Mobility Manager  
Email: [dtaylor@lawrenceks.org](mailto:dtaylor@lawrenceks.org)  
Office: (785) 832-3149

### **Mike Spadafore**

CTD 1 – Topeka/Shawnee County Mobility Manager  
Email: [mspadafore@jhawkaaa.org](mailto:mspadafore@jhawkaaa.org)  
Office: (785) 235-1367x122

### **Mike Wilson**

CTD 4 – Flint Hills Region Mobility Manager  
Email: [mwilson@fhata.org](mailto:mwilson@fhata.org)  
Office: (785) 537-6345

### **Michelle Coats**

CTD 7 – North Central Region Mobility Manager  
Email: [mcoats@occk.com](mailto:mcoats@occk.com)  
Office: (785) 742-7152

### **Jessica Warren**

CTD 9 – South Central Region Mobility Manager  
Email: [jessica.warren@wampo.org](mailto:jessica.warren@wampo.org)  
Office: (316) 779-1322

## FTA NATIONAL OFFICE

The Federal Transit Administration (FTA) is one of 11 operating administrations within the U.S. Department of Transportation (DOT). Headed by an administrator who is appointed by the President of the United States, FTA functions through a Washington, DC, headquarters office, 10 regional offices, and five metropolitan offices that assist transit agencies in all 50 states, the District of Columbia, Puerto Rico, the U.S. Virgin Islands, Guam, Northern Marianas Islands, and American Samoa.

The FTA has the following responsibilities:

- Provide overall policy and program guidance.
- Apportion funds annually to grantees.
- Develop and implement financial management procedures.
- Initiate and manage program support activities.
- Conduct national program review and evaluation.

## FEDERAL MOTOR CARRIER SAFETY ADMINISTRATION (FMCSA)

Like the FTA, the Federal Motor Carrier Safety Administration (FMCSA) is an operating administration within the U.S. Department of Transportation (DOT). The FMCSA is responsible for regulating and providing safety oversight of commercial motor vehicles to reduce crashes, injuries, and fatalities involving large trucks and buses. They are relevant to public transportation providers in Kansas because they set standards for interstate travel, such as requiring Commercial Driver's Licenses (CDLs), although CDLs are issued by each state. More information on CDLs is available in [Chapter 7](#). Personnel, and guidelines for interstate travel, as set by the FMCSA, are detailed in [Chapter 4](#), Operations.

## FMCSA KANSAS DIVISION CONTACT INFORMATION

1500 SW Arrowhead Road Topeka, KS 66604-4027  
Email: [public.affairs@kcc.ks.gov](mailto:public.affairs@kcc.ks.gov)  
Phone: (785) 271-3100  
Fax: (785) 271-3354  
Website: <https://www.kcc.ks.gov/transportation>

### **Transportation Division**

Email: [transportation@kcc.ks.gov](mailto:transportation@kcc.ks.gov)  
Phone: (785) 271-3145  
Fax: (785) 271-3124  
(Director Mike Hoeme: [m.hoeme@kcc.ks.gov](mailto:m.hoeme@kcc.ks.gov); 785-271-3333)

## KANSAS PUBLIC TRANSIT ASSOCIATION (KPTA)

KPTA represents transit agencies across the state and advocates for equity in the regulation and funding of public transportation from the state and federal government. The organization is a member of the American Public Transit Association (APTA), the Community Transportation Association of America (CTAA), the Southwest Transit Association (SWTA), and Kansas Economic Lifelines. KPTA activities include:

- Organize annual conference and expo for Kansas transit providers.
- Share resources among member agencies.
- Organize a transit advocacy event each year at the Kansas State Capitol.

## KPTA CONTACT INFORMATION

### **Executive Director: Tuck Duncan**

212 SW 8th Avenue Suite 202  
Topeka, KS 66603  
Phone: (785) 235-8825  
Fax: (785) 233-5659  
E-mail: [kptacentral@yahoo.com](mailto:kptacentral@yahoo.com)

## CHAPTER 2

# GRANT MANAGEMENT

For the purposes of this handbook, grant management is considered the process of applying or reapplying for 5310 and 5311 grants through KDOT and compliance with the triennial review process, all of which are covered in this chapter.

### SUMMARY OF 5310 AND 5311 PROGRAMS

#### 5310: ENHANCED MOBILITY OF SENIORS AND PEOPLE WITH DISABILITIES

- Intent: improve mobility for seniors and individuals with disabilities by removing barriers to transportation service, expanding transportation mobility options.
- Funding: reimbursement based
  - Capital: 80% Federal, 20% Local
  - Operating: 70% State, 30% Local
- Funding Formula: Available annually through Eisenhower Transportation Legacy Program (IKE).
  - 10 or more KDOT Vehicles: \$20,000
  - Fewer than 10 KDOT Vehicles: \$10,000.

#### 5311: FORMULA GRANTS FOR RURAL AREAS

- Intent: provide funding to general public transit operators.
- Funding: Reimbursement based
  - Capital: Federal 80%, Local 20%
  - Operating: Federal 50%, State 20%, Local 30%
  - Administrative: Federal 80%, Local 20%

### GRANT APPLICATION PROCESS

#### NOTIFICATION OF APPLICATION AVAILABILITY

KDOT is legally required to notify all current providers when the application for the next SFY is open. KDOT fulfills that requirement by emailing all current providers, as well as posting notices on the KDOT website and social media and submitting a press release to newspapers across the state via the KDOT Public Affairs office.

### ELIGIBILITY FAQs

Is my agency eligible for 5310 or 5311 funding through the KDOT Office of Public Transportation?

Eligible applicants for 5310 funding must be either a private non-profit organization registered in the state of Kansas or an approved local government. Approved local governments are those that are approved by KDOT to coordinate services or those that certify to the governor that no non-profit organizations are “readily available” to provide service in their area. Federal funding under this program is available for capital expenditures only. State funding is available for operating expenses with the maximum award set by KDOT.

Eligible applicants for 5311 funding must be either:

1) a county or city government entity, 2) a Native American Indian reservation, or 3) a private non-profit corporation registered in the state of Kansas. Further, the agency must provide service in a non-urbanized area (population under 50,000). If the area where service is provided is over 50,000, the agency may be eligible for 5307 funding. Federal funds can be used for either operating or capital expenses (5).

All applicants for 5310 and/or 5311 funding must be an active member of their Coordinated Transit District (CTD) in good standing in order to receive funding. (See Chapter 4, Operations, for information on “good standing” with your CTD.) Those agencies applying for funds in the metropolitan areas of Kansas City, Lawrence, Topeka and Wichita need to contact their respective Metropolitan Planning Organization (MPO) to ensure that their application request is included in the MPO’s Transportation Improvement Program (TIP).

If I’m already a 5311, can I apply for 5310 also (or vice versa)?

An agency may apply for both 5310 and 5311 funds if they meet the eligibility requirements for both grants. The agency must complete a separate application for each grant. In SFY 2021, there were 9 agencies that received both 5310 and 5311 funds out of the 150 providers participating in KDOT’s public transportation program.

5) 5310 and 5311 eligibility guidelines as outlined in the SFY 2021 notice of application period. [www.ksdot.org/bureaus/burTransPlan/pubtrans/](http://www.ksdot.org/bureaus/burTransPlan/pubtrans/)

## GETTING AN APPLICATION

KDOT administers grant applications and reporting through Black Cat, an online grant management system developed by Panther. To submit an application, an applicant must get Black Cat login credentials from the KDOT Office of Public Transportation, which can be obtained by emailing: [mandy.fulsom@ks.gov](mailto:mandy.fulsom@ks.gov).

The email should include what program or programs the agency is applying to, the full legal name of the organization, and the full name, title and contact information for the agency's primary representative, including email and phone. Please include the name, title, email address, and phone number of any other agency representatives that will require system training.

If you are interested in applying but do not have internet access, contact the Office of Public Transportation by phone at (785) 368-7091 for further assistance.

For guidance on completing a grant application in BlackCat, reference the BlackCat user guide, which is available upon request.

## LATE POLICY

Applications submitted after the time and date specified by KDOT will not be accepted and the provider will not be a part of the public transportation program when the new state fiscal year (SFY) begins – no exceptions. At the end of the current SFY, KDOT will begin the process of transferring all vehicles within useful life standards to other agencies. The late applicant will receive 20% of the current value of the vehicles (6). Applicants can apply again for future fiscal years but would be considered a new "project."

## KDOT GRANT REVIEW PROCESS

### TYPICAL TIMELINE

Once KDOT receives your agency's application, the Office of Public Transportation begins a multi-step review process:

- Completeness Review (November)-Peer Review (Late January)
- KDOT Review (February)
- Final Decisions (March)
- Awards Announced (Spring)

The KDOT Review process includes the following:

1. **Completeness Review:** KDOT staff checks the application in Black Cat to ensure all required elements have been submitted.
2. **Past Performance Review:** KDOT staff looks at the last three years of data related to your agency, specifically related to the budget. KDOT is reviewing the consistency between expenditures and the line-item grant requests. They are also reviewing the percentage of the request that was spent in prior years.
3. **Planning Review:** KDOT staff looks at the bigger picture of Kansas public transportation. If your agency is requesting an increase in funding for service expansion or additional vehicles, staff will review how that fits into the Kansas Regional Business Model.
4. **Vehicle Review:** Representatives from each CTD serving on the Kansas Coordinated Transit District Council (KCTDC) review vehicle requests and assign prioritization, considering vehicle condition and overall fleet management. After the KCTDC evaluates the capital applications, KDOT will evaluate the applications.

## GRANT AWARDING

Applicants who are awarded funding will receive an award letter, a KDOT Info Sheet, and multiple copies of the contract. All copies of the contract must be signed by the designated signatory at the agency and the CTD chair.

Typically, operating grant award contracts must be signed and returned to KDOT by June 30, although this may change from year to year. Capital award contracts will vary.

## DUNS & SAM REGISTRATION

All applicants are required to list their DUNS number and SAM registration expiration date on their application, as well as all capital and operating contracts. This information will be verified by the KDOT finance department. If an applicant is awarded a grant, they must submit a screenshot verifying the DUNS and SAM registration, along with the KDOT Info Sheet, and signed contracts they return to KDOT.

### Data Universal Numbering System (DUNS) Number:

The standard business identifier for federal electronic commerce, widely used by commercial and federal entities. The Number is a unique nine-character number. Obtaining a DUNS Number is the first step in registering as an organization with [www.grants.gov](http://www.grants.gov)

System Award Management (SAM): U.S. Federal Government General Services Administration's online portal where applicants can register to do business with the U.S. government.

6) See KDOT Policies, page 1 ([Appendix A](#))



## LEGAL NOTICES

Prior to submitting the grant application, a public notice and Disadvantaged Business Enterprise (DBE) advertisement are required of all applicants applying for KDOT grant funding. (Exception: 5310 providers that are only applying for operating funds need not publish public notice or submit proof to KDOT.) The public notice must be published in the local newspaper once, allowing two weeks for any comments. Submit to KDOT a copy of the advertisement, documented comments if any were submitted, and proof the advertisement was published (invoice from publisher with image and date of publication is sufficient). This does not need to be repeated until the next grant cycle and is separate from the requirements for submitting proof of advertising for service (see [Chapter 4](#), Operations).

## CERTIFICATES AND ASSURANCES

KDOT electronically submits certifications and assurances for 5310 and 5311 sub-recipients to the FTA. Each year, the FTA publishes a list of the required certificates and assurances for the upcoming fiscal year. Below is a list of required and additional certificates and assurances for FFY 2020:

Mandatory for Every Applicant:

- Standard Assurances stating that the applicant will comply with all applicable federal requirements.
- Intergovernmental Review Assurance signing that the application for federal assistance has been forwarded to KDOT.
- Debarment, suspension, and other responsibility matters.
- Drug-free workplace certification.
- Assurance of nondiscrimination on the basis of race, color, religion, national origin or ancestry, sex, or age.
- Assurance of nondiscrimination on the basis of disability (7).
- Procurement compliance.
- Required Certifications and Assurances from the U.S. OMB identifying the authority of applicant and its representative to sign on behalf of the agency.
- Interest or Other Financing Costs certification demonstrating that applicant will not seek reimbursement for interest on financing without due diligence on terms.

May or may not be required, depending on applicant:

- For applications over \$100,000: lobbying certification.
- For 5311s only: public hearing certification for each project substantially affecting a community or transit service.
- For applicants purchasing rolling stock: certification of pre-award and post-delivery review of rolling stock.
- For new bus purchases: bus testing certification.
- For 5311s only: charter bus and school bus agreement.
- For applicants receiving direct FTA funds for demand-response service: certification required for direct award of FTA assistance to an applicant for demand-response service.
- Substance abuse certifications.
- For 5310 only: certifications and assurances for the elderly and persons with disabilities program (8).

## LOCAL MATCH REQUIREMENTS

Most FTA grants require that some percentage of the project be covered by local match. The grant application should include a letter of commitment from each funding source that detail show much is being contributed and when those funds will be available. For more information on obtaining local match funds, see [Chapter 3](#), Financial Management and Insurance.

7) As required by Section 504 of the Americans with Disabilities Act. More information available in Chapter 6, Civil Rights Compliance.

8) The list of required certificates and assurances are published in the Federal Register and posted on the FTA's webpage: [www.transit.dot.gov/funding/grantee-resources/certifications-and-assurances/certifications-assurances](http://www.transit.dot.gov/funding/grantee-resources/certifications-and-assurances/certifications-assurances). KDOT also posts the forms for required certification documents on its website: [www.ksdot.org/burTransPlan/pubtrans/certifications.asp](http://www.ksdot.org/burTransPlan/pubtrans/certifications.asp)

## CHAPTER 3

# FINANCIAL MANAGEMENT

This chapter addresses accounting procedures, expense tracking, contracting, generating project income and securing local match funding. It also includes information on securing insurance and tax information.

### ACCOUNTING SYSTEMS, RECORD KEEPING, AND REPORTING

KDOT does not require providers to use a specific accounting system, but each provider must use an accounting system that is consistent with generally accepted accounting principles and that segregates funds from other transportation and non-transportation programs offered by the agency (9). This ensures that state and federal transit funds are spent only on costs attributable to the public transportation program. Receipts and invoices should be retained for all expenses. During the triennial review onsite visit, the reviewer may ask to see receipts to ensure they correspond to what was filed in BlackCat reports (10).

All financial records should be retained for five years or, for capital projects, the life of the vehicle plus an additional five years after the project is complete or the vehicle has reached the end of its useful life. The provider should keep records in an orderly manner and readily available for examination by KDOT or the FTA, if necessary.

Budget reports must be submitted monthly by 5311 providers and at least once per fiscal year for 5310 providers. The provider must complete the budget details for each project they receive funding for (operating, project administration, and capital). Budget reports are due by the 15th day of the month following the reporting period. For step-by-step instructions on submitting budget reports in BlackCat, reference the BlackCat User Guide, which is available upon request.

### ELIGIBLE EXPENSE GUIDELINES

Unanticipated reimbursements for expenses (ex: damaged vehicle) may be subject to prior approval from KDOT.

Be sure to discuss reimbursements not designated in the grant contract with KDOT and receive approval



### OPERATING EXPENSE ELIGIBILITY

The following expenses are eligible for reimbursement through the provider's operating budget:

- Advertising
- Vehicle insurance
- Personnel – Driver, dispatcher, mechanic, or other employee directly related to the operation of the vehicles/service (administrative personnel costs, such as paying the transportation manager/director, cannot be included in operating expenses)
- Fuel
- Maintenance – Routine maintenance and repairs (includes parts and labor)
  - Repairs necessary to a damaged vehicle may be reimbursed through the operating budget up to 50 percent of the collision deductible.
  - Reminder: repairs over \$4,500 require prior approval from KDOT to be reimbursable.
- Vehicle storage
- Contracted services (ex: taxi vouchers)
- Communications (telephone, internet connection)
- Other (maintenance facility costs can be claimed as "other")
  - Must specify and attach documentation in BlackCat.
  - Prior approval from KDOT program consultant may be required.
- License and tags
- KPTA membership dues and annual meeting registration fee.

9) See KDOT Policies, page 18 ([Appendix A](#))  
10) See KDOT Policies, page 33 ([Appendix A](#))



- RTAP driver training and manager training (Includes class registration fee and mileage/meal/lodging reimbursements)
- New hire driver DOT physical exams
- KCC registration fee
- Purchase of service contracts between a transportation operator and the 5311 recipients for public transportation
- Expenses associated with special public mass transportation services for the elderly and disabled

The following items are NOT eligible for reimbursement through the provider's operating budget:

- Entertainment
- Membership dues to CTD, CTAA, or other organizations not listed under eligible expenses
- Fines and penalties
- Charitable donations
- Interest expenses on loans and debt retirement incurred prior to the program
- Capital cost and expenses that are reimbursable under other federal programs

Revenue items that offset transit expenses are NOT reimbursable under 5311 operating funds. This includes:

- Interest income earned on working capital (current assets minus current liabilities)
- Proceeds from the sale of equipment in excess of depreciation value
- Cash discounts and refunds that directly offset accrued expenses
- Insurance claims and reimbursements that directly offset accrued liabilities
- State fuel tax rebates

Some transportation expenses associated with providing service to the general public are also NOT eligible for reimbursement under 5311 operating funds, including:

- Charter operations
- Sightseeing services
- Reimbursement for drug and alcohol testing of safety-sensitive personnel
- School bus operations
- Freight hauling
- Maintenance of non-transit vehicles

## ADMINISTRATIVE EXPENSE ELIGIBILITY (5311 ONLY)

The following expenses are eligible for reimbursement through the provider's administrative budget:

- Personnel – Transportation manager's time
- Office supplies, office expenses
- Computers and computer supplies
- Copies
- Postage
- Mileage, meals, registration fees
- Uniforms (copy of invoice must be attached to the Budget Report and any logo design changes must be pre-approved by KDOT)
- Other expenses require prior approval from KDOT)

## TRAVEL EXPENSES

Mileage and meal reimbursement rates for the State of Kansas will be applied when a provider requests reimbursement for attending training. The provider must receive prior approval from the KDOT Office of Public Transportation on meal and mileage reimbursements. These rates change annually. The travel expense form must be complete and should be submitted to KDOT on the 15th of each month (at the same time as the budget and ridership reports). Providers should keep all receipts (including: meal receipts, registration fee payment confirmation, hotel room charges, turnpike fees, parking fees, etc.) for reimbursement requests and may be asked to show these receipts during the triennial review on-site visit. Out of state travel submitted must be approved before the travel happens. Non-approved out-of-state travel will not be reimbursed.

An online travel expense form will be added to BlackCat in the future, but, for now, agencies should use the travel expense form in the ProviderForms section of the KDOT website, [www.ksdot.org/burTransPlan/pubtrans/Transit-Forms.asp](http://www.ksdot.org/burTransPlan/pubtrans/Transit-Forms.asp) (A copy of the Excel spreadsheet is provided in Appendix D, but you should download from the KDOT website so that Excel will apply the correct rates to the reimbursement formula).

EXAMPLE									
Date		November 11, 2007							
Name		ABC AGENCY							
Attendee's Name		John Doe							
Type of Travel		FTA Training							
Date	Departure Time from office	Time Returned to office	Private Vehicle Miles	Destination	Meals	Lodging		Other Expense	
						Name	Amount	Amount	Description of Expense or Purpose of Travel
11/7/2007	6:30 AM		50	Kansas City, Mo	\$11.00	Hampton Inn	\$65.00	\$2.25	Tolls
11/8/2007					\$23.00	Hampton Inn	\$65.00		
11/9/2007		1:30 PM	50	Topeka, KS	\$12.00			\$2.25	Tolls
								\$185.00	Registration Fee
Total Miles			100						
X Rate per Mile			0.535						
Totals					Meals Exp	Wheels Exp	Lodging Exp	Other Exp	Document Total
					\$53.50	\$46.00	\$130.00	\$189.50	\$419.00
<b>Quarters</b> Midnight - 6:00 am Meal Expense Charging List 6:00 am - Noon Breakfast Reimbursable up to \$11.00** Noon - 6:00 pm Lunch Reimbursable up to \$12.00** 6:00 pm to midnight Dinner Reimbursable up to \$23.00**									
<b>NOTE:</b> ** If meals are provided at a conference, and the registration fee includes these meals, then separate meal charges are NOT reimbursable									

and CTD administrators to review financial records such as the general ledger, bank statements, bank reconciliations, financial statements and audit reports. They will also perform a test of expenditures on a sample of transactions from the monthly expenditure report. This test will include examining the relevant support documentation and an evaluation of the nature and purpose of the expenditures.

## BANKRUPTCY

If a KDOT-funded public transportation services agency or program declares bankruptcy, immediate notification in writing shall be submitted to KDOT (14). Declaration of bankruptcy triggers a process to discontinue operations and transfer all KDOT vehicles to other providers or directly to KDOT using the useful life standards outlined in [Chapter 10](#), Procurement.

KDOT holds a lien on all vehicles purchased with KDOT public transportation program funding. If an agency experiences financial difficulty, they will not be permitted to put a second lien on a KDOT-funded vehicle.

Failure to submit budget reports on time will result in the forfeiture of grant funding for the month of the occurrence. (This also applies to ridership reports, grant applications, proof of advertising, DBE reports, and inspection report responses.) If a provider is contacted by KDOT to submit any type of information related to the ridership, budget, DBE, or any other KDOT reports, the timeline for submission of the information will be 10 days unless otherwise specified by KDOT (11).

## PROJECT INCOME

Transit providers are encouraged to generate project income to meet local match requirements or offset operating costs. Any income generated from transit projects using federal capital or operating support must be used in the transit program. Common strategies for generating income include:

### BUS FARES AND DONATIONS

(Donations made on the vehicle for the purpose of a ride). Donations made at the facility and not for a service in return can be utilized as local match.

If an agency chooses to implement a fare structure, it must be approved by KDOT prior to implementation. Fares must not discriminate against the elderly or disabled by charging those individuals different rates.

All income generated from fares or financial donations should be listed in the "Project Income" section of the monthly ridership report (and budget reports) submitted in BlackCat. KDOT defines project income as gross project income received by the grantee or sub-grantee that is directly generated by grant support activity and earned only as a result of the grant agreement during the designated grant period (SFY/July 1 – June 30).

Additionally, any provider who charges a program fee (typically 5310s) that includes transportation fees must report the transportation portion of the fee as project income. If a provider fails to report all project income, they may be subject to repay KDOT the amounts not claimed.

## AUDITS AND FISCAL MONITORING

The FTA Office of Management and Budget and KDOT require an annual single audit of providers or CTDs that receive \$750,000 or more in federal funds (from all federal sources) in that year and include a copy of the audit in their next grant application. Transit services affiliated with a city or county government are allowed to submit the respective city or county annual audit as long as it includes the transportation services program. The \$750,000 threshold applies to the entire agency, not just the transportation services program. If the single audit contains any findings that would be consistent with an FTA finding on a triennial review, a copy of the entire report must be submitted to the FTA regional office. Agencies that do not receive \$750,000 or more annually but perform an audit for other reasons should include a copy of the audit with their grant application (12).

The KDOT Bureau of Fiscal Services contracts with an outside auditing firm that performs fiscal monitoring of selected transportation programs or CTDs (13). The firm will review the triennial on-site review files and may ask agencies to complete a fiscal monitoring questionnaire. The firm will also visit some providers

11) See KDOT Policies, page 7, 11, 19, and 33 ([Appendix A](#))

12) See KDOT Policies, page 17 ([Appendix A](#))

13) See KDOT Policies, page 18 ([Appendix A](#))

14) See KDOT Policies, page 18-19 ([Appendix A](#))

## ADVERTISING ON THE OUTSIDE OF VEHICLES

KDOT allows advertising on the outside of transit vehicles as a method of generating program funds. Advertisements on vehicles used by the KDOT public transportation program should not conflict with any state or federal law. It may not contain any fraudulent, deceptive, or offensive material and must clearly identify the advertiser. It may not interfere with the required labeling on the outside of the KDOT vehicle. The agency should have a signed contract with the advertiser and keep records of all income generated by advertising. KDOT will give approval when proceeds from the advertising are requested for use as operating expenses in the transit program. A policy on exterior vehicle advertising should be included in the provider agency transit services policies.

## CONTRACT INCOME

Income from contracts to provide human service transportation (Ex: Non-Emergency Medical Transportation (NEMT) through Medicaid) may be used to offset the cost of providing the service or as a local match for 5311 operating assistance. It is up to the individual provider whether they choose to treat this income as local match or if it is used to offset operating expenses.

## LOCAL MATCH FUNDING

As outlined in the Introduction to the handbook, a certain portion of all public transportation programs receiving FTA grants must be funded by a local match. Many of the strategies outlined for project income can also be used toward the local match requirement. Other options for generating local match funding include municipal or regional levy (local tax), student fees (used in Manhattan, Lawrence, and Topeka), and other local partnerships.

More information on local match funding can be found at the FTA's Frequently Asked Questions page and the National Aging and Disability Transportation Center.

- [www.transit.dot.gov/funding/procurement/third-party-procurement/local-matching-funds](http://www.transit.dot.gov/funding/procurement/third-party-procurement/local-matching-funds)
- <https://www.nadtc.org/news/blog/section-5307-5310-and-5311-using-non-dot-funds-for-local-match/>

## TAXES

Each provider should comply with the IRS requirements of nonprofit organizations. Providers should also keep proof of payroll taxes deducted from employee paychecks (paycheck stubs or 941 IRS forms), as the agency may be asked to show these records during the triennial review site visit (15).

If a transit agency is eligible for the federal excise tax credit on fuel purchases, the agency must notify the KDOT Office of Public Transportation in writing of this eligibility. The notification should be on the agency letterhead and include the date that the agency became eligible for this tax credit. All federal tax credits for fuel must be deducted from the fuel costs on the budget reports submitted in BlackCat.

## INSURANCE

A vehicle must be insured before it is placed in service. Insuring vehicles is critical to effective risk management and protects the agency against a variety of liability issues.

Each agency should have a general liability policy for the agency as well as comprehensive vehicle insurance that covers crashes that occur with the vehicle. The policy may also need to be tailored to cover volunteers or special activities (16.) (Agencies with contracts to provide NEMT typically need additional coverage.) Agencies with transit facilities must also provide adequate insurance coverage for those facilities (17).

KDOT encourages providers to carry full coverage for liability, collision and comprehensive, but at a minimum, the agency needs a general liability policy. A general liability policy covers anything from injuries at the transportation office to employment discrimination charges.

An insurance contract has three standard components: a declarations page, coverage forms, and endorsements. It is recommended each provider conduct a thorough contract review within the agency or with legal consultation before signing an insurance contract.

Helpful resources for purchasing insurance:

- State law on purchasing insurance and pooling arrangements: [K.S.A. 75-6111](http://kslegis.gov/ksstatutes/ksstatutes.htm)
- Information for small businesses purchasing insurance in Kansas: [www.ksinsurance.org/documents/department/publications/ins-info-for-the-small-business-owner.pdf](http://www.ksinsurance.org/documents/department/publications/ins-info-for-the-small-business-owner.pdf)
- The Insurance Information Institute: [www.iii.org/insurance-topics/auto-insurance](http://www.iii.org/insurance-topics/auto-insurance)

15) See KDOT Policies, page 33 ([Appendix A](#))  
16) See KDOT Policies, page 30 ([Appendix A](#))  
17) See KDOT Policies, page 42 ([Appendix A](#))

## CHAPTER 4 OPERATIONS

Operations refers to the day-to-day decision making and planning that keep a transportation agency running efficiently to meet its goals and objectives. Most of the operations management of a transit agency is handled by the transit manager.

### TRANSPORTATION OFFICE

Every Kansas public transportation provider receiving FTA funds through the 5310 or 5311 program must have a designated office space for keeping records, dispatching ride requests, and conducting other business. Records may not be kept in an employee's home. The designated office space can be within a shared office, such as a senior center or city/county office, but must be secure (18).

The building must be accessible to persons with disabilities (appropriate ramps, elevators, etc.) so any person can access the information and resources available at the office (19). This will be verified at the triennial review.

Additionally, the office should have required legal postings and information, including, but not limited to:

- Notice of Title VI Rights by front desk/public entrance
- Title VI Rights brochures at front desk
- Title VI complaint form at front desk
- EO poster in area clearly visible to all transportation agency staff

More information on these legal notices can be found in [Chapter 6](#), Civil Rights Compliance.



Office expenses are an allowable expense under an individual provider's operating/administration grant or the CTD administrative grant. (For more information on allowable expenses, refer to [Chapter 3](#), Financial Management.)

The telephone number indicated on vehicle labeling and any advertising cannot be a personal or home telephone number. Dispatchers should answer the phone "General Public Transportation" unless otherwise approved by KDOT (20).

### REPORTING IN BLACKCAT

Once an organization receives grant funds, reporting is a required step within the system. This step helps both transit providers and KDOT to have easy access to the same relevant information. There are four different types of reports, namely Budget Report, Ridership Report, Vehicle Report, and DBE Report, in the BlackCat Transit Management System. Each of the reporting processes is explained in detail in the BlackCat User Guide, which is available upon request.

### EXPENSE REPORT

Expense reports are used by CTDs, but individual providers do not need to submit expense reports, as expenses are part of the operating or administrative budget.

### RECORD KEEPING AND RECORD RETENTION

The standard record retention policy for most records associated with your transportation operation is to keep records on file for five years before properly/securingly disposing them (usually by shredding). Electronic copies (scanned or digital version) are acceptable, but they must be saved to disc with a backup. These records must be kept in a safe and secure transportation office space. Below is a list of all records you should keep on file:

- **Advertising (21)**
  - Keep on file for 5 years. Proof of advertising must be provided during the triennial review process.
- **Grant Application Materials (22)**
  - Completed application documents, award letters, budget sheets and signed contracts must be kept for 5 years. For capital projects, records should be kept for the life of the vehicle plus five additional years.
- **CTD Records (23)**
  - Keep on file for 5 years.
- **Driver Training Records (24)**
  - Keep track of all training within a fiscal year and then keep on file for 5 years.

18) See KDOT Policies, page 30 ([Appendix A](#))  
19) Code Reference: [49 C.F.R. Section 37.3](#)  
20) See KDOT Policies, page 31 ([Appendix A](#))  
21) See KDOT Policies, page 7 ([Appendix A](#))  
22) See KDOT Policies, page 11 ([Appendix A](#))  
23) See KDOT Policies, page 14 ([Appendix A](#))  
24) See KDOT Policies, page 15-16 ([Appendix A](#))



- **Financial Records (25)**
  - Keep on file for five years. ++
- **Vehicle Inspection Records (26)**
  - Inspection records on all vehicles associated with the KDOT public transportation program should be kept for five years. For capital projects, records should be kept for the life of the vehicle plus five additional years.
- **Vehicle Purchasing/Procurement Documents (27)**
  - All information pertaining to vehicles purchased through the KDOT public transportation program should be retained for a period of five years after the lien release on the vehicle has been granted. The file on each vehicle may be reviewed during the KDOT triennial review site visit or at the request of the FTA. This includes, but is not limited to, the following:
    - Copy of the grant application in which the agency applied for the new vehicle
    - Contract and purchase order
    - All paperwork sent to the agency in the delivery packet (bid documents)
    - Copies of all signed certifications from the vendors
    - Invoices
- **Pre- and Post-Trip Inspection Forms (28)**
  - The pre- and post-trip inspection forms for every vehicle must be kept for 90 days after completion. The triennial review site visitor will ask to see copies of these forms from at least 90 days prior to the visit.
- **Payroll Records (29)**
  - The triennial review site visitor will ask to see paycheck stubs or 941 IRS forms as verification that payroll taxes have been paid to the federal and state taxing entities.
- **Passenger Manifest (30)**
  - The passenger manifest form is a part of program records and should be retained for five years. Agencies using dispatching software will be able to generate passenger manifest reports through the software. If your agency is using dispatching software, be sure you are saving the daily passenger manifest in a safe and secure location (ex: saved to disc with a backup) in the case of any software error or corruption. Agencies not using dispatching software may design their own forms. A passenger manifest must contain all of the following:
    - Passenger names
    - Pick-up addresses
    - Drop-off locations
    - Special needs requirements
    - Any other pertinent information for emergency or litigation purposes
- **Proof of DOT Driver Physical (31)**
  - All drivers are required to have a pre-employment DOT driver's physical demonstrating that the driver is in appropriate physical condition to operate a transit vehicle. (For more information, see [Chapter 7, Personnel.](#)) Documentation that the physical was administered should be kept in each driver's personnel file for the duration of employment (and five years afterward).
- **Incident Reporting (32)**
  - Any documents related to an incident report are considered part of the program records and should be retained for five years. Incident Reporting: Incident reporting is considered a part of the provider's program records and should be retained by the agency for 5 years.
- **Maintenance Facility Records (33)**
  - A provider operating a maintenance facility must keep satisfactory records pertaining to the use of the project property and submit to KDOT upon request as it may be required to assure compliance with Federal requirements.

## REPORTING TO THE NATIONAL TRANSIT DATABASE (NTD)

The FTA requires its grant recipients to submit data to the [National Transit Database \(NTD\)](#), [www.transit.dot.gov/ntd](http://www.transit.dot.gov/ntd), a clearinghouse for national transit data. KDOT must submit the Rural Public Transit Service Summary (RU-30) form to the FTA, summarizing the provision of service by 5311 agencies throughout the state. (KDOT needs accurate information to report to the FTA — this is another reason it is important to submit accurate budget and ridership reports on time through BlackCat.) Providers must be available to answer questions about their reports, should KDOT need additional information (34).

25) See KDOT Policies, page 19 ([Appendix A](#))  
26) See KDOT Policies, page 20 ([Appendix A](#))  
27) See KDOT Policies, page 25-26 ([Appendix A](#))  
28) See KDOT Policies, page 27 ([Appendix A](#))  
29) See KDOT Policies, page 29 ([Appendix A](#))  
30) See KDOT Policies, page 31 ([Appendix A](#))  
31) See KDOT Policies, page 31 ([Appendix A](#))  
32) See KDOT Policies, page 36 ([Appendix A](#))  
33) See KDOT Policies, page 42 ([Appendix A](#))  
34) See KDOT Policies, page 39 ([Appendix A](#))

## INCIDENTS & REPORTING MEDICAL OR VEHICLE EMERGENCIES

An incident is defined as any of the following:

- Any vehicle damage
- Personal injury to any party (while on the vehicle or entering/exiting the vehicle)
- Any moving violation while on duty (35)

No matter how small, all incidents must be recorded and reported. Vehicle crashes or any event that damages or destroys a vehicle associated with the KDOT 5310/5311 public transportation program must be immediately reported to KDOT in writing, as well as to the agency's insurance provider and the police, if necessary. KDOT will provide instructions for how to proceed with reporting and insurance claims (36). The agency will likely need to produce the vehicle's pre- and post-trip inspection forms from the day of the incident. This is one of many reasons it is important to be vigilant about thorough pre- and post-trip inspections. All agencies are required to report to KDOT any crash that involves a fatality, transporting a passenger away from the scene of the crash for medical treatment, or disabling damage to a vehicle. 5311s will also need to complete the Drug and Alcohol Post-Accident Decision Making Report form and submit to KDOT for each incident.



An agency should share with KDOT all documents related to the crash, as requested. This may include: the completed pre-trip inspection form, a police report, and/ or the vehicle damage report form (available on KDOT's website under "Provider Forms" in Appendix D).

One of the Kansas RTAP course offerings is "Responding to Emergencies in Rural Transit." The course provides drivers and other transportation employees the tools to better respond to emergency situations by helping participants identify emergencies and implement crisis management. (For more information on the course, see [Chapter 8](#), Training.)

The cost to repair damaged vehicles is an allowable expense on the transportation program operating report. The expense may only be submitted after the insurance company has settled all claims. For more information on recovering costs from a vehicle accident, see page 34-35 of KDOT Policies (located in [Appendix A](#)).



## EMERGENCY MANAGEMENT

Each agency is required to complete an "After Hours Contact Form" and return it to the KDOT Office of Public Transportation. (KDOT can provide the form to an agency if information changes. A copy of the form can also be found in Appendix D.) In the case of a declared national, state, or local emergency this information will be used to contact service providers that may be called out to evacuate residents of a disaster area (37). During the triennial review site visit, the reviewer will ask to see the form and confirm that the most up-to-date version has been sent to KDOT.

KDOT also encourages each agency to work with their local emergency manager and discuss their role in the county or area's emergency management plan. Kansas state law requires each county to have its own emergency management agency or participate in an interjurisdictional arrangement (38). Each emergency management agency must prepare and keep current a disaster emergency plan for its jurisdiction that has been approved by the Kansas Division of Emergency Management (KDEM) and the Federal Emergency Management Agency (FEMA). In some counties, the emergency manager is a one-person department or even shared between two counties.

35) See KDOT Policies, page 35 ([Appendix A](#))  
36) See KDOT Policies, page 27 ([Appendix A](#))  
37) See KDOT Policies, page 16 ([Appendix A](#))  
38) Code Reference: [K.S.A. 46-929](#)



For assistance locating or contacting your local emergency manager, KDEM has a list of Kansas emergency managers on their website, [KDEM | Kansas Adjutant General's Department, KS \(kansastag.gov\)](https://www.kdem.org/kansas-adjutant-general-department). You can also call the Kansas Division of Emergency Management at: 785-274-1409.

## SAFETY PLAN

Through MAP-21, the FTA was tasked with creating a implementing a [National Public Transportation Safety Plan](https://www.transit.dot.gov/regulations-and-guidance/safety/national-public-transportation-safety-plan), available at <http://www.transit.dot.gov/regulations-and-guidance/safety/national-public-transportation-safety-plan>. The plan was completed and published in January 2017 (39). KDOT is in the process of developing a statewide public transportation agency safety plan that complies with the national plan and provides guidance for each 5307 agency who did not develop their own internal plan. When KDOT's guidance is approved and becomes available, those agencies will be required to conform to the plan. At this time, 5311/5310 agencies are exempt from this requirement.

## TRANSIT ASSET MANAGEMENT (TAM) PLAN

MAP-21 also mandated that the FTA develop a rule to establish a strategic and systematic process of operating, maintaining, and improving public transportation capital assets effectively through their entire life cycle. In July 2016, the FTA published the final rule requiring FTA grantees to develop asset management plans for their public transportation assets, including vehicles, facilities, equipment, and other infrastructure (40).

Providers with fewer than 100 vehicles have the option of joining a statewide umbrella plan. Since all providers in Kansas have fewer than 100 vehicles, the KDOT Office of Public Transportation developed a statewide TAM Plan in coordination with the CTD administrators. The KDOT TAM Plan is available at [www.ksdot.org/Assets/wwwksdotorg/bureaus/burTransPlan/pubtrans/pdf/GROUP\\_TAM\\_PLAN\\_KANSAS\\_2019-Combined.pdf](http://www.ksdot.org/Assets/wwwksdotorg/bureaus/burTransPlan/pubtrans/pdf/GROUP_TAM_PLAN_KANSAS_2019-Combined.pdf). KDOT updates their plan annually and notifies providers if their input or action is required. In annual funding applications, agencies will be asked to designate an accountable executive responsible for approving the statewide group plan.

## COORDINATED PUBLIC TRANSIT - HUMAN SERVICE TRANSPORTATION PLAN (CPT- HSTP)

Federal law requires all Section 5310 projects be derived from/included in a locally developed

coordinated public transit-human service transportation plan (CPT- HSTP).<sup>41</sup> The plan must be developed with participation by members of the public and is intended to maximize the collective coverage of local programs by minimizing duplicative services.

For sub-recipients of FTA grants through KDOT, each Coordinated Transit District (CTD) in the state creates a CPT-HSTP for providers within its boundaries. The plans were first written in 2007, after the passage of SAFETEA- LU, and were most recently updated in 2018.

Current plans can be found at the KDOT website: [www.ksdot.org/burTransPlan/pubtrans/index.asp](http://www.ksdot.org/burTransPlan/pubtrans/index.asp)

## OTHER PLANNING ACTIVITIES

### SERVICE PLANNING

Providing quality service requires a manager to be aware of how effectively the agency is utilizing resources and offering service. This may require intermittent review of populations served, routes (if applicable), fares, passenger amenities and policies. Adjusting service hours, service areas, or number of vehicles may allow you to provide better service. KDOT and Kansas RTAP can provide guidance for analyzing your transit system.

### CAPITAL PROJECT PLANNING

Capital planning refers to analyzing fleet size, replacement schedules, and asset management. (Capital planning is largely addressed through TAM Plans.) It is helpful when deciding whether new purchases are needed or if your agency has grown large enough to require its own maintenance facility. Again, your CTD and KDOT can help you analyze your agency to make these decisions.

## COORDINATING WITH YOUR CTD

All transit providers funded by KDOT are required by state law to participate in a local Coordinated Transit District (CTD) (42). The role of the CTD is to bring individual transit providers together to maximize scheduling availability, vehicle usage and, as a result, rider satisfaction. Transit providers should make their concerns and insights known to their CTD so that its members can seek a solution together.

Each CTD is a not-for-profit organization or a governmental designated entity that receives the 5310 and 5311 grant funding from KDOT to distribute directly to its member agencies. Each CTD is required to hold meetings at least quarterly, with a person from each agency (typically the manager) in attendance at every meeting. These meetings can be held by conference call, but at least one of the meetings each fiscal year must be held in person.

39) To access the National Public Transportation Safety Plan, click on the link in the text, visit this website: <https://www.transit.dot.gov/regulations-and-guidance/safety/national-public-transportation-safety-plan>, or contact the Region 7 FTA office for a print copy.

40) For more information on transit asset management, visit the FTA's website: <https://www.transit.dot.gov/TAM>

41) Code Reference: Pub. L. 109-59, page 119

42) Code Reference: K.S.A. 75-5051 through 75-5058

The CTD structure in Kansas creates opportunities for your agency to work with other transit agencies in your region. This might take the form of joint trainings, joint service coordination for special events, and other partnerships.

Each CTD must have bylaws that address all aspects of the procedures of the required meetings, which are updated as needed. Bylaws must also include a process for members to remain in good standing and a process for those who fail to remain in good standing with the CTD. Contact your CTD administrator for details on your CTD's bylaws. Responsibilities of an agency to their CTD include:

- Attending each CTD meeting
- Submitting reports to the CTD administrator on time
- Signing a Certificate of Assignment Authority with your annual grant application (This certificate allows the CTD chair to act as an agent representing the CTD in operations transaction matters and other business with KDOT on your agency's behalf).
- Abiding by all other bylaws in effect in your CTD to remain in good standing.

“Good Standing” is determined by each CTD’s specific bylaws. The CTD’s secretary will mail notice to each agency during grant application time, letting them know if they are in good standing with the CTD.

## INTERLOCAL AGREEMENTS AND MEMORANDA OF UNDERSTANDING

On issues like emergency management planning, you may enter into agreements with other agencies and entities in your area. These agreements are often in the form of a memorandum of understanding or an interlocal agreement.

A memorandum of understanding outlines the terms and details of an understanding between two or more parties. To be a binding contract, the binding nature and authority must be explicitly stated and consequences of breaking the contract must be outlined.

Kansas law enables local governments to cooperate with other localities, persons, associations, and corporations (often in the form of an interlocal agreement) on a basis of mutual advantage in order to provide services in a manner that best serves communities (43).

Examples of opportunities to create interlocal agreements include:

- Assistance during times of disaster and immunity from liability: [K.S.A. 12-16,117](#)
- Purchasing insurance and pooling arrangements: [K.S.A. 75-6111](#)

Some transportation providers are branches of a city or county government that is already part of interlocal agreements. Providers that are non-profit agencies may be asked by a city or county to join an interlocal agreement or memorandum of understanding. The agency should always have a lawyer review an interlocal agreement or memorandum of understanding before signing it, and, when in doubt, consult KDOT.

## TYPES OF SERVICE

### DEMAND-RESPONSE (FLEXIBLE ROUTE/FLEXIBLE SCHEDULE)—MOST COMMON IN KANSAS

- If a phone call is necessary to access the system, the service is demand response.
- Demand response services are not required to establish a separate complementary paratransit service.

### FIXED-ROUTE (FIXED ROUTE/FIXED SCHEDULE)

- Fixed-route services are initiated independently from public requests and follow a regular, predetermined route, stopping at designated points along the route.
- Any transit provider that operates a fixed-route service must provide a complementary paratransit service for those persons with disabilities who are unable to ride on the fixed route or get to the bus stop.
- A variation of fixed route, deviated fixed route, allows a fixed route to deviate for pre-determined stops. If the deviated fixed route serves up to  $\frac{3}{4}$  mile from existing stops and provides services that is similar to complementary paratransit, the deviated fixed route can take the place of complementary paratransit.

43) Code Reference: [K.S.A. 12-2901](#)

# CHAPTER 5

## SERVICE PROCEDURES

Service procedures refer to the policies and practices that an agency uses to provide consistent service to passengers. This chapter will address policies every transit agency must have in place to comply with KDOT policies and other regulations.

### SETTING HOURS OF SERVICE, SERVICE AREA, AND FARES

KDOT requires that Kansas transit providers operate for six full hours each day within the core service period (defined as Monday through Friday between the hours of 8:00 AM and 5:00 PM) and that the provider operate for 30 total hours within the core service period each week. KDOT requires that dispatching hours be the same as operating hours. Hours of operation must be included in the provider's policies, rider handbook, and advertising (44).

KDOT-funded grantees are encouraged to earn project income to defray program costs but establishing a fare structure is up to the provider. Fares must be included in ridership policies. Fares must be the same for persons with disabilities as persons without disabilities. More information on generating and reporting project income is included in [Chapter 3](#), Financial Management.

General public transportation providers (5311 grantees) should always provide service on a first come, first served basis with equal access for all passengers. This should be made clear in all marketing and passenger communications. (During the triennial review, the agency representative will need to show KDOT that the rider handbook includes this service statement). Trips cannot be prioritized contrary to the first come, first served policy, even if the trip is for medical purposes (45). Each agency has the right to set additional policies regarding out-of-town trips outside of its regular service area, but should confer with KDOT to ensure the policies are not in violation of any state or federal laws (like ADA).

### ADVERTISING REQUIREMENTS

(5311 GRANTEES ONLY—5310 GRANTEES ARE NOT REQUIRED TO ADVERTISE SERVICE)

Advertising public transportation services is an FTA requirement and an allowable expense for an agency's operating budget. KDOT requires all 5311 and/or 5339 grant recipients to advertise the public transportation services program monthly in the local newspaper that

has a distribution to the general public in their service area. If there are several general newspapers within the service area, the agency must advertise in each. If there is no local newspaper, the agency must do its due diligence in advertising including the use of social media. Specific regulations include:

- Advertisement cannot be strictly in a senior citizens' newsletter or only in the senior citizens' section of the newspaper.
- Advertisements cannot be placed in classified section.
- The shape must block; at least 2 in. x 3 in. in size.
- All advertising must include the following information:
  - Indicate that service runs on a "first come, first served" basis.
  - Include the statement "This project is funded by the KDOT Public Transportation Program."
  - State the agency's service hours (46).
  - Advertising in regional or local phone book yellow pages under the category "Transportation Service Providers" is also required and must specify that it is general public transportation.

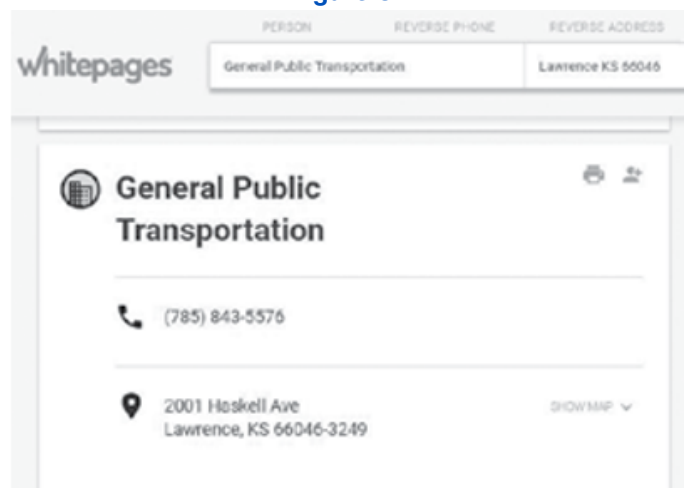
The sanction for non-compliance with the advertising requirement is a forfeiture of all operating reimbursements until the required information is submitted to KDOT.

Copies of all advertising should be retained by the provider for a period of 5 years to make available during triennial review (47). 5311 agencies will also be required to submit proof of advertising to KDOT twice each year.

Advertising during the months of May through October will be submitted in November with the agency's grant application. Advertising for the months of November through April must be submitted to KDOT by May 15. Eligible proof of advertising includes:

- A copy of the ad as it ran in the newspaper.
- A tear sheet or a copy of the bill confirming purchase.
- If the same advertisement is run in multiple papers, provider may send in one copy of the ad itself but must include proof of publication (like a bill) from each newspaper.
- The agency should also send proof of its inclusion in the local phone book(s).

Figure 5.1



44) See KDOT Policies, page 37-38 ([Appendix A](#))  
45) See KDOT Policies, page 39 ([Appendix A](#))  
46) See KDOT Policies, page 38 ([Appendix A](#))  
47) See KDOT Policies, page 7 ([Appendix A](#))



An agency may use an additional/secondary advertising medium but should first get approval from KDOT to ensure the expenses will qualify for reimbursement.

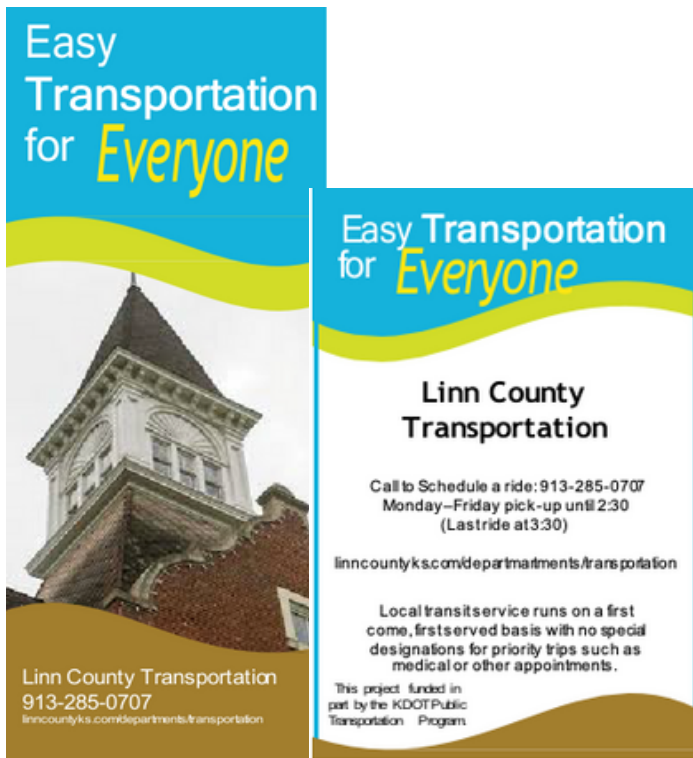
Examples of secondary media include brochures, posters, public service announcements, radio, TV, social media commercials (YouTube, Facebook, etc.), cable TV local access channel, signs and billboards, and marketing tools (printed pens/ pencils/ notepads/ etc.)

## MARKETING

Developing and expanding a base of riders in a community requires marketing the service. There are several resources available for transit agencies and some specifically designed for rural and small urban systems.

Kansas RTAP has developed advertising and brochures that can be used by transit agencies. An example is shown in figure 5.2. Staff at Kansas RTAP will input your information into the brochure and advertising template and also provide ideas for how to improve your social media and website.

Figure 5.2



National RTAP has put together a [Marketing Transit Toolkit](#) that includes guidance for developing a marketing plan, templates for marketing materials, and a photo library with images for agency websites and marketing materials. Figure 5.3 provides a view of this toolkit.

Figure 5.3: National RTAP Marketing Transit Toolkit Webpage

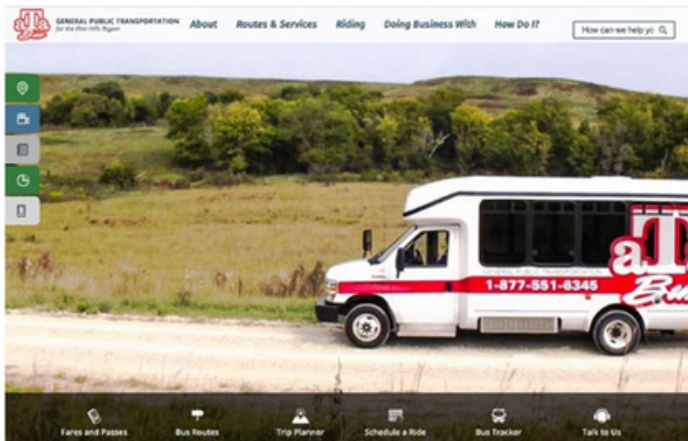


## WEBSITE

Many agencies also find it helpful to have a website. Not only does a website provide another place to share information about service, but it is a place to post important documents including the rider handbook, complaint forms, and route schedules (for fixed-route service).

- If your agency is a 5311 program administered through a governmental agency, ask the city/county/agency's web designer to add a webpage for the transit service. This is ideal because the website can be hosted on the city/county/agency's server and strengthens brand identity if your webpage is consistent with other city service webpages.
- National RTAP has a website builder tool to help your agency design your own website. The website would be hosted on the National RTAP server free of charge.
- Your agency can build a website using a content management system, like WordPress or Drupal, but will need to pay for web hosting (which is what connects your website to the internet) and possibly the domain name (www.yoursitename.com).

**Figure 5.4: The Flint Hills ATA Bus Service, which is administered through Riley County**



## VEHICLE USAGE

### VEHICLE UTILIZATION

An agency must adequately use the vehicles that have been provided through KDOT funding to ensure funds are being used efficiently. KDOT evaluates this usage based on miles traveled. The minimum use of a transit vehicle is 2,500 miles per year (48). KDOT will monitor the usage of vehicles through monthly reports submitted on BlackCat and during the triennial review. If a vehicle is not being used to these standards, KDOT will notify the provider and require them to establish a utilization plan. If the plan cannot be established or is not fulfilled, the useful life formula for the transfer of the vehicle will be completed by KDOT and the provider will be notified that the vehicle will be transferred. Back up vehicles are also required to travel at least 2,500 miles per year. Information about vehicle replacement, transfer, and disposition is included in [Chapter 9](#), Procurement.

### APPROPRIATE USES/INCIDENTAL USE

KDOT vehicles cannot be used for personal or business errands (this includes agency administrative functions like trips to the bank or traveling to training). Drivers may, however, use KDOT program vehicles to go to lunch (during a designated lunch break during a shift) on out-of-town or out-of-county trips that do not permit the driver to report back to the main office for their lunch break (49).

Since 5311 agencies are general public transportation providers, the agency may not use KDOT vehicles for any services not open to the general public. Meal delivery, delivery of goods, or personal errands is strictly prohibited with 5311-funded vehicles. While 5310 providers are permitted to use the 5310 vehicles for incidental services (like meal delivery), the primary use of the vehicle must be the transportation of passengers. KDOT requires proof that all 5310 agencies are providing transportation services

48) See KDOT Policies, page 37 ([Appendix A](#))  
 49) See KDOT Policies, page 38 ([Appendix A](#))  
 50) See KDOT Policies, page 39 ([Appendix A](#))  
 51) See KDOT Policies, page 34 ([Appendix A](#))  
 52) See KDOT Policies, page 34 ([Appendix A](#))  
 53) See KDOT Policies, page 33 ([Appendix A](#))  
 54) See KDOT Policies, page 38 ([Appendix A](#))

to passengers as the primary use at the triennial review. Agency policies must define how vehicles are used (50).

KDOT-funded vehicles may not be rented out or borrowed by individuals or other organizations for incidental or regular use.

### VEHICLE LABELING

All 5311 vehicles providing service as part of the public transit program must be marked with the words “General Public Transportation” in upper case letters with the agency telephone number on both sides of the vehicle (51). 5310 agencies are not required to label vehicles, but should be sure that they are NOT mislabeled as general public transportation if they were previously used as a 5311 vehicle.



All new vehicles will be issued to the provider with a “KDOT Public Transit Network” decal to indicate participation in the Regional Rural Transit program. The smaller decal issued to mini-vans should be placed on the lower right hand side of the back door. The larger decal should be placed on the lower righthand side of the back door on 12-, 13-, 14-, or 20-passenger vans (52).

### VEHICLE PARKING AND STORAGE

KDOT-funded vehicles may not park in designated disabled parking spots or areas in public or private locations without an ADA vehicle tag or ADA mirror hang-tag (53). The appropriate tag can be acquired through your county treasurer’s office. A list of county treasurer offices with contact information is available through the Kansas County Treasurer’s Association website, [www.kansastreasurers.org/vehicle/vehicle.htm](http://www.kansastreasurers.org/vehicle/vehicle.htm). KDOT-funded vehicles should never be parked at the bus driver’s or manager’s home or on their personal property. An agency should work with local officials to secure parking at the county courthouse, police station, or city hall (or in a senior center or community center parking area). Disability organizations or other 5310 and 5311 agencies that have agency-owned property may park vehicles at these locations. This includes group homes receiving 5310 funding (54).



On the occasion that a driver has to take a vehicle home overnight for an early departure, they must request prior approval from KDOT and the documented approval (if granted) must be kept on record at the agency office. Vehicle use standards still apply, meaning when a vehicle is taken home overnight it may not be used for personal errands of any kind.

## CHARTER SERVICE

KDOT's complete process and regulations for charter service can be found in the State Management Plan on the KDOT website or in Appendix B. Below are some general guidelines.

Charter service may include (but is not limited to) the following: 1) Transportation provided to a third party for the exclusive use of a bus or van in which the third party pays the provider a negotiated price for the group, any payment by an individual in the group is collected by the third party, the service is not part of the provider's regularly scheduled service, and/or the third party determines the origin and destination and schedule. 2) Transportation provided to the public for events or functions that occur on an irregular basis for a limited duration where either a premium fare is charged that is greater than the usual rate or the service is paid for in whole or in part by a third party.

Typically, KDOT 5311 vehicles should not be used for charter services. If a KDOT vehicle is used for charter service, the agency must get permission from KDOT, and it should be incidental to regular service. Potentially permitted charter services (which the FTA calls charter service exceptions) are:

- Transporting government officials on official business, given the provider does not generate revenue from the service, the service occurs within the agency's own region/service area, and that the agency does not exceed a total of 80 service hours of this type within a year.
- Transporting groups from human service organizations with the purpose of serving persons with mobility limitations due to advanced age, disabilities, or low income that either receive funding from one of the KDOT funded programs or are registered on the FTA's charter registration website (55).

Emergency response service is exempt from charter service restrictions. Grantees may provide service for up to 45 days for actions directly responding to an emergency declared by the president, governor or mayor or in an emergency requiring immediate action prior to a formal declaration. For more information about emergency management coordination, see [Chapter 4](#), Operations.

If authorized charter service is provided, the agency must maintain notices and records in an electronic format for a period of at least three years from the date of service. Records must include a clear statement identifying which exception (of the two listed above) the grantee relied upon when it provided the charter service.

Further guidance and relevant forms related to charter service are available on the KDOT Office of Public Transportation website, [www.ksdot.org/BurTransPlan/pubtrans](http://www.ksdot.org/BurTransPlan/pubtrans)

## SCHOOL BUS SERVICE

Agencies funded with FTA grants are not permitted to operate exclusive school bus service without the expressed permission of the FTA Region 7 Administrator (56). Regular service can be modified to accommodate school students so long as the service is also available to the general public at the same time and on the same days. For information on transporting young children, see the "Transporting Special Populations" section later in this chapter.



## RURAL PROVIDERS IN URBAN AREAS

As a general rule for the 5311 program, the transportation of passengers should be "rural to rural" or "rural to urban," rather than "urban to urban." If a passenger in an urban area requests a ride on a 5311 rural bus while the vehicle is waiting on passengers, the driver must inform the passenger that the vehicle only provides service to those living in its designated service area and direct the passenger to contact their local provider(s). This is most relevant to 5311 providers based near the Census-designated urban areas of: KansasCity, MO-KS, St Joseph, KS-MO, Wichita, Topeka, Lawrence, and Manhattan, that may make frequent trips to these urban areas.

55) See KDOT Policies, page 41-42 ([Appendix A](#))  
56) See KDOT Policies, page 40 ([Appendix A](#)); [Code Reference: 49 C.F.R. Section 605\(b\)](#)



## NON-EMERGENCY MEDICAL TRANSPORTATION (NEMT)

The State of Kansas administers Medicaid through the KanCare program under the Kansas Department of Health and Environment (KDHE), the Kansas Department for Aging and Disability Services (KDADS), and the Kansas Department of Children and Families (DCF). Some KanCare plans cover the cost of transportation to medical appointments.

A 5310 or 5311 provider may apply to KanCare to provide non-emergency medical transportation (NEMT) to qualified Medicaid recipients, but additional regulations and policies not covered in this handbook may apply. Contact KDOT for further information.

## OPERATING AUTHORITY: KCC AND FMCSA

The FMCSA requires transit agencies that provide services across state or country lines to follow the rules of the FMCSA. This applies only if the transit provider receives a fare for the trip. In order to meet the rules of the FMCSA, the transit agency must:

- Obtain FMCSA registration for the vehicles used.
- Obtain insurance on the vehicles. (The amount of the insurance is based on the size of the vehicle.)
- Designate a representative within the agency that can be served with court papers, should a legal proceeding be brought against the agency.
- Make sure drivers who transport 16 or more passengers (including themselves) have a Commercial Driver's License (CDL).

If you need help, please contact the Transportation Division of the Kansas Corporation Commission:

Transportation Division

Email: [transportation@kcc.ks.gov](mailto:transportation@kcc.ks.gov)

Phone: (785) 271-3145

Fax: (785) 271-3124

Website: [www.kcc.state.ks.us/trans/index.htm](http://www.kcc.state.ks.us/trans/index.htm)

## TRANSPORTING SPECIAL POPULATIONS

### INCARCERATED PERSONS

Agencies funded through KDOT public transportation programs are not permitted to transport incarcerated persons because vehicles are not equipped with necessary safety equipment. County or state prisoners on a work release program may be transported in demand response or fixed route vehicles, provided the correctional facility submits a letter of request to the agency and the KDOT Office of Public Transportation. The letter must include the type of service (demand response or fixed route), the hours of service when the prisoner(s) would be riding, and the type of vehicle that can be used to provide service.

The exception to this policy is in the case of a national, state, or county-declared disaster where prisoner transportation is needed for evacuation. This should be addressed when coordinating transportation services with local emergency managers. More information on emergency management coordination can be found in [Chapter 4](#), Operations.

### CHILDREN

KDOT requires that for every five vehicles in the fleet, an agency must have one child safety seat and one booster seat (unless the vehicle has built-in child safety seats) (57). There is no specification on whether the seats are front- or rear-facing, but an agency must have both a child safety and booster seat for every five vehicles. Purchasing child safety seats is an allowable expense in an agency's operations budget.



All providers must have ready access to child safety seats. Even if a provider does not typically transport children, the statewide KDOT public transportation fleet must prepare to be called into service in the case of an emergency/disaster. To fulfill this requirement, an agency must either own the seats themselves or have a memorandum of understanding (MOU) with another agency in the area (county health department, YMCA, Boys and Girls Club, etc.) to have access to child seats if the need should arise. For information on purchasing, installing, or using car seats, visit the KansasTraffic Safety ResourceOffice website, [www.ktsro.org/child-passenger-safety](http://www.ktsro.org/child-passenger-safety).

(Note: Multiple agencies cannot rely on the same safety/ booster seats. This means Transit Agency A should not seek an MOU with Transit Agency B for safety seats because, in an emergency, both vehicles may be dispatched and need the seats at the same time. Similarly, multiple agencies should not rely on the same non-transit agency. If the YMCA has only two spare safety seats, they cannot promise two to Agency A and two to Agency B because, again, in an emergency, both agencies may be dispatched and need a total of four seats.)

57) See KDOT Policies, page 40 ([Appendix A](#))

The Kansas Department of Transportation YouTube channel, [www.youtube.com/user/kansastransportation/](http://www.youtube.com/user/kansastransportation/) featured provides several helpful videos on installing and using child safety seats. Figure 5.5 is a flyer from [www.kansasboosterseat.org](http://www.kansasboosterseat.org) that provides information on the installation of booster seats.

Figure 5.5: Seats for Transporting Children



## OPERATION POLICIES

All transit agencies must have policies adopted and implemented to define the functions of their transit system. **Each of the following topics must be addressed in written policy.** Agency policies will be reviewed during the triennial review process.

- Statement of Service and Hours of Operation (addressed earlier in this chapter).
- Fares or Donations (addressed earlier in this chapter).
- Service Policies for Scheduling and Dispatching: advanced notice, no shows, cancellation policy, etc. (addressed earlier in this chapter).
- Passenger Conduct and Reasons for Denial of Service.
- Complaint Procedures for Riders (Chapter 6).
- Wheelchair Assistance.
- Passenger Assistance.
- Securement of Loose Articles—Including Medical Equipment.
- Service Animals.
- Seatbelt Usage.
- Child Safety (addressed earlier in this chapter).
- Incident Reporting (Chapter 4).
- Medical or Other Emergencies (Chapter 4).
- Pre- and Post-trip Inspections (Chapter 10).
- Vehicle Maintenance (Chapter 10).
- Personnel Policies (Chapter 7) (58).

Some of these policies are covered in other chapters of the handbook, as indicated in parentheses. All other listed policy requirements are detailed below. **Sample text for these and other policies is included in Appendix E.**

In regards to the Triennial/On-Site Reviews, the KDOT policy manual mentions that all the questions, answers, and guidance are online <http://www.ksdot.org/burTransPlan/pubtrans/index.asp>

## PASSENGER CONDUCT

Passenger conduct can range from behavior on the vehicle to matters of health and safety. A common question from managers is whether or not personal hygiene can be addressed in passenger conduct policy. Hygiene can be addressed, but the language may not violate ADA protections provided in 49 C.F.R. 37 and 38. Language should identify the purpose of the policy (maintaining the health and safety of the driver and all passengers) and how standards will be judged or implemented.

A public transportation provider is also not required to provide services if an individual (or mobility device) poses a direct threat to the safety of the passengers or driver.

Direct threat is defined as:

- A significant risk to the health or safety of others, that:
  - Cannot be eliminated by a modification of policies, practices, or procedures, and
  - Cannot be presumed; there must be objective evidence (59).

58) See KDOT Policies, page 36 (Appendix A)  
59) See KDOT Policies, page 41 (Appendix A)



## DENIAL OR SUSPENSION OF SERVICE

An agency may have a suspension policy for a pattern or practice of no shows, but it must be documented in a policy that is accessible to the public (60). ADA requires that suspensions be for a “reasonable period of time,” which the FTA guidance considers to be one week for the first offense. Subsequent suspensions may be longer, but any one suspension may not last more than 30 consecutive days, as that is considered excessive (61). The policy should outline who makes the decision to issue a suspension and a record of service denials should be kept for the triennial review. An individual who has been denied service due to a suspension has the right to contest the decision. The provider’s suspension policy should include an appeal/review process and designate who will make the decision regarding the appeal. These policies should be included in the rider handbook, so they are properly communicated to the public. Any denial-of-service policy must be clearly spelled out to avoid violating the ADA by inadvertently denying service to an individual with a disability or violating any Title VI protections.

## PASSENGER ASSISTANCE & WHEELCHAIR ASSISTANCE

It is up to each agency to set a policy for handling a situation if the agency receives a ride request from a person using a wheelchair in an area or at a time when a non-ADA vehicle is normally used. Agencies should make all efforts possible to accommodate all passengers to ensure equivalent service is being provided.

### WHEELCHAIR DEFINITION:

*A wheelchair is a “mobility aid belonging to any class of three or more wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.” “Common wheelchair” is no longer used in any documents or items regarding public transit and MUST be removed from all agency documents, websites, and advertising materials.*

**Wheelchair Securement:** An agency may establish a policy requiring wheelchairs be secured before the vehicle is in motion. Furthermore, the policy may specify that a vehicle operator can decline service to a rider who refuses to have their wheelchair secured if this policy is in place (62). However, an agency may NOT deny service to a rider whose wheelchair cannot be secured to the operator’s satisfaction, regardless of the agency’s securement policy (63). In this situation, the operator must do their best to secure the wheelchair and provide service to the passenger. KDOT encourages wheelchairs be secured for safety whenever possible.

**Non-Wheelchair Users Riding the Lift:** Some riders may be unable to board the vehicle using the stairs or making the large step into a mini-van. Agencies must have a policy in place to accommodate these situations. This almost always means allowing riders to use the ADA ramp or wheel chairlift to board the vehicle, even if the person is not in a wheelchair.



**Additional KDOT guidance on Riding the Lift:** A provider is required to take passengers on the lift whether or not they are standing, in a chair, or using a walker. However, an agency may keep a collapsible wheelchair on the vehicle and ask if the rider would prefer to ride the lift in the wheelchair then transfer to a seat. If the rider declines, the

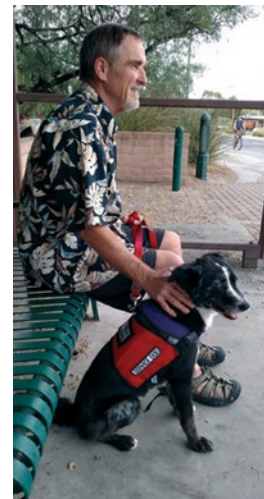
driver must allow them to ride the lift while standing/not seated.

## SECUREMENT OF LOOSE ARTICLES & MEDICAL EQUIPMENT (INCLUDING COMPRESSED OXYGEN CANISTERS AND RESPIRATORS)

A provider must have a policy indicating the acceptance of all medical devices on the vehicle. This policy may list examples, but they should be listed as “including, but not limited to” (64).

## SERVICE ANIMALS

Each provider must have policy in place and available to the public regarding service animals (65). Generally, to comply with the ADA, a provider’s policy should permit service animals because denying them could be considered discrimination against a person with a disability.



The policy should also be clear as to how a driver determines whether an animal is a service animal (as opposed to a pet, for example). According to ADA regulations, the provider may NOT have a policy requiring riders to provide documentation for their service animal, but personnel may ask two questions:

1. Is the animal a service animal required because of a disability?
2. What work or task is the service animal trained to perform (66)?

Demand response services may ask riders for notification of their intent to ride with a service animal to ensure there is adequate space in the vehicle for the animal (67).

60) 5311 Providers will be asked to provide their policy for suspension of service during the triennial review.

61) [FTA C 4710.1](#), page 9-27.

62) See KDOT Policies, page 41 ([Appendix A](#)).

63) Code Reference: [49 C.F.R. Section 37.165\(c3\)](#).

64) Code Reference: [49 C.F.R. Section 37.165\(d\)](#).

65) See KDOT Policies, page 36 ([Appendix A](#)); [FTA C 4710.1](#), page 2-18.

66) [FTA C 4710.1](#), page 2-17.

67) [FTA C 4710.1](#), page 2-18.

## SEATBELT USAGE

KDOT requires each agency to have a clear policy on seatbelt usage (68). Under the Child Passenger Safety Act, Kansas law requires adults 69 and children in passenger vehicles to be properly secured with a seatbelt or appropriate child safety seat (70). While most public transportation vehicles are exempt from this requirement (because many buses are not equipped with seatbelts), passengers should be encouraged to use seat belts if available.



## CONCEALED CARRY

Providers must adopt a policy regarding the concealed carry of firearms that is in accordance with Kansas statutes (71).

## DIRECT THREAT

A public transit entity is not required to provide services if the individual or mobility device poses a threat to safety, “direct threat” meaning:

- A significant risk to the health or safety of others.
- Cannot be eliminated by a modification of policies, practices or procedures.
- Cannot be presumed: there must be objective evidence.

## CHANGES IN POLICIES AND PROCEDURES

Sub-recipients must notify KDOT in advance of any proposed service change. This includes, but is not limited to, changes in fares, schedules, service hours, service routes or any other policy. Once KDOT has approved the proposed change the sub-recipient must advertise the change in the local media 30 days prior to making the change. The notification must also be distributed or made available to all passengers (72).

## PLACEMENT OF LEGAL NOTICES

Notice of Title VI Rights must be posted in public areas of the agency’s office and in every vehicle. Additionally, brochures informing the public of their rights under Title VI must be available in every vehicle and at the agency’s office. Complaint or grievance

forms must also be available at the agency’s office and on the agency’s website, if there is a website. More information on Title VI documents is in [Chapter 6](#), Civil Rights Compliance.



## RIDER HANDBOOK

There are several ways to communicate your policies to riders. Some agencies have a policy manual for staff and a separate rider brochure. Other agencies include everything in a singular comprehensive rider handbook. Policies listed in this chapter must be included in a publicly available document.

FTA grant recipients and sub-recipients are required by the ADA to make adequate information concerning transportation services available to the public, including individuals with disabilities (73). The agency representative will be asked to provide a copy of the agency’s rider policies for review during the triennial review.

Appendix F includes examples of rider brochures and rider handbooks.

68) See KDOT Policies, page 36 ([Appendix A](#))

69) Code Reference: [K.S.A. 8-2503](#)

70) Code Reference: [K.S.A. 8-1344](#)

71) See KDOT Policies, page 39 ([Appendix A](#))

72) See KDOT Policies, page 36 ([Appendix A](#))

73) [FTA C 4710.1](#), page 2-18



# CHAPTER 6 CIVIL RIGHTS COMPLIANCE

Civil rights compliance is necessary in every step of public transportation administration. This chapter provides an overview of civil rights regulations including the Americans with Disabilities Act (ADA) and Title VI of the Civil Rights Act of 1964, but these regulations are also addressed in other chapters: [Chapter 9](#) (Procurement), [Chapter 7](#) (Personnel), and [Chapter 5](#) (Service Procedures).

## AMERICANS WITH DISABILITIES ACT(ADA)

The Americans with Disabilities Act of 1990 (ADA) prohibits discrimination against and ensures equal opportunity for persons with disabilities in employment, state and local government services, public accommodations, commercial facilities and transportation (74). Most of the regulations created by the ADA are explained in Title II and Title III of the Act.

As it pertains to transportation, the ADA ensures persons with disabilities have equal transportation and accessible transportation. All transportation service providers must comply with the ADA whether they receive federal assistance or not. The applicable regulations cover both public and private entities, but FTA oversight authority extends only to public entities and those contracting with public entities (including 5310 and 5311 providers).

The following regulations from [Title 49 of the Code of Federal Regulations \(CFR\)](#) set specific requirements transit providers must follow to ensure their services, vehicles, and facilities are accessible and usable by individuals with disabilities (75).

- [Part 27](#): Nondiscrimination on the Basis of Disability in Programs or Activities Receiving Federal Financial Assistance.
- [Part 37](#): Transportation Services for Individuals with Disabilities.
- [Part 38](#): Accessibility Specifications for Transportation Vehicles.
- [Part 39](#): Transportation for Individuals with Disabilities: Passenger Vessels.

**Figure 6.1: ADA Applicability by Transportation Service Type (Kansas providers should look at the Fixed Route Bus and Demand Responsive rows)**

Type of Transportation Service	Applicable Subparts and Sections of Regulations					
	General Non-discrimination	Applicability, Complaints & Enforcement	Facilities	Vehicle Acquisition & Specifications	ADA Paratransit	Service Provision
Commuter Rail	Part 37 Subpart A; Part 27 Subpart A	Part 37 Subpart B; Part 27 Subpart C	Part 37 Subpart C, Appendix A	Part 37 Subpart D; Part 38 Subpart E	Not Required	Part 37 Subpart G
Light and Rapid Rail	Part 37 Subpart A; Part 27 Subpart A	Part 37 Subpart B; Part 27 Subpart C	Part 37 Subpart C, Appendix A	Part 37 Subpart D; Part 38 Subparts C & D	Part 37 Subpart F	Part 37 Subpart G
Fixed Route Bus	Part 37 Subpart A; Part 27 Subpart A	Part 37 Subpart B; Part 27 Subpart C	Part 37 Subpart C, Appendix A	Part 37 Subpart D; Part 38 Subpart B	Part 37 Subpart F	Part 37 Subpart G
Commuter Bus	Part 37 Subpart A; Part 27 Subpart A	Part 37 Subpart B; Part 27 Subpart C	Part 37 Subpart C, Appendix A	Part 37 Subpart D; Part 38 Subpart B	Not Required	Part 37 Subpart G
Demand Responsive	Part 37 Subpart A; Part 27 Subpart A	Part 37 Subpart B; Part 27 Subpart C	Part 37 Subpart C, Appendix A	Part 37 Subpart D; Part 38 Subpart B	Not Required	Part 37 Subpart G
Ferry Boats and Other Water Transportation	Part 39 Subpart B; Part 27 Subpart A	Part 39 Subparts A & G	Part 39 Subpart D	Part 39 Subpart E (Reserved)	Not Required	Part 39 Subparts C & F

Source: page 1-3 of FTA C 4710.1

74) Definition provided by the U.S. Department of Justice: [www.ada.gov/](http://www.ada.gov/).

75) The full text of these regulations is available through the Electronic Code of Federal Regulations (e-CFR) at: [www.ecfr.gov](http://www.ecfr.gov) by searching for Title 49 and then selecting Subtitle A.



For more information about ADA compliance for transportation providers, refer to the most recent FTA circular, issued November 4, 2015: [FTA C 4710.1](#). FTA circulars can be accessed online, and paper copies can be requested by contacting the FTA Region 7 office in Kansas City, MO (Call 816-329-3920).

### ADA VEHICLE PURCHASE REQUIREMENTS & EQUIVALENT SERVICE

KDOT advises that all vehicles in a fleet be equipped with either a ramp or a lift, but, at minimum, at least one ADA vehicle for every five vehicles in an agency's KDOT-funded fleet of vehicles (76).

### SERVICE INFORMATION

Kansas transportation providers must make information concerning transportation services available to individuals with disabilities through accessible formats and technology (77) This "rider handbook," as it is typically called, must be publicly available.

Additionally, the ADA requires certain service provisions for an agency to be fully compliant. A list of those policies, along with sample text, can be found in [Chapter 5](#), Service Procedures.



### TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

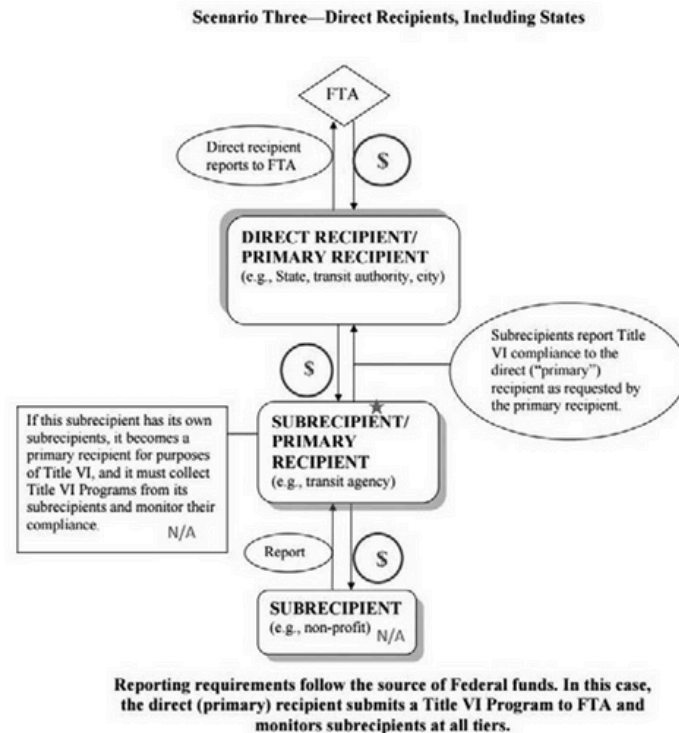
Title VI of the 1964 Civil Rights Act ensures non-discrimination in federally assisted programs, stating:

*No person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance (78).*

This non-discrimination clause applies to any recipient of FTA funds, including grant sub-recipients. The FTA Office of Civil Rights is responsible for monitoring FTA recipients' Title VI programs and ensuring their compliance with Title VI requirements.

Guidance on Title VI compliance for transportation providers can be found in the most recent FTA circular, issued October 1, 2012: [FTA C 4702.1B](#). FTA circulars can be accessed online, and paper copies can be requested by contacting the FTA Region 7 office in Kansas City, MO (Call 816-329-3920).

**Figure 6.2: Title VI Reporting Hierarchy**



Each CTD and transportation provider must sign an assurance that they will not discriminate in their service, in accordance with Title VI. This assurance is part of the signed agreement between KDOT, the CTD, and the transportation provider created through the application process for 5310 and 5311 funds. Additionally, KDOT requires all sub-recipients to provide information on any discrimination complaints and a Title VI plan for the agency (79). This information will be reviewed as part of the KDOT Triennial Review process. Below is an overview of what is required for a Kansas transportation provider to be compliant with Title VI:

1. Create a Title VI plan and submit to KDOT. Title VI plans must be updated every three years and reaffirmed by the board. The updated Title VI plan must be uploaded into BlackCat and viewable by KDOT. The plan must include **all** the following components:
  - Notice of Rights under Title VI\*
  - Instructions for a person to file a complaint\*
  - Copy of the complaint form\*
  - List of Title VI investigations, complaints, or lawsuits\*
  - Public Participation Plan

76) See KDOT Policies, page 10 ([Appendix A](#))  
77) Code Reference: [49 C.F.R. 37.167\(f\)](#); Guidance available in [FTA C 4710.1](#), page 47.  
78) Code Reference: [49 U.S.C. 5332](#)  
79) See KDOT Policies, page 38 ([Appendix A](#))

- Limited English Proficiency Plan (LEP Plan), which must include the following:
  - Description of how the sub-recipient provides language assistance services by language.
  - Description of how the sub-recipient monitors, evaluates and updates the language access plan.
  - Description of how the sub-recipient trains employees to provide timely and reasonable language assistance to LEP populations (80).
- Meeting minutes of board of directors' resolution demonstrating governing board's approval of the Title VI plan.
- Racial breakdown of non-elected advisory councils.\*

2. Notice of Title VI Rights must be posted in public areas of the agency's office (reception desk, meeting rooms, etc.) and in every vehicle and on the agency's website, if they have one (81).

3. Brochures informing the public of their Title VI Rights must be available in the agency's office and on board every vehicle (82). KDOT has created a brochure for agencies to use, which can be found on the Office of Public Transportation web page in both [English](#) and [Spanish](#) (83).

4. Complaint forms must be available at the agency's office. If the agency has a website it is recommended that they also make the forms available for download on the website (84).

\*[FTA C 4702.1B](#) includes samples of the Notice of Rights, instructions for filing a complaint, a complaint form, and a suggestion for formatting the list of investigations and the racial breakdown. Figures 6.3 and 6.4 are samples of these forms.

**Figure 6.3: List Complaints**

**LIST OF TRANSIT-RELATED TITLE VI INVESTIGATIONS, COMPLAINTS, AND LAWSUITS (GENERAL REQUIREMENT)**

**Background**

All recipients shall prepare and maintain a list of any of the following that allege discrimination on the basis of race, color, or national origin:

- Active investigations conducted by FTA and entities other than FTA;
- Lawsuits; and
- Complaints naming the recipient.

This list shall include the date that the transit-related Title VI investigation, lawsuit, or complaint was filed; a summary of the allegation(s); the status of the investigation, lawsuit, or complaint; and actions taken by the recipient in response, or final findings related to the investigation, lawsuit, or complaint. This list shall be included in the Title VI Program submitted to FTA every three years.

*The sample below is provided for the purposes of guidance only.*

**SAMPLE List of Investigations, Lawsuits and Complaints**

	Date (Month, Day, Year)	Summary (include basis of complaint: race, color, or national origin)	Status	Action(s) Taken
<b>Investigations</b>				
1.				
2.				
<b>Lawsuits</b>				
1.				
2.				
<b>Complaints</b>				
1.				
2.				

Source: page 83 of FTA C 470.1B

80) See [FTA C 4702.1B](#), page 27-28.

81) See [FTA C 4702.1B](#), page 24.

82) See [FTA C 4702.1B](#), page 24.

83) Brochure can be found under the "KDOT Public Transportation Title VI Information" heading on the KDOT OPT website: [www.ksdot.org/BurTransPlan/pubtrans/index.asp](http://www.ksdot.org/BurTransPlan/pubtrans/index.asp)

84) See [FTA C 4702.1B](#), page 25.

85) Code Reference: [49 C.F.R. Section 26.49](#)

**Figure 6.4: Min Rep Table**

**TABLE DEPICTING MINORITY REPRESENTATION ON COMMITTEES AND COUNCILS SELECTED BY THE RECIPIENT (GENERAL REQUIREMENT)**

**Background**

Recipients that have transit-related, non-elected planning boards, advisory councils or committees, or similar bodies, the membership of which is selected by the recipient, must provide a table depicting the membership of those committees broken down by race, and a description of efforts made to encourage the participation of minorities on such committees.

*The sample below is provided for the purposes of guidance only.*

**SAMPLE Table Depicting Membership of Committees, Councils, Broken Down by Race**

Body	Caucasian	Latino	African American	Asian American	Native American
Population	46%	28%	14%	8%	4%
Access Committee	60%	23%	10%	7%	0%
Citizens Advisory Council	40%	25%	20%	10%	5%
Bicycle Pedestrian Committee	45%	30%	15%	5%	5%

KDOT can provide guidance and resources for writing a Title VI Plan (including the LEP Plan) and copies of standard forms and brochures. [Contact the Office of Public Transportation](#) for more information.

**DISADVANTAGED BUSINESS ENTERPRISE (DBE)**

Transportation providers must take necessary precautions to ensure that disadvantaged business enterprises have the maximum opportunity to compete for federal contracts. Each year KDOT submits a DBE Plan to the FTA. If sub-recipients meet either of the following they must submit their own DBE program and goals:

- Applying for funds in excess of \$250,000 exclusive of transit purchases under Section 5309, 5307, 5310, and 5311.

AND/OR

- Applying for funds that are in excess of \$100,000 under Sections 5303, 5313, or 5307.

Transit vehicle manufacturers must certify that they are in compliance with the requirements of the Code of Federal Regulations by submitting a current annual DBE goal to the FTA. In addition, KDOT requires each vehicle vendor to submit with their bid a Transit Vehicle Manufacturer Certification that they meet the requirements set out by the DOT and comply with 49 C.F.R. Section 26.49 (85).

More information on DBE reporting can be found in [Chapter 4](#), Operations.

## EQUAL EMPLOYMENT OPPORTUNITY (EEO)

The FTA Office of Civil Rights helps FTA recipients develop, implement, and monitor an effective Equal Employment Opportunity Program to ensure that recipients do not discriminate against any employees or applicants for employment because of race, color, religion, sex, disability, age or national origin (86).

For comprehensive guidance on EEO requirements and applicable laws, refer to the most recent FTA circular, issued October 31, 2016 and revised April 20, 2017: [FTA C 4704.1A](#). FTA circulars can be accessed online and paper copies can be requested by contacting the FTA Region 7 office in Kansas City, MO (Call 816-329-3920).

More information about EEO is included in [Chapter 7](#), Personnel.

## ENVIRONMENTAL JUSTICE

Environmental justice (EJ) is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation and enforcement of laws, regulations, programs, and policies. Fair treatment means no group of people should bear a disproportionate share of the negative consequences resulting from industrial, governmental and commercial operations or policies (87).

In 1994 President Bill Clinton issued [Executive Order 12898](#) to focus federal attention on environmental justice concerns. This meant all federal agencies needed to identify and address disproportionately high and adverse human health or environmental effects of agency programs, policies and activities on EJ populations. The U.S. Department of Transportation issued an internal order in 1997 and updated the order in May 2012.

As a grant sub-recipient, you are required to facilitate the FTA's compliance with Executive Order 12898 and the [DOT Order 5610.2\(a\)](#), by incorporating EJ principles into your transportation decision-making process and environmental review documents (88). EJ issues will most likely come up in matters of siting maintenance facilities or transfer stations but should also be considered when planning routes and service.

The EJ principles outlined by the DOT and FTA include:

- To avoid, minimize, or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority populations and low-income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process.
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations (89).



Title VI stands alone with statutory and regulatory requirements beyond the scope of EJ. For example, performing an EJ analysis in accordance with NEPA provisions does not satisfy all Title VI requirements (90). Title VI applies to all activities of Federal grant recipients, not just those that may have disproportionately high and adverse human health or environmental effects on EJ populations.

For more information about environmental justice policy guidance for FTA grant recipients, refer to the most recent FTA circular, issued August 15, 2012: [FTA C 4703.1](#). FTA circulars can be accessed online and paper copies can be requested by contacting the FTA Region 7 office in Kansas City, MO (Call 816-329-3920).

An additional resource is the FHWA/FTA Transportation and Environmental Justice Report: [ntl.bts.gov/lib/12000/12100/12173/booklet.pdf](http://ntl.bts.gov/lib/12000/12100/12173/booklet.pdf)

86) Code Reference: [49 C.F.R. Section 21.5](#)

87) Definition from the Environmental Protection Agency: [www.epa.gov/environmentaljustice/learn-about-environmental-justice](http://www.epa.gov/environmentaljustice/learn-about-environmental-justice)

88) See [FTA C 4703.1, page 2](#).

89) See [FTA C 4703.1, page 2](#).

90) NEPA is the National Environmental Policy Act of 1969, which requires federal agencies to assess environmental effects of proposed actions prior to making decisions or providing funding. The NEPA process requires agencies to evaluate the environmental and related social and economic effects of proposed actions.



## CHAPTER 7 PERSONNEL

The size and resources of an agency may determine how personnel matters are addressed. Larger agencies may have their own human resources departments. Transportation services administered through a county government generally use the county's human resources department. In smaller agencies, the manager may be responsible for all hiring and personnel matters.

### EQUAL OPPORTUNITY EMPLOYER (EOE) / EQUAL EMPLOYMENT OPPORTUNITY (EEO)

As briefly discussed in [Chapter 6](#), Civil Rights Compliance, applicants to and employees of transit agencies are protected by equal employment laws. The following laws are enforced by the U.S. Equal Employment Opportunity Commission (EEOC):

- Title VII of the Civil Rights Act of 1964
- The Pregnancy Discrimination Act
- The Equal Pay Act of 1963
- The Age Discrimination in Employment Act of 1967
- Title I of the Americans with Disabilities Act (ADA) of 1990
- Sections 102 and 103 of the Civil Rights Act of 1991
- Section 501 and 505 of the Rehabilitation Act of 1973
- The Genetic Information Nondiscrimination Act of 2008/91

More information on these laws can be found on the [EEOC website](#). These protections are extended to all terms and conditions of employment, including, but not limited to: hiring, placement, promotion, termination, layoff, recall, transfer, leaves of absence, compensation, and training.

As required by the FTA, the state agent (KDOT Office of Public Transportation) is responsible for its own compliance and assuring all sub-recipients are in compliance. An EEO Program includes the following components:

- Statement of Policy
- Dissemination
- Designation of Personnel Responsibility
- Utilization Analysis
- Goals and Timetables
- Assessment of Employment Practices
- Monitoring and Reporting (92)

Each sub-recipient executes the dissemination component of the statewide plan. Every transit provider in Kansas must post official EEO materials (e.g., Federal and state labor laws poster(s) and the agency's policy statement) in at least one common space in the agency office that is accessible to all employees. They will be asked to show the reviewer where posters are located during the triennial review site visit.

Additionally, each CTD and transportation provider applying for grants through the Office of Public Transportation must sign an assurance that the organization will follow federal and state guidelines (including those related to equal employment opportunity) as part of their agreement with KDOT. (See [Chapter 2](#) on Grant Management for information about submitting certificates and assurances.)

For comprehensive guidance on EEO requirements and applicable laws, refer to the most recent FTA circular, issued October 31, 2016: [FTA C 4704.1A](#). FTA circulars can be accessed online and paper copies can be requested by contacting the FTA Region 7 office in Kansas City, MO (Call 816-329-3920).

### HARASSMENT OF PROTECTED CLASSES

Each agency must have a complaint and review procedure in place for workplace harassment. Employees experiencing job-related harassment based on any of the following should immediately report the harassment in accordance with the agency's policies.

- Race
- Color
- Religion
- Sex
- Sexual Orientation
- Gender Identity
- National Origin
- Age
- Handicap or Disability
- Veteran Status/Disabled Veteran Status



91) List of laws enforced by the EEOC was sourced from the EEOC's website: [www.eeoc.gov/laws/statutes/](http://www.eeoc.gov/laws/statutes/)  
92) List of laws enforced by the EEOC was sourced from the EEOC's website: [www.eeoc.gov/laws/statutes/](http://www.eeoc.gov/laws/statutes/)

If it is determined that an employee has harassed another employee, appropriate disciplinary action should be taken against the offending employee, including possible termination of employment. This process should be documented.

Any form of retaliation against any employee for filing a bona fide complaint under this policy or for assisting in a complaint investigation is prohibited. However, if, after investigating any complaint of harassment or unlawful discrimination, it is determined that the complaint is not bona fide or that an employee has provided false information regarding the complaint, appropriate disciplinary action (including possible termination) may be taken against the individual who filed the complaint or who gave the false information.

## CODES OF CONDUCT AND EMPLOYEE EXPECTATIONS

A transportation provider should develop a code of conduct for all personnel. Below are some topics to consider and possible policies. These are suggestions, not KDOT-required policies.

- **Phone Use:** Personal phones of drivers should not be used while driving for text messages, phone calls, or any other activity. The driver may be permitted to use a personal phone if the following two conditions are met: (1. The vehicle is not in operation at the time (the driver isn't actually driving), and (2. There are no passengers in the vehicle. If applicable: cell phones owned by the transportation provider are for dispatch or emergency use only.
- **Discipline:** Violation of rules or special instructions are sufficient cause for disciplinary action. Disciplinary action may be recommended by the supervisor and includes verbal and written warnings, reprimands, suspensions, or termination of employment.
- **Employee Injury/ Illness/Exposure:** Any accident or injury to an employee while at work must be reported at once to the supervisor. An incident report must be completed and turned in before the end of the day. Any suspected exposure to hazardous chemicals, infectious diseases or bodily fluids should also be immediately reported to the supervisor.
- **Conduct:** During work hours, employees shall conduct themselves in a respectful and civil manner. Profanity, fighting, sexual harassment, or other inappropriate behavior will not be tolerated.
- **Use of Alcohol and Drugs:** The use of controlled substances is strictly prohibited. Alcohol should never be consumed in the workplace or transit vehicles and should not be consumed prior to a shift. Any prescription or over-the-counter (OTC) drugs used by employees that may interfere with their ability to safely operate a vehicle or perform job functions must be disclosed to the supervisor/human resources department and a doctor's release should be provided, if required.

- **Maintaining a Good Driving Record:** Drivers should report any moving violations or anything that may affect their driving record that occurs on or off the job. The driver should report the occurrence to their supervisor within 24 hours.
- **Reporting to Work:** Employees unable to report to work for their shift due to illness or unavoidable circumstance should notify their supervisor as soon as possible, ideally 2 hours prior to the shift. The employer should have policies for limits to the number of allowable sick days, make-up shifts, and scheduling changes.
- **Personal Injury:** Whenever an injury to an employee or passenger occurs, the injury must be reported immediately to the transit manager and an incident report must be completed.
- **Outside Employment:** If an agency chooses to hire employees with an exclusivity provision, they should have a policy on outside employment exceptions, and approval processes.

## POSITIONS IN A PUBLIC TRANSPORTATION AGENCY

The positions within a transit agency vary based on its organizational structure, but almost every agency has a transportation manager and at least one driver. Larger agencies may have a designated dispatcher and more drivers. Appendix G contains sample job descriptions that may be helpful as you try to fill positions within your agency, but they will likely need to be tailored based on the number of positions and the size of your agency.

KDOT requires grant sub-recipients have job descriptions and personnel policies in place to ensure compliance with all federal and state laws (93).

## HIRING PROCESS BASICS

CTAA guidance on the hiring process borrows a 10-step process from the [Job Service of North Dakota](#), outlined below with changes and information added for Kansas providers.

1. Review state and federal employment laws
2. Create or update position description
3. Develop a vacancy announcement
4. Establish an application screening process/criteria
5. Screen applicants
6. Conduct employment testing, if necessary
7. Conduct selection interviews
8. Apply veteran preferences, if appropriate
9. Select candidate based on gathered information/assessment
10. If candidate accepts, provide new employee orientation materials and training



After publishing a vacancy announcement, the employer will review submitted applications after the posted closing date has passed. This will likely include an initial review of minimum qualifications, an assessment of the applicant measured against the position description, and an interview.

Kansas RTAP published a fact sheet in 2015 on the importance of the driver candidate interview process. Interviews help a manager assess the “trainability” of a candidate and whether they have the right skills for the job, but a good interview that leaves a positive impression on the applicant may also make them more likely to use your transportation service, even if they do not get the job. Read more about developing an interview process in the Kansas RTAP fact sheet: [“Driver Interviews: Not Just for Finding Qualified Candidates”](#) by Peter Schauer.

Once the manager has made a decision on the best candidate, the agency should initiate the following checks before making an offer of employment:

- Verification of previous employment
- Criminal background check
- Driving record check (Recommended to perform on all drivers annually)

The agency should have set requirements/thresholds to be met for each of these checks that all candidates and employees must meet. The agency may choose to make a job offer before all of the results of these checks are returned, but the job offer should be contingent on any pending record check results, as well as the post-offer physical and drug screen.

## FINDING QUALIFIED APPLICANTS

One of the most difficult tasks for a manager is finding qualified applicants. Rural areas often have smaller applicant pools for any job, but it can be particularly challenging for transportation providers in need of applicants qualified to provide service, with a good driving record and maybe even a commercial driver’s license (CDL), depending on which vehicles the agency uses to provide service.

There is no easy answer to finding qualified applicants, but below are some resources that provide some helpful information for rural providers:

- **APTA Recommended Practice:** Recruiting and Retaining Bus Operations Employees (PDF: [www.apta.com/resources/standards/Documents/APTA-BTS-BO-RP-003-009.pdf](http://www.apta.com/resources/standards/Documents/APTA-BTS-BO-RP-003-009.pdf))
- **TCRP Report 127:** Employee Compensation Guidelines for Transit Providers in Rural and Small Urban Areas (Direct URL: [www.trb.org/Publications/Blurbs/160065.aspx](http://www.trb.org/Publications/Blurbs/160065.aspx))

- **TCRP Report 139:** Guidebook for Recruiting, Developing, and Retaining Transit Managers for Fixed-Route Bus and Paratransit Systems (Direct URL: [www.trb.org/Main/Blurbs/164036.aspx](http://www.trb.org/Main/Blurbs/164036.aspx))
- **TRB Special Report 275:** The Workforce Challenge: Recruiting, Training, and Retaining Qualified Workers for Transportation and Transit Agencies (Direct URL: [onlinepubs.trb.org/onlinepubs/sr/sr275.pdf](http://onlinepubs.trb.org/onlinepubs/sr/sr275.pdf))

## CONFIDENTIALITY OF EMPLOYEE RECORDS

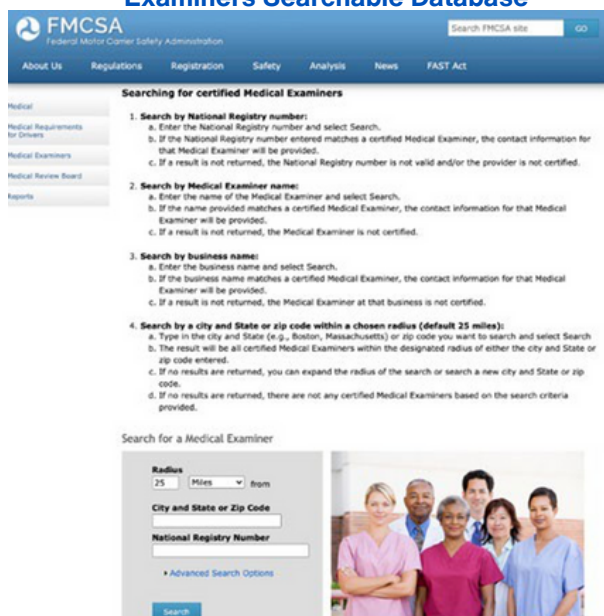
Records of all of the following, trainings/ tests/ certifications, should be kept in a file for each employee and all records should be kept for the duration of each person’s employment. **Transportation providers are responsible for ensuring the safety and confidentiality of employment files by storing them in a secure place.**

## POST-OFFER PHYSICAL EXAMINATION/DOT MEDICAL EXAM

After an employee has been offered and accepted a position, the employer must verify that the employee can safely meet the physical demands of the job. KDOT requires all 5311 providers to have all vehicle operators participate in a DOT driver physical examination. 5310 providers are NOT required by KDOT to have their vehicle operators participate in a DOT physical examination, but an agency may choose to make it part of their pre-employment process (94).

A DOT driver physical exam must be performed by a certified medical examiner listed on the FMCSA’s National Registry. To find certified medical examiners in Kansas, visit the FMCSA National Registry website, [nationalregistry.fmcsa.dot.gov](http://nationalregistry.fmcsa.dot.gov) to search by your zip code. There are hundreds of certified medical examiners across the state. (See Figure 7.1.)

**Figure 7.1: FMCSA National Registry of Certified Medical Examiners Searchable Database**



Source: <https://www.fmcsa.dot.gov/national-registry-certified-medical-examiners-search>

94) See KDOT Policies, page 31 ([Appendix A](#))

## PHYSICAL CAPACITY TESTING

Some employers choose to perform initial physical capacity testing to measure and record an employee's physical abilities at the beginning of their employment. This can be helpful if the employer needs to make return-to-duty determinations or may be required by their insurance company. For more information, review the following resources:

- **TCRP Legal Research Digest 34:** Application of Physical Ability Testing to the Current Workforce of Transit Employees (Direct URL: <http://www.trb.org/Publications/Blurbs/164411.aspx>)
- **TCRP Legal Research Digest 46:** How the Health Insurance Portability and Accountability Act (HIPAA) and Other Privacy Laws Affect Public Transportation Operations (Available for free download from the Transportation Research Board: [www.trb.org/Publications/Blurbs/170962.aspx](http://www.trb.org/Publications/Blurbs/170962.aspx))
- **ADA Enforcement Guidance Pre-employment Disability-Related Questions and Medical Examinations** (Source: <https://www.eeoc.gov/disability-discrimination>)

## COMMERCIAL DRIVER'S LICENSES

Some of the material related to intrastate and interstate regulation by the Kansas Corporation Commission (KCC) and the Federal Motor Carrier Safety Administration (FMCSA) in [Chapter 5](#), Service Procedures, lays the groundwork for whether the vehicle operators at an agency need commercial driver's licenses (CDLs).

The Commercial Motor Vehicle Safety Act of 1986 provides a uniform federal standard for commercial driver's licenses, ensuring that operators of commercial and public transportation vehicles are competent to operate large product and passenger vehicles.

- Federal law mandates that any vehicle over 26,001 pounds or which is designated to carry 16 or more passengers (including the driver) must be operated by an individual with a CDL.
- When a vehicle is in use that does not have a passenger capacity rating by the manufacturer, the number of seats in the vehicle must be counted.
- In the case of modified vehicles with extended jump seats, all seats must be extended and counted.
- In addition to the federal regulations, the State of Kansas recognizes the need for a CDL if the vehicle is transporting any hazardous material at any time.

## CDL Testing and Eligibility Guidelines:

- Drivers may receive a CDL after passing a written test and a driving test designed specifically for commercial and public transit licensing.
- To be eligible for the test, an individual must be 18 years of age to transport passengers or property and 21 years of age for a CDL with a certificate to transport hazardous waste.
- The driving test must be taken either in the vehicle that the individual will be driving to transport persons or property or a vehicle of comparable size.
- Provider agencies are responsible for ensuring drivers have received a CDL (if necessary) and that the license renewal is kept current.

The simplest explanation: If none of the vehicles at your agency are designated to carry 16 or more people (driver included) or weigh over 26,001 lbs and all travel is intrastate (within Kansas), your drivers do not need CDLs. If any of your agency's vehicles seat 16 or more people or you make some interstate trips, your drivers may need CDLs. Drivers who are required to have a CDL must have a passenger (P) endorsement in Kansas. There are, however, many factors that determine CDL applicability, so read [K.S.A. Chapter 8, Section 2](#) for exact language. Contact the KDOT Public Transportation staff if you have any questions.

The Kansas Commercial Driver License Manual is available [online](#) (through the Kansas Department of Revenue) or at CDL testing locations. Visit [www.ksrevenue.org/](http://www.ksrevenue.org/) for up-to-date CDL testing locations.

## DRUG AND ALCOHOL TESTING AND TRAINING (DOES NOT APPLY TO 5310)

Federal regulations require all recipients and sub-recipients receiving Federal assistance through the FTA Section 5307, 5309, and 5311 grant programs comply with the standards for drug and alcohol testing and training (95). KDOT has a drug and alcohol program for sub-recipients to follow in which testing and training is contracted through TMHC Services in Topeka. Any questions about compliance with the KDOT drug and alcohol program should be directed to KDOT Public Transportation staff.

The federal regulations and associated guidance will refer to "covered employees." These are employees who are subject to the testing and training requirements. All employees performing "safety-sensitive functions" are covered employees. The federal government defines employees with a safety-sensitive function as the following:

*Safety-sensitive function means any of the following duties, when performed by employees of recipients, sub-recipients, operators, or contractors:*

1. *Operating a revenue service vehicle, including when not in revenue service;*
2. *Operating a non-revenue service vehicle, when required to be operated by a holder of a Commercial Driver's License;*
3. *Controlling dispatch or movement of a revenue service vehicle;*
4. *Maintaining (including repairs, overhaul and rebuilding) a revenue service vehicle or equipment used in revenue service. This section does not apply to the following: an employer who receives funding under 49 U.S.C. 5307 or 5309, is in an area less than 200,000 in population, and contracts out such services; or an employer who receives funding under 49 U.S.C. 5311 and contracts out such services;*
5. *Carrying a firearm for security purposes (96).*

#### TESTING APPLICANTS/NEW HIRES

- **Pre-employment drug testing:** Before allowing a covered employee or applicant to perform a safety-sensitive function for the first time, the employer must ensure that the employee takes a pre-employment drug test administered according to regulation with a verified negative result (97).
- **Pre-employment alcohol testing:** An employer may, but is not required to, conduct pre-employment alcohol testing under this program. If they choose to conduct pre-employment alcohol testing, they must follow the regulations outlined in [Section 655.42](#).

#### TESTING COVERED EMPLOYEES DURING EMPLOYMENT

Each employer shall require a covered employee to submit to:

- A post-accident drug and alcohol test, as required under [Section 655.44](#)
- A random drug and alcohol test, as required under [Section 655.45](#)
- A reasonable suspicion drug and alcohol test, as required under [Section 655.43](#)
  - Note: An employer's determination that reasonable suspicion exists shall be based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech, or body odors of the covered employee. A supervisor(s), or other company official(s) who is trained in detecting the signs and symptoms of drug use and alcohol misuse must make the required observations (98).
- A follow-up drug and alcohol test, as required under [Section 655.47](#)

No employer shall permit an employee who refuses to submit to such a test to perform or continue to perform safety-sensitive functions, including operating a public transportation vehicle (99). If an employee refuses to submit to a drug or alcohol test, the employer should follow the procedures outlined in [49 CFR Part 40](#).

Agencies that test their staff for drug and alcohol outside of/beyond the KDOT OPT program requirements must have their own policies in place for such additional testing. (Example: 5310 agencies) KDOT does not reimburse for any type of drug and alcohol testing that does not fall under the public transportation services program (100).

#### PROGRAM-REQUIRED TRAINING

Federal regulations require all personnel who perform "safety-sensitive functions" receive at least 60 minutes of training on the effects and consequences of prohibited drug use on personal health, safety, and the work environment, and the signs and symptoms that may indicate prohibited drug use. This training must be renewed every two years (101).

Supervisors or other personnel authorized by the employer to make reasonable suspicion determinations must receive at least 60 minutes of training on the physical, behavioral, and performance indicators of probable drug use and at least 60 minutes of training on the physical, behavioral, speech, and performance indicators of probable alcohol misuse. This training must be renewed every two years (102).

#### RECORDS

Federal regulations outline the following record retention guidelines:

- **5 YEARS:** Records of covered employee verified positive drug or alcohol test results, documentation of refusals to take required drug or alcohol tests, and covered employee referrals to the substance abuse professional, and copies of annual MIS reports submitted to FTA reports submitted to FTA.
- **2 YEARS:** Records related to the collection process and employee training.
- **1 YEAR:** Records of negative drug or alcohol test results (103).

Additional information on drug and alcohol testing and training compliance can be found by contacting KDOT.

96) Code Reference: [49 CFR Section 655.4](#)

97) Code Reference: [49 CFR Section 655.41](#)

98) Code Reference: [49 CFR Section 655.43b](#)

99) Code Reference: [49 CFR Section 655.49](#)

100) See KDOT Policies, page 16 ([Appendix A](#))

101) Code Reference: [49 CFR Section 655.14b](#) / See KDOT Policies, page 16 ([Appendix A](#))

102) Code Reference: [49 CFR Section 655.14c](#) / See KDOT Policies, page 16 ([Appendix A](#))

103) Code Reference: [49 CFR Section 655.71](#)

## PREPARING NEW EMPLOYEES

In addition to the required testing and training for new employees, provide an employee orientation that reviews policies in the employee handbook, which may include:

- Family/medical/sick/bereavement/military leave
- Wages and IRS tax filing information (completion of W-2 or other forms)
- Pension plan or any other wage benefits
- Time reporting and overtime policy
- Pay frequency and procedures
- Work behavior policies
- Security and emergency procedures
- Performance reviews
- Anti-harassment policy
- Complaints and grievance procedures
- Disciplinary procedures

There is also a new driver checklist that includes everything a new driver must complete to begin work. The checklist is located in Appendix D and on [KDOT's website](#).



# CHAPTER 8 TRAINING

Well-trained drivers and staff are critical to the efficient functioning of a transportation agency. This chapter reviews the KDOT policy on required training and how RTAP training classes can fulfill those requirements.



## TRAINING REQUIREMENTS

### APPROVED TRAINER PROGRAM

Kansas RTAP has developed a “core” curriculum consisting of three courses: Kansas RTAP Defensive Driving and Distracted Driving, Kansas RTAP Passenger Assistance with Wheelchair Securement, and Kansas RTAP Emergency Procedures. Additional courses are offered based on recommendation or request. These three courses can be supplemented by training from Approved Trainers at agencies across the state of Kansas through the Kansas RTAP Approved Trainer Program. More information on the Approved Trainer Program here:

[https://kutc.ku.edu/sites/kutc/files/documents/Approved%20Trainer%20Policy\\_2023.pdf](https://kutc.ku.edu/sites/kutc/files/documents/Approved%20Trainer%20Policy_2023.pdf)

### DRIVER TRAINING

All agency staff persons (including volunteers) who operates vehicles funded through the FTA grants administered by the KDOT Office of Public Transportation are required to attend eligible training every other year. If an agency does not comply with the training requirement, they may forfeit reimbursement and may be removed from the grant program (104).

104) See KDOT Policies, page 14 ([Appendix A](#))  
105) See KDOT Policies, page 16 ([Appendix A](#))  
106) See KDOT Policies Page 15 ([Appendix A](#))

## DRUG & ALCOHOL PROGRAM

All 5311 providers are required to enroll in a KDOT-approved Drug & Alcohol Program. (For more information on Drug & Alcohol program testing, see [Chapter 7](#), Personnel.) All employees classified as “safety-sensitive” must receive 60 minutes of training every two years on the effects and consequences of prohibited drug use. Supervisors or other employees classified to make “reasonable suspicion” determinations shall receive 60 minutes of training on performance indicators of probable drug use and 60 minutes of training on performance indicators of probable alcohol misuse, for a total of 120 minutes. This must be renewed every two years (105). Any questions about drug and alcohol training should be directed to KDOT.

### ADDITIONAL TRAINING

An agency may set additional training requirements for their staff beyond the KDOT requirements (such as CPR training if the agency offers NEMT service). Be sure to check with all funding sources that you are meeting training requirements.

## MEETING THE DRIVER TRAINING REQUIREMENT

Any staff person operating a vehicle must complete one of the following to meet the driver training requirement:

### RTAP CLASS TAUGHT BY KANSAS RTAP SENIOR TRAINER

Most agency personnel receive their training through the Kansas RTAP program, administered by the University of Kansas Transportation Center (KUTC). KUTC has a full-time RTAP trainer who offers training in locations across the state throughout the year. For information about course offerings, review the RTAP curriculum later in this chapter. Each RTAP class is at no charge to participants. A driver must attend all six hours of the training to obtain a certificate and satisfy the KDOT driver training requirement. If a Kansas Agency would like to host a KS RTAP training please contact Anne Lowder at [alowder@ku.edu](mailto:alowder@ku.edu).

### PASSENGER ASSISTANCE SAFETY AND SECURITY (PASS)

The Community Transportation Association of America (CTAA) offers training called Passenger Assistance Safety and Security (PASS). The PASS training forms the foundation of the Defensive Driving course offered by Kansas RTAP and Kansas approved trainers. Personnel from Kansas agencies may take PASS directly from CTAA. Any agency that does not comply with the training requirements will be removed from the KDOT grant program.

KDOT considers this to be an eligible training that meets the training requirement, so registration fees and travel associated with taking PASS are reimbursable expenses (106). Most agencies, however, find it cost-prohibitive to send personnel to PASS, as it is a three-day course that costs \$500 per participant.

## TRAINING SCHEDULING AND LOGISTICS

### SIGNING UP FOR KANSAS RTAP TRAINING (STEP-BY-STEP INSTRUCTIONS)

The following is the process for signing up for an RTAP Driver Training Class

1. Visit the University of Kansas Transportation LMS Site: <https://www.events-kutc.ku.edu/kutc/Default.asp>

2. Click on the “RTAP” tab to view all the RTAP courses offered.

Figure 8.1 : KS RTAP LMS Landing Page

The screenshot shows the KS RTAP LMS Landing Page. The page has a blue header with the University of Kansas Transportation Center logo and navigation links. The main content area is titled 'RTAP COURSES' and displays six course cards. Each card includes a title, a brief description, and a 'View Session' button. A search bar is located on the right side of the page.

3. From this page, determine which training you'd like to attend: Approved Trainer Program, Defensive Driving and Emergency Procedures, Defensive Driving and Passenger Assistance, etc.

4. Click on the training you'd like to attend.

Figure 8.2 : Course Description Page

The screenshot shows the Course Description Page for 'Defensive Driving and Passenger Assistance/Wheelchair Securement'. The page includes a detailed description of the course, the instructor's name (Anne Lowder), and the cancellation policy. A table at the bottom lists the available sessions with their dates, times, and locations.

Date	Session Name	Location	View Session
12/8/2023 9:00:00 AM	Defensive Driving and Passenger Assistance/Wheelchair Securement	Mayetta - 5081 O Rd	View Session
12/13/2023 9:00:00 AM	Defensive Driving and Passenger Assistance/Wheelchair Securement	Beloit - 422 W 6th St	View Session
12/20/2023 9:00:00 AM	Defensive Driving and Passenger Assistance/Wheelchair Securement	Garden City - 1008 N 11th St	View Session
3/7/2024 9:00:00 AM	Defensive Driving and Passenger Assistance/Wheelchair Securement	Parsons - 3501 Dor Ave	View Session
3/21/2024 8:30:00 AM	Defensive Driving and Passenger Assistance/Wheelchair Securement - Albia Minor	621 W 36th Chanute Parkway	View Session
3/22/2024 8:30:00 AM	Defensive Driving and Passenger Assistance/Wheelchair Securement - Albia Minor	621 W 36th Chanute Parkway	View Session

5. Select the training you'd like to attend by clicking the “View Session” button.

Figure 8.3 : Course Selection Page

The screenshot shows the Course Selection Page for 'Defensive Driving and Passenger Assistance/Wheelchair Securement'. The page displays the course details, including the date (12/20/2023 9:00 AM - 12/20/2023 3:30 PM), location (Garden City - 1008 N 11th St), and capacity (475). A 'Register' button is visible at the bottom right.

6. If you want to attend this specific training, you'll click the “Register” button at the bottom right hand corner of the page.

Figure 8.4: LMS Login Page

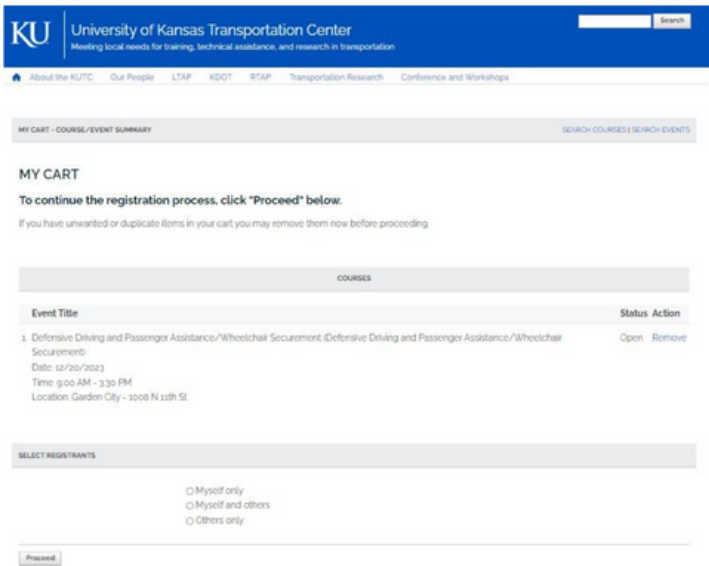
The screenshot shows the LMS Login Page. The page features a login form with fields for Email and Password, a 'Login' button, and a 'Create New Profile' button. There are also links for 'Forgot your password?' and 'Forgot your username?'.

7. You'll be prompted to log in. Please enter your email and password.

8. If you have forgotten your password, follow the prompts shown on the log in page: typer your email and leave the password field blank. This will send you a password reset link.

9. If you do not have an account already, click the “Create New Profile” button.

**Figure 8.5: Course Checkout**



10. You'll be prompted to register yourself, yourself and others, or others only.

11. Fill out the personal profile information.

12. Confirm the name of the registrant and the class they're registering for.

13. Determine how you'd like to pay: credit card or invoice/check.

14. Fill out the billing information.

15. Complete payment.

**OTHER TRAINING INFORMATION**

KDOT-funded vehicles are not to be used to transport staff to training unless they have been released from the KDOT program and are completely owned by the agency. A manager may choose to close the transportation office and suspend service for one day so that all staff may attend training if : 1.) They have obtained prior approval from KDOT, and 2.) The closure is advertised to the public for two weeks in advance.

**KANSAS RTAP CURRICULUM**

An employee operating a KDOT-funded vehicle must take their first RTAP class either before they start driving unsupervised or, if necessary, within the first few months of driving unsupervised. A new driver must complete the New Driver Checklist before driving unsupervised and attend an approved RTAP class within six months. It must be an RTAP core class, but can be instructed by either the Kansas RTAP Senior trainer, Anne Lowder, or a Kansas RTAP approved trainer from another Kansas transit agency. After taking their first class, the employee must renew this training by taking an RTAP class.

**NEW DRIVER**

New drivers must complete the New Driver Preparation Checklist ( Figure 8.6) and keep the form with the agency's triennial review files as required by KDOT. The new driver must attend an approved RTAP class within 6 months.

KDOT's New Driver Preparation Checklist <https://www.ksdot.org/Assets/wwwksdotorg/bureaus/burTransPlan/pubtrans/pdf/New%20Driver%20Preparation%20Checklist%20Final.pdf>

**Figure 8.6: New Driver Preparation Checklist**

Source: <https://www.ksdot.org/Assets/wwwksdotorg/bureaus/burTransPlan/pubtrans/pdf/New%20Driver%20Preparation%20Checklist%20Final.pdf>

**CORE COURSES**

**Defensive Driving and Distracted Driving**

This course builds and improves defensive driving skills with oversized and heavier vehicles while transporting passengers, helps drivers overcome blind spots, longer stopping distances, and the higher center of gravity of transit vehicles. It also addresses the essential tools of Defensive Driving: (SCC) Scanning, Cushion of Safety and Communicating. Based on the National Safety Council "Coaching the Van Driver 4" materials and Community Transportation Association of American (CTAA)

**Emergency Procedures**

This course teaches participants to identify emergencies, provides an orientation to emergency equipment onboard the vehicle, reviews policies covering accidents and incidents and hands-on practice of vehicle evacuation. The course provides guidance on the all-hazards approach to transit incidents and events and the distinction between notice and no-notice situations. It prepares personnel to respond to incidents appropriately and report incidents and events. Based on materials from Community Transportation Association of American (CTAA) and National Rural Transit Assistance Program.



## Passenger Assistance

This course provides tools to develop and maintain a safe environment on the vehicle. It covers customer service, passenger assistance to board and un-board the vehicle, a review of the Americans with Disabilities Act (ADA) policies, Q'Straint Wheelchair securement on the 3 essential principals for securing a wheelchair and the three essential principals for securing the occupant and hands-on wheelchair and occupant securement practice. This course is based on materials developed by the Community Transportation Association of America (CTAA) and Q'Straint Wheelchair Securement Training.

## MANAGEMENT TRAINING

In addition to resources like this handbook, Kansas RTAP also offers training to transit agency managers. Each year before the Kansas Public Transit Association (KPTA) conference in August, Kansas RTAP develops a pre-conference training for managers. Topics that have been covered include — safety and security, marketing, service planning, budgeting, and grant writing.

For more information about the RTAP curriculum or to request a class be held at your agency, contact Kansas RTAP Outreach Coordinator/Staff Trainer Anne Lowder: [alowder@ku.edu](mailto:alowder@ku.edu) or 785-864-1469. Anne can also arrange classes from visiting out-of-state trainers, special training on BraunAbility wheelchair lifts, and other training opportunities.

If there is a topic you'd like to see covered at the KPTA pre-conference training or at another time, contact Kansas RTAP Program Director Kara Cox at [kara.cox@ku.edu](mailto:kara.cox@ku.edu).

Another helpful resource for managers is provided by the CTAA, which offers a Certified Community Transit Manager (CCTM) Exam. This exam is not required to work as a transit manager, but the exam preparation materials may be helpful. Those materials are available through the Small Urban and Rural Transit Center: [www.surtc.org/cctm/](http://www.surtc.org/cctm/). It is, however, a national program, so be mindful that the materials are not tailored to Kansas providers.

## RECORD KEEPING

Each agency should keep a log of driver/employee training. A template is available in Appendix D. The log is reviewed during the triennial review site visit and must be submitted with the agency's grant application each year (108). Records should be retained for five years.

When a driver/employee completes an RTAP training class, they are given a certificate of attendance at the end of the class. The driver/employee should give the certificate to their manager or have the manager make a copy so that proof of training is in the agency's records.

The manager should then enter the training in the training log. Certificates or other proof of training may be requested for review during the triennial site visit. For training conducted by approved trainers, each approved trainer enters the class and participants into the RTAP Approved trainer portal for record keeping purposes and receives an email confirming the submission to the portal. The approved trainer should issue certificates or other proof of attendance to each participant for them to share with their manager and keep on record for the agency's grant application and triennial review site visit.

108) See KDOT Policies, Page 14 ([Appendix A](#)).



# CHAPTER 9

## PROCUREMENT

This chapter focuses primarily on vehicle procurement processes and policies. Questions about procurement should be directed to KDOT or the Kansas Coordinated Transit District Council (KCTDC).

### VEHICLE DISPOSITION

The useful life of a vehicle determines how long transit vehicles purchased with federal and/or state funds must be in service before they can be retired without financial penalty. KDOT will consider disposition when a vehicle reaches 5 years, 100,000 miles, and/or if the vehicle requires extensive and excessive maintenance. If requesting a new vehicle due to extensive or excessive maintenance, the agency must submit documentation of the maintenance quote with their application for a replacement vehicle. If approved for a replacement vehicle, KDOT will work with the agency to initiate the vehicle disposition process once the new vehicle has been delivered. Agency-owned vehicles not financed through federal funds/the KDOT public transportation program cannot be replaced through the KDOT transportation services grants program. During the triennial review site visit, the reviewer will ask the manager if they are aware of the vehicle disposition procedure. The procedure is outlined below:

- If a vehicle is being removed from the agency's KDOT Program fleet (for whatever reason), the current fair market value of the vehicle must be determined. Typically, a vehicle depreciates by 25% in the first year and 20% in the second year and each year thereafter.
- To dispose of a vehicle, the sub-recipient must apply for a release of lien from KDOT.
- If KDOT finds it appropriate, they will send the sub-recipient a letter of release.
- After the vehicle is released, that vehicle is no longer eligible to receive operating assistance from the Program.

To dispose of a vehicle with a current lien, sub-recipients must provide to KDOT documentation of the vehicle's fair market value and pay 80% of the fair market value (considered to be the federal share of the purchase). The proceeds of the disposition are paid to KDOT, which, in turn, reprograms the funds or returns the funds to the FTA. Vehicles can also be transferred to another 5311 or 5310 sub-recipient eligible to receive assistance as long as both parties agree.

Agencies must submit a bill of sale on all vehicles to KDOT for final processing. If a vehicle is sold for more than \$5,000, the agency must notify KDOT. Sales over the \$5,000 threshold will be subject to the 80/20 repayment to FTA for their share in the asset (for example, if a vehicle sells for \$5,500, the FTA share of

that vehicle would be \$4,400 and the agency would keep \$1,100, which may be used as local match dollars for future transit programming). If the vehicle is sold for less than \$5,000, the agency may use total revenue from the sale as local match dollars for future transit programming.

All documents related to vehicle disposition or transfer should be retained for five (5) years after the lien is released.

### APPLYING FOR A NEW VEHICLE

If one of the vehicles in an agency's fleet has over 100,000 miles or requires extensive and excessive maintenance, that may be cause to submit a request for a new vehicle with the agency's annual grant application. The capital or vehicle replacement project grant application for a new vehicle will be scored by a peer review panel and KDOT. The peer review panel is selected by the KCTDC, which is tasked with distributing the state's funds for new starts projects and replacement vehicles.

When an agency submits the application, they will need to provide letters of guarantee for their 20% share of the cost/local match. (KDOT/FTA will pay 80% of the cost of the vehicle, which includes any items that are on the preliminary order forms. The remaining 20% of the vehicle cost is the responsibility of the individual transit agency)(109).

### ADA IN PROCUREMENT/FLEET MANAGEMENT

All applicants are required to have at least one ADA vehicle (ramp mini-van or cutaway van with lift & restraint system) for every 5 vehicles in their KDOT fleet, or, for fleets larger than 30, at least 6 ADA vehicles. If there are no ADA vehicles in the agency fleet and the applicant is applying for a new KDOT vehicle, they must apply for an ADA vehicle (110).

If the agency does not have an ADA vehicle, there must be a written agreement with another agency to provide any ADA requested trips. The next time the agency requests to replace a vehicle, an ADA equipped vehicle will be required.

All sub-recipients will also be required to have an Equivalent Service Certification completed with the application. The information required for the certification is defined in the grant application instructions. The vehicle inventory and other equipment inventory pages in the grant application must be completed properly and submitted with the grant application.

109) See KDOT Policies, page 11 ([Appendix A](#))  
110) See KDOT Policies, page 10 ([Appendix A](#))

## ANNUAL KDOT INSPECTION

Every year, all vehicles in the KDOT Program are inspected by KDOT or a KDOT-approved maintenance facility. Transit agencies are responsible for scheduling an appointment to make sure the inspection is done in a timely manner. All inspectors must file their inspections with KDOT. These annual inspections are done to meet FTA requirements and therefore are not optional.

If a safety hazard is noted on the inspection form, KDOT will immediately notify the transit agency via email and the vehicle must be immediately taken out of service until the safety hazard is repaired. These repairs must be completed within 30 days. If it cannot be completed within 30 days, KDOT must immediately be made aware to make other arrangements.

## CURRENT VEHICLE SPECIFICATIONS

Every two years, the KCTDC determines which vehicles best meet the needs of the transportation providers.

These vehicles are put out for bid. Specifications for eligible vehicles are available on KDOT's website:  
[www.ksdot.org/bureaus/burTransPlan/pubtrans/2019-Bid-Documents.asp](http://www.ksdot.org/bureaus/burTransPlan/pubtrans/2019-Bid-Documents.asp)

## KDOT/KCTDC PROCUREMENT PROCESS AND TIMELINE

As mentioned in the handbook introduction, the Kansas Coordinated Transit District Council (KCTDC) facilitates communication between providers/CTDs and KDOT. One of the council's primary tasks is guiding the annual vehicle procurement process, outlined below and detailed in KDOT Policies (111).

**1. Specifications Prepared:** After consulting providers and comments received during the year to determine vehicle needs, KCTDC (or council representatives) prepares specifications for each type of vehicle needed to operate public transportation services in Kansas.

**2. Bid Packages Sent to Vendors:** KCTDC (or council representatives) distributes bid packages to all vendors (manufacturers or dealers) on their most current and comprehensive vendor list. Bid packages include a cover letter from KCTDC, a copy of the bid notice, a copy of the vehicle specifications, a copy of all FTA certification forms, and bid protest procedures.

**3. Pre-Bid Conference Held and Amendments Distributed (if applicable):** KCTDC holds a pre-bid conference (specifications at the meeting, they must be mailed out to all vendors on the list who received the initial bid package).

**4. Courtesy Bid Opening Held:** After interested vendors have submitted bids and the bidding period is closed, the KCTDC holds a courtesy bid opening meeting (sometimes held in conjunction with the Kansas Public Transit Association (KPTA) annual meeting in August/September). The courtesy bid opening meeting is a public meeting where the KCTDC chair opens all submitted courtesy bids and reads the quoted prices aloud to those in attendance. This ensures transparency in the procurement process.

**5. Bids Tabulated, Checked, and Awarded:** Submitted courtesy bid information is used to prepare a bid tabulation sheet for each vehicle type. KDOT conducts a careful review of all bidders and their submitted materials (112). The bid accepted by KDOT and KCTDC must contain all certifications and meet the requirements set forth by [49 CFR Part 663](#) and [49 CFR Part 665](#). The lowest bid that meets all specifications and federal/state requirements is selected for each vehicle type.

**6. Award Information Posted Online for Provider Agencies:** Once the bids are awarded, KDOT will post the specifications and preliminary order form (vehicle price sheet) for each vehicle to the KDOT Office of Public Transportation website. Each agency approved for a new vehicle should download, complete, and return these forms to KDOT staff at the annual vehicle order meeting.

**7. Vehicle Order Meeting Held:** KDOT and KCTDC then host an annual vehicle order meeting. All provider agencies awarded capital funds by the KDOT public transportation program for a new vehicle are required to attend the meeting. At the meeting, agencies can meet with vendors, look at the vehicles, and ask questions. They should turn in their completed preliminary order forms before leaving the meeting. (KDOT encourages providers to download the order forms and complete as much information as possible prior to the meeting.)

**8. Contracts Developed by KDOT and Signed by Agency and CTD:** After the meeting, KDOT staff reviews all preliminary order forms and completes contracts, which are sent to each agency and its respective CTD to review and sign. Once contracts have been processed, KDOT completes the purchase orders and sends 3 copies to each agency to sign and distribute. One copy of the final purchase order is kept by KDOT, one copy is kept by the vendor, and the third is kept by the purchasing agency.

**Note:** On the vehicle purchase order, there is a spot to indicate whether the agency is exempt from paying sales tax on the vehicle. If the agency is exempt from paying sales tax, they must attach a copy of the tax exempt certificate to the purchase order. If the agency is not exempt, the agency will be responsible for 100% of the tax on the vehicle. Neither KDOT nor FTA will pay any portion of the tax.

112) More information on the KDOT reviewing and awarding process can be found in KDOT Policies, page 22 ([Appendix A](#))

## 9. Vehicle Delivery Scheduled and Inspection

**Completed:** When the vehicle is ready to be delivered, the vendor will notify KDOT and set up a delivery time with the agency. KDOT will send a delivery packet to the agency with the appropriate documents and instructions to complete the inspection. The agency should have the delivery packet from KDOT before the vehicle is delivered so they have the appropriate inspection forms. The agency must inspect the vehicle within two days of delivery. If the vendor has failed to meet the demands of the specifications or the vehicle fails to properly function upon delivery, the agency should withhold payment until some plan of action for correcting the malfunction is established. KDOT must be informed of any problems that arise. The agency is responsible for conducting the inspection and final acceptance of the vehicle.

If it is determined at the time of the inspection of any new vehicle that an item is missing, the agency shall notify the vendor and KDOT. If the item is something the vendor can still supply, the vendor must do so as soon as possible at no expense to the agency. If the item is something that cannot be added to the vehicle at this point, then the vendor is to supply an amount they are willing to give as a credit for the missing items. The KDOT Office of Public Transportation will contact other vendors or parts suppliers to determine if the credit seems appropriate. If it is determined to be appropriate, and the agency accepts the amount of the credit, then that amount is deducted from the 100% cost of the vehicle (not just the 20% local share of the cost).

**10. Inspection Materials Sent to KDOT from Agency:** If it is determined that the vehicle meets the specifications, the agency will notify KDOT in writing that the vehicle has been inspected and found to meet specifications. The agency will also send KDOT copies of the certificates of origin (front & back), invoice, "Buy America" breakdown, post-delivery certifications, and lien release letter (if applicable), which includes the make, model, year and current mileage of the vehicle being replaced. If the vehicle meets specifications during the agency's inspection, the agency should immediately send their 20% of the payment to the vendor rather than waiting for KDOT's 80% payment.

**11. Payment Processed by KDOT:** Once KDOT receives all of the documents and inspection materials from the agency, they will process payment for the vehicle as a dual issue check payable to the transit agency and the vendor. The agency is responsible for endorsing the check and immediately forwarding it to the vendor.

**12. Additional Information Packet Sent to Agency from KDOT:** KDOT will send a packet of additional materials for the new vehicle, including the KDOT maintenance manual #314, the KDOT decal, the executed agreement, and, if applicable, the signed and notarized lien release. (See [Chapter 10](#), Maintenance, for more information on using the KDOT maintenance manual.)

All procurements funded in whole or in part through the KDOT Office of Public Transportation must follow bid protest procedures if a protest is filed. See the KDOT Policies (Appendix A) or contact KDOT for information on protesting a bid.

## RECORD KEEPING

All records related to the purchased vehicles (new from a vendor or transferred from another agency) should be retained for a period of five years after the lien release on the vehicle has been granted. The file on each vehicle may be reviewed during the KDOT triennial review site visit or at the request of the FTA. This includes, but is not limited to, the following:

- Copy of the grant application in which the agency applied for the new vehicle (Access to the application in BlackCat is fine. There is no need to print the application unless that is your preference.)
- Contract and purchase order.
- All paperwork sent to the agency in the delivery packet (bid documents).
- Copies of all signed certifications from the vendors.
- Invoices.

## BUY AMERICA

KDOT requires providers that receive federal dollars to certify compliance with the Buy America provision, [www.transit.dot.gov/buyamerica](http://www.transit.dot.gov/buyamerica) (113). Compliance with Buy America occurs when the provider, upon purchase of a vehicle, signs a certification that the vehicle was either manufactured in the United States or is exempt from the Buy America requirements. KDOT further requires that procurement of vehicles must be audited in accordance with FTA rolling stock purchase regulations to ensure the purchase of rolling stock will be in compliance with bid specifications, Buy America, and federal public safety requirements (114).

Best practices for complying with Buy America and conducting pre-award and post-delivery audits are outlined in the FTA Buy America Handbook. (Click for PDF or access online via the FTA webpage: [www.transit.dot.gov/regulations-and-guidance/buy-america/buy-america-handbook](http://www.transit.dot.gov/regulations-and-guidance/buy-america/buy-america-handbook)).

113) Code Reference: [49 CFR Section 661](#)  
114) Code Reference: [49 CFR Section 663](#) (Pre-Award and Post-Delivery Audits of Rolling Stock Purchases)

## ENSURING A COMPETITIVE PROCESS AND CODES OF ETHICS

KDOT and KCTDC ensure full and open competition in the vehicle procurement process by doing the following:

- Maintaining a current bidder's list.
- Adopting a written code of general ethical standards and conduct governing the performance of employees who are engaged in the award and administration of performance grants.
- Specifying bidder requirements.
- Advertising for bids.
- Soliciting an adequate number of bids or proposals.
- Allowing adequate time for bidders to respond to proposals.

Transit providers must follow the FTA and state procurement requirements to ensure competitive procurement. Local procurement policies may be used as long as they meet (or exceed) the minimum federal and state standards (115). Providers should keep a copy of their adopted code of ethics, which governs the activities of employees, board members, or other agents involved in procurement financed with FTA funds. The code should detail sanctions or disciplinary actions for violations. It should also detail how potential personal conflicts of interest are to be reported and handled. During the triennial review of a 5311 provider, the reviewer will ask to see the agency's adopted code of ethics or code of conduct as it relates to procurement. The reviewer will also verify the code includes sanctions or disciplinary actions and how conflicts of interest are to be reported and resolved (116).

In addition to standard procurement records, agencies should also keep documentation of any conflict of interest question or situation. Those records should be kept on file for five years (or, for capital projects, the life of the vehicle plus five additional years) (117).

## VEHICLE WARRANTIES: REQUIRED MAINTENANCE AND WARRANTY RECOVERY

A bumper-to-bumper warranty shall apply to all vehicles and shall last for three years or 36,000 miles after delivery, whichever occurs first. Vehicles delivered by driving them (not to exceed 1,500 miles) will have the warranty begin at the actual vehicle mileage at the time of final delivery at the purchasing agency's location. A properly executed warranty **MUST** be delivered with each vehicle. This bumper to bumper warranty is to cover all parts/components of the vehicle for three years or 36,000 miles after delivery unless an item has a different specific warranty called out in that section of the specification. If a part/component is not covered by the OEM, then the vendor is responsible for all repairs and expenses associated with them. **POWER TRAIN SHALL HAVE THE OEM MANUFACTURER'S WARRANTY if it exceeds the three year/36,000 miles warranty stated above.**

Disclaimers of Warranty coverage such as claims of driver error, acts of god, or debris will not be considered. The price of the vehicle bid should include this warranty and must be provided to the agency with the new vehicle(s). The vendor will be responsible for working with the agency to fill out ALL of the vehicle and sub-component warranty information and the vendor will be responsible for registering all of the products and provide proof of registration of each item to the agency. This includes all items on the vehicle (tires, AC, Reverse Sensing System). This warranty does not include schedule maintenance items listed in the OEM owner's manual.

During the three year/36,000 miles warranty period, the purchasing agency can make up to two "on-site repair calls" if warranty work is required that cannot be repaired through normal efforts by a local dealer at the purchasing agency's location. In this case, the purchasing agency will call the vendor, who must either send a service agent to the agency's location to repair the vehicle on-site or pick up the vehicle on-site, take it to be repaired, and then return it to the agency. Warranty work performed under on-site repair calls shall be at no cost to the purchasing agency and must be conducted to minimize the vehicle's out-of-transit service time.

After the final acceptance of the delivered vehicle (which includes the thorough inspection and verification of equipment ordered and condition of the vehicle), and during the 3 year/36,000 miles after delivery bumper-to-bumper warranty period, the purchasing agency is allowed a maximum of two "on-site repair calls" as follows: if warranty work is required that cannot be repaired through normal efforts by a local dealer at the purchasing agency's location, the purchasing agency will call the vendor, and the vendor must either:

1. Send a service agent to the purchasing agency's location to repair the vehicle on-site, or
2. Pick up the vehicle on-site and take it to the vendor's location, factory, or other authorized repair location to be repaired and then return it to the purchasing agency's location.

The warranty work performed under these "on-site repair calls" shall be at no cost to the purchasing agency and must be conducted so as to minimize the vehicle's out-of-transit service time.

All service called for in the warranty shall apply without exception. An owner's care book shall also be included with each vehicle. A copy of a detailed maintenance and inspection schedule supplied by the respective manufacturers of the vehicle and its subsystems (e.g. wheelchair lift, etc.) shall be included with each vehicle.

115) See KDOT Policies, page 18 ([Appendix A](#))

116) See [FTA Circular C 4220.1F](#), Chapter 3 (page 25 of PDF). Click for PDF or access online via the FTA webpage: [www.transit.dot.gov/regulations-and-guidance/fta-circulars/third-party-contracting-guidance](http://www.transit.dot.gov/regulations-and-guidance/fta-circulars/third-party-contracting-guidance)

117) See KDOT Policies, page 19 ([Appendix A](#))



Vendor is responsible for coordinating all warranty work of **ALL** equipment on the vehicle during the warranty period. All repairs need to minimize the number of days the unit is out of service.

Costs of warranty service trips for vehicles in the first 18,000 miles of the warranty period is at the expense of the vendor. This includes fuel and salary of agency's driver. Service is to be completed in a timely manner so as to not inconvenience the agency and their clients. This does not include OEM warranty work performed at a local OEM dealership.

An owner's care book shall also be included with each vehicle. A copy of a detailed maintenance and inspection schedule supplied by the respective manufacturers of the vehicle and its subsystems (e.g. wheelchair lift, etc.) shall be included with each vehicle. This maintenance schedule should inform the preventative maintenance schedule required by KDOT for each vehicle. (See [Chapter 10](#), Maintenance.)

## PROCUREMENT BASICS AND MICRO-PURCHASES

As a transportation manager, you will need to make procurement-related decisions for purchases other than vehicles. The basics of procurement are outlined below:

1. Define the need for the item or service
2. Develop performance-based specifications
3. Determine procurement method and review lists of pre-qualified vendors
4. Issue solicitation (invitation for bid, request for proposal, request for qualifications, etc.)
5. Receive bids or proposals and open bids or evaluate proposals in accordance with the schedule designated in the solicitation
6. Perform due diligence to explore and resolve any real or perceived conflicts of interest
7. Announce winning proposal/bid
8. Respond to bid protests, if necessary
9. Negotiate and execute contract or agreement
10. Vendor performs according to specification and agreement and agency monitors and honors terms of the contract
11. When performance is complete, contract can be closed out

Purchases involving less than \$5,000 are sometimes called "micro-purchases." Purchases below this threshold can be made without obtaining competitive quotations, but documentation is required to verify that the price was fair and reasonable, in addition to documentation of how this determination was made.

### KEY RESOURCES

FTA Report No. 0105: Procurement Manual, 2016 ed.

<https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/funding/procurement/8286/fta-best-practices-procurement-and-lessons-learned-manual-2016.pdf>

FTA Circular C 4220.1F: Third Party Contracting Guidance <https://www.transit.dot.gov/regulations-and-guidance/fta-circulars/third-party-contracting-guidance>

# CHAPTER 10

## MAINTENANCE

Maintenance refers to the planning and daily monitoring of every vehicle's condition, routine maintenance, repairs, and any other practice related to the life of the vehicle.

Transit providers must follow all OEM requirements. Maintenance books are mailed to transit providers when a new vehicle is delivered. All maintenance and repairs to a vehicle must be documented in the KDOT vehicle maintenance book (KDOT Form 314). The maintenance of KDOT vehicles is included in the grant application and will be verified by KDOT. If maintenance requirements and the record keeping associated with them are not met, award applications and requests for future vehicles may be affected.

### PRE-TRIP AND POST-TRIP INSPECTIONS

To ensure vehicles are safe to operate, well-maintained, and in good condition, providers are required to perform daily pre-trip and post-trip inspections.

#### PRE-TRIP

The pre-trip and mid-day shift section of the inspection form should be completed before the vehicle is put into service. If a vehicle will not be operated at all on a given day, a pre-trip inspection is not required for that particular vehicle on that particular day. The KDOT pre-trip inspection form is available on [KDOT's website](#) within the Public Transit Policy Manual on Pages 51 & 52 and under Triennial Reviews, Forms, Inspections. An agency has the option to develop its own pre-trip inspection form, but it must include all items listed on the KDOT form and must be pre-approved by KDOT staff to be considered an appropriate substitute.

The driver must initial and complete every item on the checklist (no pre-filled copies allowed, nor lines drawn down to show checked), and drivers should pay special attention to the following:

- **Seats, Seatbelts, and Safety Restraints:** This check includes tie downs, straps, belts, web loops, child safety seats, and any other restraint-related equipment. Any defective equipment should be noted on the pre-trip inspection form.
- **Lift/Ramp:** The lift (if the vehicle is equipped with one) must be cycled during every pre-trip inspection. If the vehicle is instead equipped with a ramp, the driver should test extending and returning the ramp to make sure all hinges and mechanics are properly functioning.
- **Emergency Equipment and Medical Kits:** Check that all supplies are included in the first aid kit and blood borne pathogen kit and that none of the items are expired. Expired items should be properly disposed and replaced immediately.

- **Vehicle Damage Report Form:** If the driver encounters any damage to the vehicle body, windows, mirrors, or equipment, they should complete the vehicle damage report form (located on the KDOT site under Triennial Reviews, Form, Damage Report), submit the form to their supervisor immediately, and follow any other agency-specific procedures. If the transit services agency has a vehicle accident/incident report form that they are required to use by their governing entity, KDOT will accept those forms when reporting accidents or incidents.
- **Signatures and Records:** The form must be signed by the driver and supervisor the day it is completed and must be kept on file for a minimum of 90 days.
- **Weekly Checks:** Some of the items on the pre-trip inspection form are marked for weekly rather than daily check. If the same driver isn't operating the same vehicle every day of the week, the manager should have a system for ensuring weekly checks are performed on each vehicle.

During the triennial review site visit, the reviewer will confirm that the lift or ramp is being cycled during every pre-trip inspection and will verify the agency has kept forms from the last 90 days (118).

In the case of a vehicle crash or any vehicle damage incurred while the vehicle is in service, the pre-trip inspection form should be stapled to the accident report and kept on file for the life of that vehicle.

All drivers or anyone who will operate a KDOT-funded vehicle at any time should be familiar with the pre-trip (and post-trip) inspection process. A supervisor should walk through the process step-by-step with new employees and verify that the employee can successfully perform the inspection on their own before scheduling shifts for the new driver.

#### POST-TRIP

All transit service agencies are also required to complete a daily post-trip inspection. The post-trip inspection form is available on [KDOT's website](#) and in Appendix D. Drivers performing the check should note that all items on this list must be checked daily (unlike the pre-trip inspection form, where some items must be checked daily and other items must only be checked weekly).

Like the pre-trip inspection form, an agency has the option to develop its own post-trip inspection form, but it must include all items listed on the KDOT form **and** must be pre-approved by the KDOT program consultant to be considered an appropriate substitute.

- The form must be signed by the driver and supervisor the day it is completed and must be kept on file for a minimum of 90 days.
- In the case of a vehicle crash or any vehicle damage incurred while the vehicle is in service, the pre-trip, mid-day and post-trip inspection form should be stapled to the accident report and kept on file for the life of that vehicle.

118) See KDOT Policies, page 27 ([Appendix A](#))

- During the triennial review site visit, the reviewer will confirm the agency has kept post-trip forms from the last 90 days.



## PREVENTATIVE MAINTENANCE PLAN FOR EACH VEHICLE

All providers must have a written maintenance plan for each FTA/KDOT-funded vehicle in their fleet describing a system of periodic inspections and preventative maintenance to be performed annually. The plan should also specify how often the plan is to be updated and reviewed. The plan must be submitted with the annual grant application and will be reviewed during the triennial review process (119). Records demonstrating that the maintenance plan is being followed should be kept with the plan. The agency must also address vehicle equipment, like ADA lifts, in the maintenance plan and have a separate plan for non-vehicle equipment and/or any transit facility operated by the agency.

Many providers find it useful to create a binder/folder for each vehicle that includes the vehicle's maintenance plan and all records associated with that vehicle, including the title, records of inspection, etc.

The maintenance plan should meet the following standards:

- Vehicles are identified by VIN number in the maintenance plan and all maintenance records.
- Maintenance record should include a complete maintenance history for the life of the vehicle and verify that prescribed maintenance is being performed as scheduled (120). (Use the KDOT vehicle maintenance booklet you received within the KDOT packet of acceptance.)
- Maintenance record should indicate periods (with dates) where the vehicle was out-of-service due to mechanical problems or damage, if applicable.
- Maintenance record for each vehicle should include proof that the maintenance plan meets minimum requirements of manufacturer or supplier (OEM requirements) as well as any warranty provisions (this applies to the vehicle as well as any associated equipment, like a wheelchair lift) (121).
- Warranty-required maintenance should be integrated into the maintenance plan and the plan must also include the agency's process for recovering warranty claims on the vehicle or equipment.

Many providers meet this requirement by keeping copies of the maintenance and warranty pages from the vehicle owner's manual in the vehicle's maintenance record/file so they can demonstrate to the triennial site reviewer that the plan meets the manufacturer's minimum recommendations.

- Any agency with vehicles that transport passengers across state lines must also comply with maintenance requirements of the Federal Motor Carrier Safety Administration (FMCSA). For more information, review the section on FMCSA and the Kansas Corporation Commission (KCC) in [Chapter 5](#), Service Procedures.
- The agency must keep a mileage log for each vehicle, which may be included in the maintenance record or be recorded elsewhere but must identify the vehicle by its VIN number. During the triennial site visit, the reviewer will ask if any vehicles in your fleet traveled fewer than 2,500 miles in any fiscal years since the last triennial review (122). This is to ensure proper vehicle utilization.

119) See KDOT Policies, page 42 ([Appendix A](#))  
 120) See KDOT Policies, page 28 ([Appendix A](#))  
 121) See KDOT Policies, page 26 and 41 ([Appendix A](#))  
 122) See KDOT Policies, page 37 ([Appendix A](#))



## VEHICLE TITLING AND INSPECTIONS

During the triennial review, the reviewer will request the titles (or copies of the titles) for all vehicles that are part of the KDOT public transportation program. KDOT holds a lien on the title of all vehicles purchased under the KDOT transportation program, but will verify that the title is in the agency's name (123). Titles may be kept in each vehicle's maintenance file or in a separate location but must be stored in a secure place.

Information on titling can be found at the [www.ksrevenue.org](http://www.ksrevenue.org).

[Titling a New Vehicle \(KS DOR Division of Vehicles\)](#)  
[Titling a Used Vehicle \(KSDOR Division of Vehicles\)](#)

For questions specific to the program, contact KDOT staff.

Each agency must have all transit vehicles funded by the KDOT transportation program inspected on an annual basis, as outlined in their preventative maintenance plan (124). The KDOT inspector should complete a KDOT Form to verify the vehicle is in proper working order. (The inspector will have copies of the most up-to-date form. The agency does not need to provide its own.) Records of all inspections should be kept on file for five years (or, in the case of capital projects, the life of the vehicle plus five years).

Figure 10.1

To meet ADA requirements, a vehicle lift should have a 600 pound capacity, however, the lift-equipped vehicles awarded through the KDOT Office of Public Transportation have a capacity exceeding the ADA requirement. Vehicles awarded through the program are ordered under bid specifications set by the Kansas Coordinated Transit District Council (KCTDC) and approved by KDOT. Transit agencies are not allowed to adjust the lift capacity in any manner.

All agencies are required by federal regulation to maintain vehicle and facility accessibility features (including, but not limited to lifts and ramps on buses) in working condition (125). In order to ensure compliance, KDOT policy states that lifts and ramps must be scheduled for regular maintenance in accordance with the manufacturer's requirements. These requirements are detailed in the KDOT delivery and/or acceptance packet sent to the agency when they receive a new or transferred vehicle.

Agencies with lift equipped vehicles that do not follow lift maintenance requirements will forfeit KDOT funding if their vehicles are not properly maintained (126).

Every agency should have a procedure to follow if an ADA-accessible vehicle is out of service and the agency receives a ride request that cannot be accommodated without that vehicle. Federal regulation states that "When an accessibility feature is out of order, the entity shall take reasonable steps to accommodate individuals with disabilities who would otherwise use the feature" (127). According to the policy guidance provided in [FTA Circular C 4710.1](#), the regulations do not prescribe a particular method for accommodating individuals, but the method [agencies] choose must be effective (128).

More information on developing this procedure can be found in [Chapter 5](#), Service Procedures.

## REPORTING ACCIDENTS AND REPAIR REQUESTS

### ACCIDENTS RESULTING IN VEHICLE DAMAGE

Any incident which results in damage to the transit vehicle, personal injury to a party (while on the vehicle or entering/exiting the vehicle), and any moving violation while on duty must immediately be reported to the KDOT Office of Public Transportation. The manager must keep the pre-trip inspection form from the day of the incident. 5311 agencies will be asked to complete and submit the drug and alcohol post-accident report to KDOT. For more information, see the "Incident Reporting" section in [Chapter 4](#), Operations.

123) See KDOT Policies, page 42 ([Appendix A](#))  
 124) See KDOT Policies, page 19 ([Appendix A](#))  
 125) Code Reference: [49 CFR Section 37.171\(a\)](#)  
 126) KDOT Policies, page 27-28 ([Appendix A](#))  
 127) Code Reference: [49 CFR Section 37.161\(b\)](#)  
 128) See [FTA Circular C 4710.1](#), page 2-7



## REPAIR REQUESTS

Any defective equipment or vehicles should be listed on the pre-trip inspection form, including prescribed maintenance. Work orders/repair tickets/invoices should be filed together to verify that repairs were completed.

Always check if a repair is covered under the vehicle warranty before proceeding. If a single vehicle repair is estimated to exceed \$4,500, the manager must contact KDOT staff to obtain approval to repair. Failure to get pre-approval from KDOT for repairs over \$4,500 could result in denial of a reimbursement request for the repair (129).

Technology and communication devices will be incorporated as the program advances to help provide better service to the public. Tablets, radios, smart/cell phones are eligible expenses under KDOT programs. Each vehicle must have some form of verbal communication device in case of emergency. All purchases of technology and communication devices must follow procurement guidelines and be budgeted in the application. Exceptions can be granted with prior KDOT approval and justification.

## MAINTENANCE FACILITIES

Transportation agencies with a maintenance facility (through a 5339 grant, for example) must ensure the facility is accessible to all persons. Accessibility features may include:

- Accessible paths to and within facilities
- Communications equipment
- Elevators
- Fare vending equipment and fare gates
- Platforms and handrails
- Ramps
- Signage

The agency must have a written facility maintenance plan (like those required for vehicles). KDOT will also perform inspections of maintenance facilities.

## ACCESSORIES

There are three types of accessories listed in the KDOT policy manual: bike racks, ramps and lifts, and technology and communications devices.

Bike racks are an eligible expense in all KDOT programs no matter if they were installed at the time of the vehicle order or added later. Vehicles with bike racks should include regular inspection and maintenance of the racks. If a vehicle does not have a bike rack, it is up to the agency's KDOT Policy Manual 55 discretion and must be noted in the policy and rider's handbook.

Vehicles that are equipped with ramp/lift equipment through KDOT have either an 800-pound or 1,000-pound capacity, which meets or exceeds the ADA requirement. Transit agencies are not allowed to adjust the lift capacity in any manner. All lifts must be properly maintained and scheduled for maintenance based on the lift manufacturer's requirements. Agencies that have lift equipped vehicles that do not follow lift maintenance requirements may forfeit ALL KDOT funding if their vehicles are not maintained properly.

129) See KDOT Policies, page 26-27 ([Appendix A](#))

# ACRONYMS

AASHTO	American Association of State Highway Transportation Officials
ADA	Americans with Disabilities Act of 1990
APTA	American Public Transit Association
CDL	Commercial Driver's License
CFR	Code of Federal Regulations
CPT-HSTP	Coordinated Public Transit –Human Service Transportation Plan
CTAA	Community Transportation Association of America
CTD	Coordinated Transit District
DBE	Disadvantaged Business Enterprise
DOT	U.S. Department of Transportation
DUNS	Data Universal Numbering System
EEO	Equal Employment Opportunity
EEOC	U.S. Equal Employment Opportunity Commission
FAST	Fixing America's Surface Transportation Act (Public Law 114-94)
FEMA	Federal Emergency Management Agency
FFY	Federal Fiscal Year (referring to U.S. Federal Government)
FHWA	Federal Highway Administration
FMCSA	Federal Motor Carrier Safety Administration
FR	Federal Register
FTA	Federal Transit Administration
GCW	Gross Combined Weight (for classifying vehicles)
GVW	Gross Vehicle Weight (for classifying vehicles)
GVWR	Gross Vehicle Weight Rating (for classifying vehicles)
ISTEA	Intermodal Surface Transportation Efficiency Act (Public Law 102-240)
KAR	Kansas Administrative Regulations
KCC	Kansas Corporation Commission
KCTDC	Kansas Coordinated Transit District Council
KDEM	Kansas Division of Emergency Management
KDOT	Kansas Department of Transportation
KPTA	Kansas Public Transit Association
KSA	Kansas Statutes Annotated
LEP	Limited English Proficiency
MAP-21	Moving Ahead for Progress in the 21st Century (Public Law 112-141)
MPO	Metropolitan Planning Organization
NTD	National Transit Database
NTI	National Transit Institute
ODAPC	Office of Drug and Alcohol Policy and Compliance
OEM	Original Equipment Manufacturer
OPT	Kansas Department of Transportation Office of Public Transportation
RTAP	Rural Transit Assistance Program
SAFETEA-LU	The Safe, Affordable, Flexible, Efficient Transportation Act: a Legacy for Users (Public Law 109-59)
SAM	System Award Management
SFY	State Fiscal Year (referring to Kansas)
STIP	State Transportation Improvement Program
TAM	Transit Asset Management
TEA-21	Transportation Equity Act for the 21st Century (Public Law 105-178)
TRB	Transportation Research Board
USC	United States Code
UZA	Urbanized Area

# RESOURCES REFERENCED IN HANDBOOK BY TOPIC, ALPHABETICAL

## **5310 & 5311 PROGRAM GUIDANCE**

Enhanced Mobility of Seniors and Individuals with Disabilities Program Guidance (Section 5310), July 7, 2014 (Chapter 1)  
FTA Circular C 9070.1G

[https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/C9070\\_1G\\_FINAL\\_circular\\_4-20-15%281%29.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/C9070_1G_FINAL_circular_4-20-15%281%29.pdf)

Formula Grants for Rural Areas Program Guidance (Section 5311), November 24, 2014 (Chapter 1)  
FTA Circular C 9040.1G

[https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA\\_Circular\\_9040\\_1Gwith\\_index\\_-\\_Final\\_Revised\\_-\\_vm\\_10-15-14%281%29.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Circular_9040_1Gwith_index_-_Final_Revised_-_vm_10-15-14%281%29.pdf)

## **CHILD SAFETY SEATS**

KDOT You Tube Videos on Installing Safety Seats (Chapter 5)

Rear-Facing Seats: <https://www.youtube.com/watch?v=jvTSlmKGvYk>

Newborns: <https://www.youtube.com/watch?v=3nbKboJZJ2A>

Seat Harnesses: <https://www.youtube.com/watch?v=LsHiRVeyz14>

Front-Facing Seats: <https://www.youtube.com/watch?v=8qVeMmzfSx4>

Rear-Facing to Front-Facing: <https://www.youtube.com/watch?v=zzVImR7v4cA>

Kansas Traffic Safety Resource Office website (Chapter 5)

<https://www.ktsro.org/child-passenger-safety>

## **CIVIL RIGHTS: AMERICANS WITH DISABILITIES ACT (ADA) & TITLE VI OF THE CIVIL RIGHTS ACT**

Americans with Disabilities Act (ADA) Guidance, November 4, 2015 (Chapter 6)

FTA Circular C 4710.1

[https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Final\\_FTA\\_ADA\\_Circular\\_C\\_4710.1.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Final_FTA_ADA_Circular_C_4710.1.pdf)

Disability Rights Education & Defense Fund (Chapter 6)

<https://dredf.org/ADAtg/index.shtml>

FTA Office of Civil Rights (Chapter 6)

<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/civil-rightsada>

National Council on Disability Transportation Update, May 4, 2015 (Chapter 6)

<https://ncd.gov/publications/2015/05042015/>

Title VI Requirements and Guidelines for Federal Transit Administration Recipients, October 1, 2012 (Chapter 6)

FTA Circular C 4702.1B

[https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA\\_Title\\_VI\\_FINAL.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_Title_VI_FINAL.pdf)

## **COMMERCIAL DRIVER'S LICENSES (CDLs)**

Kansas CDL Testing Locations (Chapter 7)

<https://www.ksrevenue.org/dovstations.html>

Kansas Commercial Driver's License Manual, Rev. September 2016 (Chapter 7) [AAMVA 05 Model Test Version](https://www.ksrevenue.org/pdf/cdlhandbook.pdf)

<https://www.ksrevenue.org/pdf/cdlhandbook.pdf>

## **CONCEALED CARRY**

Kansas Personal and Family Protection Act, K.S.A. 75-7c01 (Chapter 5) [http://ag.ks.gov/docs/default-](http://ag.ks.gov/docs/default-source/documents/concealed-carry-statutes.pdf?sfvrsn=26)

[source/documents/concealed-carry-statutes.pdf?sfvrsn=26](http://ag.ks.gov/docs/default-source/documents/concealed-carry-statutes.pdf?sfvrsn=26)

Kansas Personal and Family Protection Act FAQs (Kansas Attorney General's Office) (Chapter 5)

<http://ag.ks.gov/docs/default-source/documents/concealed-carry-faqs.pdf?sfvrsn=6>

## **COORDINATED PUBLIC TRANSIT-HUMAN SERVICES TRANSPORTATION PLANS**

KDOT Coordinated Plans (Dec 2018)

<https://www.ksdot.org/burTransPlan/pubtrans/index.asp>

## **CTAA RESOURCES FOR MANAGERS**

Certified Community Transit Manager Training (Chapter 4)

Helpful resource for managers, even if you're not taking the CCTM Exam)

<https://ctaa.org/cctm/>

A CTAA Management Guide for Creating an Employee Handbook (Chapter 7)

<http://www.surtc.org/cctm/sect4/downloads/EmpHandbook.pdf>

CTAA "United We Ride" Policy Template (Chapter 5)

Available for download at the Kansas RTAP Website:

<https://kutc.ku.edu/sites/kutc.ku.edu/files/docs/pdf/P%26PTemplate2010Cyra.doc>

See how RCAT selected and customized CTAA templates for their policies/rider handbook

<http://www.renogov.org/DocumentCenter/View/969>

National Center for Mobility Management (Training and Resource Center)

<http://nationalcenterformobilitymanagement.org/>

## **DATA UNIVERSAL NUMBERING SYSTEM**

(Chapter 2)

<https://www.grants.gov/web/grants/applicants/organization-registration/step-1-obtain-duns-number.html>

## **DOT MEDICAL EXAM/CARD**

DOT Medical Examiner's Certificate (Chapter 7)

<https://www.fmcsa.dot.gov/regulations/medical/medical-examiners-certificate-commercial-driver-medical-certification>

FMCSA National Registry of Certified Medical Examiners (Chapter 7)

<https://nationalregistry.fmcsa.dot.gov/NRPublicUI/Drivers.seam>

## **DRUG & ALCOHOL TRAINING & TESTING (FTA)**

What Employees Need to Know about DOT Drug and Alcohol Testing (Chapter 7)

FTA Office of Drug and Alcohol Policy & Compliance (ODAPC) Employee Handbook

<https://www.transportation.gov/odapc/employee-handbook-english>

What Employers Need to Know about DOT Drug and Alcohol Testing (Chapter 7)

FTA Office of Drug and Alcohol Policy & Compliance (ODAPC) Employee Handbook

[https://www.transportation.gov/odapc/employer\\_handbook](https://www.transportation.gov/odapc/employer_handbook)

## **EASTERSEALS PROJECT ACTION CONSULTING**

Training and Resource Center

<http://www.projectaction.com/>

## **EMERGENCY MANAGEMENT**

Kansas Division of Emergency Managers: List of Managers (Chapter 4)

<http://www.kansastag.gov/kdem.asp?PageID=200>

## **ENVIRONMENTAL JUSTICE**

Environmental Justice Policy Guidance for Federal Transit Administration Recipients, August 15, 2012 (Chapter 6)

FTA Circular C 4703.1

[https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA\\_EJ\\_Circular\\_7.14-12\\_FINAL.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA_EJ_Circular_7.14-12_FINAL.pdf)

Transportation and Environmental Justice: Effective Practices, January 2002 (Chapter 6)

[https://rosap.ntl.bts.gov/view/dot/38189/dot\\_38189\\_DS1.pdf](https://rosap.ntl.bts.gov/view/dot/38189/dot_38189_DS1.pdf)



## **EQUAL EMPLOYMENT**

EEO Requirements and Guidelines for FTARecipients, April 20, 2017 (Chapter 7)

FTA Circular C 4704.1A

<https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/regulations-and-guidance/civil-rights-ada/56501/eoo-circular-c-47041a.pdf>

## **FTA EEO Guidance and Resource Center**

(Chapter 7)

<https://www.transit.dot.gov/regulations-and-guidance/civil-rights-ada/eoo-guidance>

U.S. Equal Employment Opportunity Commission (Chapter 7)

<https://www.eeoc.gov/laws-guidance-0>

## **FEDERAL TRANSIT ADMINISTRATION (FTA) RESOURCES**

FTA Grant Programs Overview (Chapter 1)

<https://www.transit.dot.gov/grants>

FTA Region 7 website (Chapter 1)

<https://www.transit.dot.gov/about/regional-offices/region-7/region-7>

## **INTERSTATE TRAVEL**

Federal Motor Carrier Safety Administration Regulations (Chapter 5)

<https://www.fmcsa.dot.gov/regulations/understanding-passenger-carrier-regulations>

Kansas Corporation Commission Transportation Division (Chapter 5)

<http://www.kcc.state.ks.us/trans/index.htm>

Kansas Corporation Commission 2019 Motor Carrier Regulations (Chapter 5)

[https://kcc.ks.gov/images/PDFs/transportation/mc\\_regs.pdf](https://kcc.ks.gov/images/PDFs/transportation/mc_regs.pdf)

## **INTERVIEWING DRIVER APPLICANTS**

Driver Interviews: Not Just for Finding Qualified Applicants, April 2015 (Chapter 7) Kansas RTAP Fact Sheet by Peter Schauer

<http://www2.ku.edu/~kutc/pdffiles/KTRFS15-Driverinterviews.pdf>

## **KANSAS DOT WEBSITES**

Office of Public Transportation (OPT) (Chapter 1)

<https://www.ksdot.org/BurTransPlan/pubtrans/index.asp>

OPT Provider Forms

<https://www.ksdot.org/BurTransPlan/pubtrans/TransitForms.asp>

## **KANSAS REGIONAL TRANSIT BUSINESS MODEL IMPLEMENTATION PLAN**

(Chapter 1)

<http://www.ksdot.org/Assets/wwwksdotorg/bureaus/burTransPlan/pubtrans/pdf/Regional%20-%20CTD%20Transition%20Guidelines.pdf>

## **KANSAS STATE MANAGEMENT PLAN**

(Chapter 1)

[https://www.ksdot.org/Assets/wwwksdotorg/bureaus/burTransPlan/pubtrans/pdf/Kansas%20SMP%20Revision%20April%202017\\_final.pdf](https://www.ksdot.org/Assets/wwwksdotorg/bureaus/burTransPlan/pubtrans/pdf/Kansas%20SMP%20Revision%20April%202017_final.pdf)

## **LOCAL MATCH FUNDING**

FTA Frequently Asked Questions: Local Matching Funds (Chapter 3)

<https://www.transit.dot.gov/funding/procurement/third-party-procurement/local-matching-funds>

National Aging and Disability Transportation Center: Using Non-DOT Funds for Local Match (Chapter 3)

<http://www.nadtc.org/news/blog/section-5307-5310-and-5311-using-non-dot-funds-for-local-match/>

## **NATIONAL TRANSIT DATABASE**

(Chapter 4)

<https://www.transit.dot.gov/ntd>

## **NATIONAL TRANSIT INSTITUTE (NTI) AT RUTGERS**

(Chapter 8)

<https://www.ntionline.com/>

### **PHYSICAL ABILITY TESTING**

Application of Physical Ability Testing to the Current Workforce of Transit Employees, November 2010 (Chapter 7)

TCRP Legal Research Digest 34

<http://www.trb.org/Publications/Blurbs/164411.aspx>

How the Health Insurance Portability and Accountability Act (HIPAA) and Other Privacy Laws Affect Public Transportation Operations, July 2014 (Chapter 7)

TCRP Legal Research Digest 46

<http://www.trb.org/Publications/Blurbs/170962.aspx>

ADA Enforcement Guidance: Pre-employment Disability-Related Questions and Medical Examinations, October 1995 (Chapter 7)

<https://www.eeoc.gov/policy/docs/preemp.html>

### **PROCUREMENT & CONTRACTING**

FTA Pre-Award and Post-Delivery Audits: Best Practices Handbook, January 2017 (Chapter 9)

FTA Report No. 0106

<https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/regulations-and-guidance/buy-america/58191/buy-america-handbook-rpt0106.pdf>

FTA Procurement Manual, 2016 edition (Chapter 9)

FTA Report No. 0105

<https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/funding/procurement/8286/fta-best-practices-procurement-and-lessons-learned-manual-2016.pdf>

FTA Third Party Contracting Guidance, Rev. March 18, 2013 (Chapter 9)

FTA Circular C 4220.1F

<https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/Third%20Party%20Contracting%20Guidance%20%28Circular%204220.1F%29.pdf>

KDOT Vehicle Specifications (Chapter 9)

<https://www.ksdot.org/bureaus/burTransPlan/pubtrans/2019-Bid-Documents.asp>

### **RECRUITING AND RETAINING EMPLOYEES**

Employee Compensation Guidelines for Transit Providers in Rural and Small Urban Areas, 2008 (Chapter 7)

TCRP Report 127

<http://www.trb.org/Publications/Blurbs/160065.aspx>

Guidebook for Recruiting, Developing, and Retaining Transit Managers for Fixed-Route Bus and Paratransit Systems, 2010 (Chapter 7)

TCRP Report 139

<https://www.nap.edu/catalog/14417/guidebook-for-recruiting-developing-and-retaining-transit-managers-for-fixed-route-bus-and-paratransit-systems>

Recruiting and Retaining Bus Operations Employees, December 31, 2009 (Chapter 7)

APTA Recommended Practice: APTA BTS-BO-RP-003-09

[https://www.apta.com/wp-content/uploads/Standards\\_Documents/APTA-BTS-BO-RP-003-009.pdf](https://www.apta.com/wp-content/uploads/Standards_Documents/APTA-BTS-BO-RP-003-009.pdf)

The Workforce Challenge: Recruiting, Training, and Retaining Qualified Workers for Transportation and Transit Agencies, 2003 (Chapter 7)

TRB Special Report 275

<http://onlinepubs.trb.org/onlinepubs/sr/sr275.pdf>

## **RURAL TRANSIT ASSISTANCE PROGRAM**

National RTAP (Chapter 1)

<http://nationalrtap.org/>

National RTAP Transit Manager Toolkit (Chapter 5)

<https://www.nationalrtap.org/Toolkits/Transit-Managers-Toolkit/Welcome>

National RTAP “Howto Find Almost Anything” (Chapter 5)

<https://www.nationalrtap.org/Toolkits/Find-Anything-Toolkit/Welcome>

National RTAP Website Builder (Chapter 5)

<http://nationalrtap.org/Web-Apps/Website-Builder>

Kansas RTAP at the KU Transportation Center (Chapter 1)

<http://www.ksrtap.org>

## **SAFETY PLANNING**

FTA National Public Transportation Safety Plan, January 2017 (Chapter 4)

[https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/National%20Public%20Transportation%20Safety%20Plan\\_1.pdf](https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/National%20Public%20Transportation%20Safety%20Plan_1.pdf)

## **U.S. GENERAL SERVICES ADMINISTRATION SYSTEM AWARD MANAGEMENT (SAM)**

(Chapter 2)

<https://usfcr.com/?>

[https://usfcr.com/?utm\\_medium=ppc&utm\\_term=system%20for%20award%20management&utm\\_campaign=SAM&utm\\_source=bing&hsa\\_tgt=kwd-73530012843529:loc-190&hsa\\_ad=&hsa\\_src=o&hsa\\_mt=p&hsa\\_ver=3&hsa\\_cam=122161541&hsa\\_acc=1449812725&hsa\\_kw=system%20for%20award%20management&hsa\\_grp=1176478314574212&hsa\\_net=adwords&msclkid=1c81939a63c615f58f01cc82c645cd72](https://usfcr.com/?utm_medium=ppc&utm_term=system%20for%20award%20management&utm_campaign=SAM&utm_source=bing&hsa_tgt=kwd-73530012843529:loc-190&hsa_ad=&hsa_src=o&hsa_mt=p&hsa_ver=3&hsa_cam=122161541&hsa_acc=1449812725&hsa_kw=system%20for%20award%20management&hsa_grp=1176478314574212&hsa_net=adwords&msclkid=1c81939a63c615f58f01cc82c645cd72)

## **TRANSIT ASSET MANAGEMENT**

FTA TAM website (Chapter 4)

<https://www.transit.dot.gov/TAM>

## **TRIENNIAL REVIEW**

5310 Questionnaire (Chapter 2)

<https://www.ksdot.org/Assets/wwwksdotorg/bureaus/burTransPlan/pubtrans/pdf/5310%20Interviewer%20Guide.pdf>

5311 Questionnaire (Chapter 2)

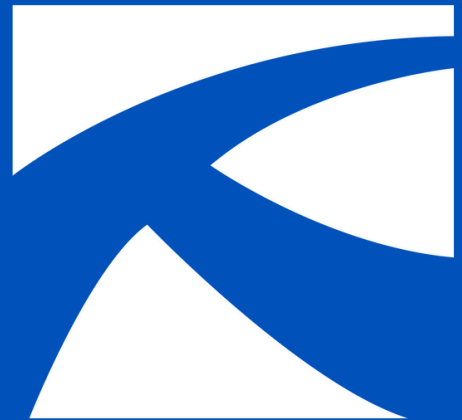
<https://www.ksdot.org/Assets/wwwksdotorg/bureaus/burTransPlan/pubtrans/pdf/5311InterviewerGuide.pdf>

# APPENDICES

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- A. [KDOT Policies](#)
- B. [Kansas State Management Plan](#)
- C1. [Travel Expense Form](#)
- C2. [Vehicle Damage Report](#)
- C3. [Emergency Contact Form](#)
- C4. [New Driver Checklist](#)
- C5. [Driver Training Log](#)
- C6. [Pre-Trip Inspection](#)
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- E. [Sample Policies](#)
- E1. [Flint Hills Rider](#)
- E2. [Sedgwick Co Rider](#)
- E3. [Dodge City Rider](#)
- F. [Sample Job Descriptions](#)
- G. [Facility And Vehicle Maint Plan](#)





# RTAP

**KANSAS RURAL TRANSIT  
ASSISTANCE PROGRAM**

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KU Transportation Center  
1536 West 15th Street, Room G520  
Lawrence, Kansas 66045  
phone: (785) 864-5658  
fax: (785) 864-3199  
[www.ksrtap.org](http://www.ksrtap.org)