

MAP-21: The “New” Section 5310 Program: Questions answered by Mr. Gilbert Williams, Office of Program Management at the Federal Transit Administration (FTA)

A recording of the October 8, 2014 Webinar is available on the [NCST website](#).

1. What types of planning activities are required for a local community to receive 5310 funds? Are public meetings about the program required?

Answer: A locally coordinated human service transportation plan is a required activity. Seniors and individuals with disabilities must be involved in the planning process throughout development of the plan and provide approval of the plan. The coordinated human services transportation plan is also an activity that is developed in accordance with other state planning activities, such as the long range transportation plan and the transportation improvement plan.

The metropolitan planning office (MPO) and state planning offices are required to conduct public meetings about these plans. If you are interested in participating in the planning process or finding out more about the activity in your area, contact your local planning office.

2. It is my understanding that people with disabilities and older adults must be involved in the transportation planning process. How should this be monitored and is there any oversight by the planning committee on the projects that are selected?

Answer: The transportation planning process is an activity conducted by the MPO in the large urbanized areas. In the small and rural areas, the transportation planning process is done by the state planning office. FTA regional offices do oversee the state Departments of Transportation and the MPOs. During the tri-annual reviews conducted by FTA, it is emphasized that the planning process must be carried out in accordance with the policies and standards related to the 5310 program.



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- 3. In terms of eligible sub recipients, is an entity such as an assisted living facility eligible to receive funds? This entity only provides transportation to their residents and none outside of their gates. They are also not part of their regionally coordinated plan.**

Please explain why/why not?

Answer: An assisted living facility can be an eligible sub recipient, even if they are providing transportation services only for their residents; however they do have to be part of their coordinated human service transportation plan. If they are not part of locally developed coordinated human service transportation plan they would not be eligible.

- 4. In terms of eligible sub-recipients, is a for-profit organization eligible to receive funds? Please explain why/why not?**

Answer: For-profit organizations are not automatically excluded from receiving the funds. For-profit organizations (ex: a taxi cab service) can be eligible to receive funds, however they generally receive funds as a third party contractor to an eligible sub-recipient or designated recipient that is coordinating services in their area. For more information on this matter, the for-profit organization should follow up with their state DOT office.

- 5. As a Paratransit Nonprofit 501(C)(3), do we have to work through our state DOT to apply for 5310 funds?**

Answer: Yes, you will have to work through your state DOT.

- 6. Please explain the differences in applying for the new 5310 funds as opposed to the New Freedom annual application.**

Answer: From the Federal perspective, the application process for the new Section 5310 program is the same as the New Freedom program application. However, each state or large urbanized area may have their own particular application process so it is advised that the State/Program Management Plans (SMP/PMP) are reviewed for specific requirements. You should also contact whomever your designated recipient is to find out if there are any local variations in the application specific to your region.

- 7. Can 5310 funds be used to support purchasing of vehicles in addition to buses, such as small vans, or are other funding sources to be used to purchase vehicles?**

Answer: All types of vehicles are available for funding under the program – for example buses, vans, minivans, or sedans.



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8. Can 5310 funding be used to pay for mobility management positions?

Answer: Yes, mobility management activities are available for funding. The administrative costs of a mobility management position are an eligible expense under the 5310 program.

9. Can 5310 funding be used to support people getting back and forth to jobs?

Answer: Yes. 5310 funds are to be used for general transportation, so if the organization is providing transportation for employment purposes, yes, that would be an eligible expense.

10. The Circular discusses the 55% and 45% projects. In relation to the 10% admin allowed for designated recipients to administer the program, what is the recommended methodology for calculating the 55% funds for projects and the 10% admin for the projects?

Answer: The percentages are taken from your apportionment. The first thing you should do is make sure you have at least 55% of your apportionment dedicated to the “traditional” 5310 type projects: capital, public transportation projects planned, designed, and carried out to meet the special needs of seniors and individuals with disabilities when public transportation is insufficient, inappropriate, or unavailable.

No more than 10% may be used for program administration. The 10% administrative is discretionary; you may decide to use the entire 10%, less than 10%, or you may decide not use it at all.

Other capital projects and operating expenses are capped at 45% of your apportionment.

If you use the required 55% of your apportionment, *and* you use 10% for program administration, you would only have 35% available for other capital and operating expenses. If you do not use 10% for program administration, you have 45% available for other capital and operating expenses.

11. Can a designated recipient use a portion of the 10% administrative funds to acquire a vehicle used to oversee the 5310 project and its sub-recipients? The vehicle would be used for site visits and meetings associated with the 5310 program and program of projects.

Answer: The 10% administrative funds can be used for the purchase of a vehicle if it is an administrative arrangement such as the above situation of overseeing the project, not providing general transportation. The 10% administrative funds cannot be used to purchase a vehicle for general transportation.



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12. Who decides who the large urbanized area designated recipient will be?

Answer: The governor of the state decides who the large urbanized area designated recipient will be. The governor will receive a recommendation from the MPO and make the final selection as to who that entity will be.

13. Our area has recently been named a “designated recipient” but it has had negative consequences for some clients’ eligibility for transportation services. What can be done to remedy this situation?

Answer: The projects funded by the designated recipient are local decisions made by that designated recipient. However, if the planning process was followed, and the targeted population and other stakeholders were involved in the development of the locally coordinated human services transportation plan, the projects decided upon should serve the area’s needs.

14. Is there any possibility of leveling the playing field in the future between urban and rural areas for 5310 funding?

Answer: The allocation of funds to large urbanized areas, small urbanized areas, and rural areas is a decision made by Congress. Any changes in future legislation would be in direction from Congress as opposed to FTA.

15. We receive tribal transit funding to support our public transit system. Can we also receive 5310 funds and what would the application process for receiving these funds include?

Answer: Yes, tribes can apply to the designated recipient in their state for funds as a sub-recipient. If the tribe’s project is accepted, the tribe can apply for the funds as a direct recipient. It is important to note that you cannot use other DOT funds as a match requirement for your Section 5310 funds.

16. If we are receiving funds from FTA through 5307 or 5311, are we precluded from receiving 5310 funds? Elaborate on application process for receiving multiple streams of funding.

Answer: No, if you receive 5307 or 5311 funds you *are not precluded* from receiving 5310 funds. You must apply for 5310 funds following the outlined application process in the State/Program Management Plans (SMP/PMP). It is important to note that you cannot use other DOT funds as a match requirement for your Section 5310 funds.

