

SECOND REGULAR SESSION

HOUSE BILL NO. 2133

93RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES BAKER (25) (Sponsor) AND SHOEMYER (Co-sponsor).

Read 1st time March 31, 2006 and copies ordered printed.

STEPHEN S. DAVIS, Chief Clerk

5704L.011

AN ACT

To repeal section 208.275, RSMo, and to enact in lieu thereof three new sections relating to the coordinating council on special transportation.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 208.275, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 208.275, 208.280, and 208.282, to read as follows:

208.275. 1. As used in this section, unless the context otherwise indicates, the following terms mean:

(1) "Elderly", any person who is sixty years of age or older;

(2) "Handicapped", any person having a physical or mental condition, either permanent or temporary, which would substantially impair ability to operate or utilize available transportation.

2. There is hereby created the "Coordinating Council on Special Transportation" within the Missouri department of transportation. The members of the council shall be: two members of the senate appointed by the president pro tem, who shall be from different political parties; two members of the house of representatives appointed by the speaker, who shall be from different political parties; the assistant for transportation of the Missouri department of transportation, or his designee; the assistant commissioner of the department of elementary and secondary education, responsible for special transportation, or his designee; the director of the division of aging of the department of social services, or his designee; the deputy director for mental retardation/developmental disabilities and the deputy director for administration of the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 department of mental health, or their designees; the executive secretary of the governor's
17 committee on the employment of the handicapped; and seven consumer representatives
18 appointed by the governor by and with the advice and consent of the senate, four of the consumer
19 representatives shall represent the elderly and three shall represent the handicapped. Two of such
20 three members representing handicapped persons shall represent those with physical handicaps.
21 Consumer representatives appointed by the governor shall serve for terms of three years or until
22 a successor is appointed and qualified. Of the members first selected, two shall be selected for
23 a term of three years, two shall be selected for a term of two years, and three shall be selected for
24 a term of one year. In the event of the death or resignation of any member, his successor shall
25 be appointed to serve for the unexpired period of the term for which such member had been
26 appointed.

27 3. State agency personnel shall serve on the council without additional appropriations
28 or compensation. The consumer representatives shall serve without compensation except for
29 receiving reimbursement for the reasonable and necessary expenses incurred in the performance
30 of their duties on the council from funds appropriated to the department of transportation.
31 Legislative members shall be reimbursed by their respective appointing bodies out of the
32 contingency fund for such body for necessary expenses incurred in the performance of their
33 duties.

34 4. Staff for the council shall be provided by the Missouri department of transportation.
35 The department shall designate a special transportation coordinator who shall have had
36 experience in the area of special transportation, as well as such other staff as needed to enable
37 the council to perform its duties.

38 5. The council shall meet at least quarterly each year and shall elect from its members
39 a chairman and a vice chairman.

40 6. The coordinating council on special transportation shall:

41 (1) Recommend and periodically review policies for the coordinated planning and
42 delivery of special transportation when appropriate;

43 (2) Identify special transportation needs and recommend agency funding allocations and
44 resources to meet these needs when appropriate;

45 (3) Identify legal and administrative barriers to effective service delivery;

46 (4) Review agency methods for distributing funds within the state and make
47 recommendations when appropriate;

48 (5) Review agency funding criteria and make recommendations when appropriate;

49 (6) Review area transportation plans and make recommendations for plan format and
50 content;

51 (7) Establish measurable objectives for the delivery of transportation services;

52 (8) Review annual performance data and make recommendations for improved service
53 delivery, operating procedures or funding when appropriate;

54 (9) Review local disputes and conflicts on special transportation and recommend
55 solutions;

56 **(10) Develop and maintain a consolidated inventory of all transportation providers**
57 **operating within the state. Accordingly, each state agency involved in providing**
58 **transportation services shall provide such information to the council as is necessary for it**
59 **to compile the consolidated inventory including, but not limited to, information relating**
60 **to funding, expenses, revenues, ridership, areas of service, and evaluations of performance;**

61 **(11) Review and evaluate the transportation provision policies of each agency to**
62 **determine the most efficient methods for facilitating the coordination of transportation**
63 **services;**

64 **(12) Make recommendations specifically addressing the standards of financial and**
65 **activity reporting and the contents of interagency agreements, including service assurances,**
66 **financial commitments, monitoring plans and compliance plans, and the most appropriate**
67 **and least costly service that can be accomplished through the coordination or consolidation**
68 **of intra-departmental transportation resources; and**

69 **(13) Administer the coordinated specialized transportation incentive fund**
70 **established under section 208.280.**

208.280. 1. There is hereby created in the state treasury the "Coordinated
2 **Specialized Transportation Incentive Fund". The fund shall be administered by the**
3 **coordinating council on special transportation. Upon appropriation, money in the fund**
4 **shall be used solely for the administration of section 208.282.**

5 **2. Notwithstanding the provisions of section 33.080, RSMo, to the contrary, any**
6 **moneys remaining in the fund at the end of the biennium shall not revert to the credit of**
7 **the general revenue fund.**

8 **3. The state treasurer shall invest moneys in the fund in the same manner as other**
9 **funds are invested. Any interest and moneys earned on such investments shall be credited**
10 **to the fund.**

208.282. 1. Beginning on a date specified by the department of transportation, two
2 **pilot projects shall be implemented, one in a classification 1 noncharter county and one in**
3 **a classification 3 county as defined under section 48.020, RSMo, to study the feasibility of**
4 **a cooperative effort among public and private transportation providers. The classification**
5 **1 noncharter county shall be the county of the first classification with more than one**
6 **hundred thirty-five thousand four hundred but fewer than one hundred thirty-five**
7 **thousand five hundred inhabitants and the classification 3 county shall be selected by the**

8 department of transportation. The pilot projects shall be funded by the coordinated
9 transportation incentive fund created under section 208.280, RSMo.

10 2. To be eligible to receive moneys from the coordinated transportation incentive
11 fund, the two counties participating in the pilot project, as well as any other future regional
12 transportation districts, shall establish in consultation with the individual county's
13 metropolitan planning organization or regional planning commission an advisory
14 transportation coordination committee which must submit to the coordinating council on
15 special transportation a plan for cost-effective coordination of specialized transportation
16 services in the planning district or in localities within the planning district. Single localities
17 may appoint an advisory transportation coordinating committee independent of the
18 planning district commission and receive specialized transportation incentive funds if the
19 locality is located in a regional planning district in which all other localities are recipients
20 of the federal funds and subject to the provisions of Title II of the Americans with
21 Disabilities Act 101-336, 42 U.S.C. Section 12131 et seq. The advisory transportation
22 committee shall guide planning for the coordination and administration of the specialized
23 transportation with human service agencies, participating public transportation systems,
24 and, where appropriate, with private for-profit and not-for-profit transportation
25 providers. Advisory transportation coordination committees shall be composed of, but not
26 limited to, elderly and disabled persons, providers of specialized transportation systems,
27 participating public transportation systems, and local private for-profit and not-for-profit
28 transportation providers. Localities and public transportation systems subject to Title II
29 of the Americans with Disabilities Act, 101-336, 42 U.S.C. Section 12131 et seq., shall not
30 be required to participate in coordinated specialized transportation plans, but may
31 participate at their option.

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