

**49 USC Section 5339
STATE MANAGEMENT PLAN**



**WEST VIRGINIA
DEPARTMENT OF TRANSPORTATION
DIVISION OF PUBLIC TRANSIT**

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INTRODUCTION

The Federal Transit Act (USC Title 49, Chapter 53), as amended, includes a formula grant program to assist eligible recipients in financing capital projects to replace, rehabilitate, and purchase buses and related equipment, and to construct bus-related facilities known as Section 5339. The Section 5339 program, through these eligible activities, supports the continuation and expansion of public transportation services in West Virginia. Funding is apportioned to urbanized areas within West Virginia and to the West Virginia Division of Public Transit, authorized by the Governor as the designated recipient responsible for administering the Section 5339 program in West Virginia. The Division is responsible for receiving and apportioning Federal Transit Administration (FTA) funds to eligible projects and applying for funds on behalf of eligible subrecipients.

FTA Program Circular “Bus and Bus Facilities Formula Program: Guidance and Application Instructions” (FTA Circular 5100.1)) provides guidance for the program and was issued by the Federal Transit Administration (FTA) on May 18, 2015. This circular incorporates the current statutory and programmatic requirements as outlined in MAP-21.

PURPOSE OF THE STATE MANAGEMENT PLAN

The Section 5339 State Management Plan is intended to facilitate both state management and FTA oversight by documenting the state's policies for administering the Section 5339 program in a single reference. Its primary purposes are to provide guidance and institutional continuity to program management, serve as the basis for FTA's review of the state's program, and to provide public information on the state's administration of the Section 5339 program.

A. PROGRAM GOALS AND OBJECTIVES

The goal of the State of West Virginia's Section 5339 Program is to support the continuation and expansion of public transportation services by assisting eligible recipients in financing capital projects concerning buses and related equipment, as well as bus-related facilities.

The objectives of the State's Section 5339 Program are:

- Preserve the state-wide levels of equipment and transit infrastructure available to West Virginia's transit organizations/providers
- Provide opportunities for expansion, as appropriate
- Distribute funding through a process that supports the first two objectives
- Assist rural transit systems in the procurement, tracking and decommission of equipment and facilities

B. ROLES AND RESPONSIBILITIES

The Division of Public Transit was created under Chapter 17, Article 16C of the West Virginia State Code. This section designates the Division as the state agency responsible for administering all federal and state programs relating to public transit. The Division is under the supervision of the Secretary of Transportation and is a member organization of the West Virginia Department of Transportation (WV DOT).

Under §17-16C-3, the Division has the power to:

- (a) Assist in the development of improved public transportation facilities, services, equipment, techniques and methods, with the cooperation of transportation carriers, both public and private
- (b) Enhance the mobility of all residents of the state, particularly those who by age, income or physical limitation experience serious transportation disadvantages
- (c) Manage publicly funded transportation resources in a cost-effective manner and endeavor to achieve an increased ridership with available resources
- (d) Establish a system to adequately coordinate and distribute publicly funded transportation services within the state, including, but not limited to, transportation services for senior citizens, for participants in head start programs, for disabled citizens and for private nonprofit organizations, and to establish a pilot project or projects as an initial part of implementing a system of coordination and distribution
- (e) Maintain a cooperative working relationship with public and private transportation providers, private nonprofit organizations, local planning and development councils, other state agencies and the federal government
- (f) Coordinate and assist various public and private transportation entities in strengthening their development and operation of public transportation facilities and services
- (g) Coordinate with other states and the federal government the planning, construction, operation and maintenance of public transportation facilities in the state having an interstate impact
- (h) Acquire, plan, hold, construct, improve, maintain and operate, own or lease, either in the capacity of lessor or lessee, all facilities necessary or incidental thereto for the operation of public transportation systems in the state
- (i) Apply for and receive from the federal government or from any other person, corporation, association or other entity, and grants in aid or gifts to be used for public transportation related purposes
- (j) Provide financial assistance to local transportation agencies to the extent authorized by the Legislature and federal grants provided that no county or local government may reduce the level of funding for transportation services in place

upon the effective date of this section and be eligible to receive financial assistance pursuant to this section

- (k) Enter into contracts with other agencies of the state, other public bodies, private firms or individuals to provide technical services or public transportation related services
- (l) Exercise or perform any power, duty, responsibility or function in carrying out public transportation related activities which are essential to the completion of the projects
- (m) Insure local matching funds with state and local money, or both, for federal assistance projects
- (n) Implement rules necessary to accomplish its assigned duties

Consequently, the Division of Public Transit is the designated agency to receive/administer the Section 5339 program funding.

Section 5339 program funding in West Virginia is divided three ways.

The Division of Public Transit receives an apportionment that must be divided two ways.

The first division of funding is for transit organizations serving small UZAs—Eastern Panhandle Transit Authority, Kanawha Valley Regional Transportation Authority, Mid-Ohio Valley Transit Authority, Monongalia County Urban Mass Transit Authority, New River Transit Authority, Weirton Transit Corporation, and Ohio Valley Regional Transit Authority. The Division apportions the funds which the transit providers apply for directly.

The second division of the apportionment is under the State's discretion. The Division uses the funds in small UZAs and in rural areas, with eligible public or non-profit transit organizations/providers. Receiving this funding designates the grantee as a subrecipient. The Division distributes funding from the State's discretionary portion of the apportionment so that the small UZA transit organizations can apply for this funding directly under the 5307 program. If they apply under the 5307 program, the small UZA transit organizations will be direct recipients

In addition, the Division is responsible for ensuring that the Section 5339 program rural subrecipient projects are included in the statewide transportation improvement program (STIP).

C. COORDINATION

The Division encourages the coordination and distribution of publicly funded transportation services within the State, including, but not limited to, transportation services for the general public, senior citizens, for the persons with disabilities and for private non-profit organizations.

On March 16, 2004, the Governor signed Executive Order No. 5-04, which created the **West Virginia Transportation Coordinating Council**. The membership includes representatives from the Bureau of Senior Services, Department of Education; Department of Health and Human Resources; the Fair Shake Network (a State advocacy program for the disabled); the public transportation community; consumers; the WV DOT, Division of Public Transit; and others. The Council studies issues pertaining to the effective and efficient use of transportation resources. Additionally, Division staff participates in local, regional and statewide transportation activities that deal with coordinating transportation services.

The Division encourages coordination to the maximum extent feasible.

D. ELIGIBLE SUBRECIPIENTS

Eligible organizations consist of public agencies or private non-profits engaged in public transportation in small urbanized and rural areas.

E. LOCAL SHARE AND LOCAL FUNDING REQUIREMENTS

The local share must come from sources other than Federal DOT funds. Examples of local match sources that may be used for the local share include local appropriations, coal severance taxes, dedicated levy, state general revenue funds and other non-federal DOT funds. Subrecipients typically fund 20 percent of the local share for capital equipment funded through the Section 5339 program, except that the local share of equipment required by the Clean Air Act or ADA may be 10 percent.

F. PROJECT SELECTION CRITERIA AND METHOD OF DISTRIBUTING FUNDS

As discussed in Section B, the Section 5339 funding is initially allocated three ways:

- An allocation to the small UZA transit organizations
- An allocation to Division to be distributed to small urbanized and rural areas

To further allocate the funding dedicated to the small UZA transit organizations, for the most part, the Division adopts the FTA apportionments to the small UZAs, but reserves the right to allocate funds as necessary. Below is a listing of the state's small UZAs.

Beckley – New River Transit Authority
Charleston – Kanawha Valley Regional Transportation Authority
Cumberland - reallocated to other urban areas
Hagerstown – Eastern Panhandle Transit Authority
Morgantown – Monongalia County Urban Mass Transit Authority
Parkersburg - Mid Ohio Valley Transit Authority
Weirton – Weirton Transit Corporation
Wheeling – Ohio Valley Regional Transportation Authority

In the case of the allocation to the Division, the Division will award projects based on need, with first priority being equipment replacement. Other eligible projects that meet a particular need may be funded. These projects will be developed based on information contained in the Division's equipment tracking system - Automated Vehicle Inventory System (AVIS), communication with the transit organizations. The final recommendations for projects will be determined by a committee within the Division consisting of the Executive Director, the Section 5311 Grant Coordinator, and the Section 5310 Program Manager (who is tasked with maintenance of the AVIS). Final project selection is made by the Executive Director, in consultation with the Secretary of Transportation as appropriate.

G. ANNUAL PROGRAM OF PROJECT DEVELOPMENT AND APPROVAL PROCESS

This process is usually begun as soon as possible after the full amount of the apportionment is known. After using the formula detailed above to determine the amount of funding available to each small UZA, the Division compares the amount of funding available to the equipment needs indicated by the Automated Vehicle Inventory System (AVIS). This comparison may, or may not, indicate the need for the commitment of funding from the State portion of the apportionment. A similar comparison is made with AVIS and rural systems to determine the potential commitment of the State portion of the apportionment to rural needs.

Eligible organizations are given a chance to express local needs that may not be revealed by the analysis of the AVIS.

Following the meeting of the committee described in Section F and determination of projects, Division staff will communicate the projects to the relevant transit organizations and submit the necessary grant documentation to FTA.

The Division will also fulfill its role in the STIP/TIP process.

H. TRANSFER OF FUNDS

For any funds apportioned or awarded to a small UZA by the state, the Division shall notify FTA via letter and the small UZA shall apply directly to FTA for the funds.

I. CIVIL RIGHTS

Title VI: FTA Circular 4702.1A requires the Division to provide a Title VI submission, which is updated every three years, detailing how the Division complies with Title VI. The Division requires Section 5339 subrecipients to submit Title VI plans every three years.

Limited English Proficiency (LEP). Every three years, the Division and its Section 5339 subrecipients conduct an LEP assessment to determine the need for non-English services. The assessment is based on four factors: the number and proportion of LEP persons served or encountered in the eligible service populations; the frequency with which LEP individuals come into contact with the service; the nature and importance of the service; and the resources available and cost.

EEO: The WV DOT Equal Employment Opportunity Office has submitted an EEO program on behalf of the Department to the Federal Highway Administration. For subrecipients meeting or exceeding FTA threshold (receipt of \$1 million or more FTA funds in a year **and** 50 or more employees), their programs are submitted to the Division. Currently, no subrecipients meet this threshold.

DBE: The West Virginia Equal Employment Opportunity Office develops and submits the DBE Program on behalf of WV DOT. The Division submits its triennial DBE goals directly to FTA for FTA funds. All subrecipients must submit semiannual DBE reports to the Division for reporting to FTA and must create a level playing field on which DBEs can compete fairly for FTA-assisted contracts. The state reports DBE participation on a semi-annual basis to FTA.

The above programs are inspected during the Division's periodic on-site reviews. With each application, subrecipients file certifications regarding Affirmative Action, Equal Employment Opportunity, Disadvantaged Business Enterprise, and Nondiscrimination.

The transit providers in small UZAs, as direct recipients of FTA funds, report directly to FTA.

J. SECTION 504 AND ADA REPORTING

SECTION 504: Under Section 504 of the Rehabilitation Act of 1973, any program or activity receiving federal financial assistance cannot discriminate on the basis of a handicap. 49 CFR Part 27 contains the rules for implementing Section 504. The Division ensures, through its application and oversight processes, that recipients of funds comply with Section 504.

ADA: The Division has ADA complaint procedures. The public may request reasonable modifications in policies or procedures. The Division notifies the public of the right to file a complaint and to request reasonable modifications through its website.

All subrecipients operating fixed-route service must prepare and submit an ADA plan update whenever there is a change in ADA complementary paratransit service. These reports are due each year to the Division during the month of January. Briefly, the reports detail the systems' efforts to meet the ADA complementary paratransit requirements.

Any complaints received by the Division concerning ADA and Section 504 service violations are promptly investigated. The Division works with the individual parties involved to find a resolution to the dispute. Failure to comply with ADA not only makes the transit system ineligible for federal funds but could also subject the system to private lawsuits.

Subrecipients are required to cycle wheelchair lifts before a vehicle is placed in service to ensure that they are kept in good working order. All drivers must be certified in CTAA-PASS (Passenger Service and Safety) Certification Training Course. The Division has established a network of trained and certified PASS instructors in the state. Presently, the Division fully funds this training program designed to teach safety and sensitivity techniques to drivers transporting elderly and disabled passengers.

In the application, systems must complete and file four certifications pertaining to Section 504/ADA. These are: Nondiscrimination Assurance; Assurance Concerning Nondiscrimination on the Basis of Disability in Federally Assisted Programs and Activities Receiving or Benefiting from Federal Financial Assistance; Certification of Special Efforts; and, Certification of Equivalent Service. Certifications are valid for only one year and are kept on file at the Division's Office.

Subrecipients are required to comply with ADA service provisions. The Division reviews for compliance with all ADA requirements during site visits.

K. PROGRAM MANAGEMENT

General Procedures: By West Virginia State Code, the Division of Public Transit, has been assigned the responsibility for the FTA Section 5339 Program. Within the Division, the Section 5339 Program Manager is responsible for the day-to-day administration of the grant program. West Virginia's Section 5339 Program is managed in accordance with **FTA Circular 5100.1 – Bus and Bus Facilities Formula Program Guidance and Application Instructions**.

Procurement: The Division procures vehicles and all other major capital items on behalf of its Section 5339 subrecipients. Under the Section 5339 Program, all equipment is purchased through the State of West Virginia's Purchasing Division and in accordance with the West Virginia Code and federal requirements. The Division ensures that all relevant federal clauses are included in the bid proposals. Statewide contracts are utilized for vehicles and communication equipment whenever possible.

The Division will prepare detailed specifications that best reflect the system's procurement needs. The transit manager will be responsible for reviewing the specifications and submitting any comments or revisions to the Division. On all purchases, the Division is responsible for ensuring the federal statutory requirements and that the State Purchasing Regulations are followed.

The Division is responsible for ensuring compliance with Pre-Award and Post-Delivery Review Regulations and Buy America. The Division also employs an on line inspector when revenue vehicles are being manufactured.

Financial Management and Accounting Systems: The Division expends and accounts for grant funds in accordance with West Virginia State Law which requires detailed records sufficient to permit tracking of funds to a level adequate to establishing propriety of expenditures and to permit preparation of reports. The Division utilizes the WV DOT REMIS financial reporting system which interfaces with the statewide wvOASIS ERP (enterprise resource planning) software. Grant balances are reconciled internally on a monthly basis and verified against TrAMS balances on at least a quarterly basis, during preparation of required Federal Financial Reports, and again at grant closeout.

All payments from FTA are requested utilizing the Electronic Clearing House Operation (ECHO-Web). The Division follows the requirements established in FTA's ECHO-Web Users Manual. Also, financial records with supporting documentation and any other records are retained by the Division for a period of at least three years from the date of submission of the final financial status report.

The Division submits to FTA an annual program status report, through TrAMS, for the program of projects of each active grant. These reports cover the 12-month period ending September 30 and will be sent, through TrAMS, to the FTA Region III office within 30 days after the end of the reporting period. Reports will consist of an updated program of projects and revised budget for each active project reflecting revised project descriptions, changes in projects from one category to another and adjustments within budget categories; and, an updated Federal Financial Report (SF-425).

Property Management: The Automated Vehicle Inventory System (AVIS) establishes a permanent property record for each piece of equipment purchased under a FTA grant. This system assists the Division in maintaining satisfactory continuing control over project equipment. A manual back-up system is also maintained. Property records include information such as a description of the property, an equipment identification number, acquisition date, acquisition cost, FTA grant number and federal share of acquisition costs. Many other data fields are also included in the program to aid in the day-to-day management of property.

The system also provides the Division with a management tool to assist in the identification of equipment by either a specific federal grant or by an individual local agency. A series of reports can be generated based on grant requirements or other program management needs.

The Division holds the title to all subrecipient vehicles purchased with Section 5339 assistance. Subrecipients hold the title to real property and facilities purchases/constructed with Section 5339 assistance.

Annual Certification: The individual transit operator shall conduct an annual inventory of its property and the results shall be verified and reconciled with the Division's property records. Any differences found by the inspection shall be investigated to determine the cause. Also in connection with the annual inventory, the Division shall determine the current utilization and continued need for the property.

When the direct recipient or subrecipient is required to sell the property, proper sales procedures shall be used that provide for competition to the extent practicable and result in the highest possible return.

Vehicle Use: Project equipment shall be used for the provision of public transportation service to the general public. The direct recipient/subrecipients, in accordance with the established routes and services, shall operate the equipment.

All agencies are required to carry insurance in an amount sufficient to adequately cover the replacement value of the equipment. The Division is listed as co-insured on all policies to protect the federal interest.

Vehicle Disposition: Minimum normal service (useful) life for vehicles is stated below:

- Large, heavy duty transit buses (approximately 35' - 40', and articulated buses): 12 years or 500,000 miles
- Medium-size, heavy-duty transit buses (approximately 30'): 10 years or 350,000 miles
- Medium-size, medium duty transit buses (approximately 30'): 7 years or 200,000 miles
- Medium-size, light-duty transit buses (approximately 25 – 35'): 5 years or 150,000

- Other light-duty buses such as small buses and regular and specialized vans: 4 years or 100,000
- Shop or support vehicles: 100,000 miles or 4 years

The Division considers the value of transit vehicles prior to the end of a normal service life to be based on a straight-line depreciation. Also, the vehicle service life standards refer to time in normal service, not time spent stockpiled or unavailable for regular transit duty.

Buses should be at the end of a minimum normal service life when considered for replacement. For purposes of Section 5339 replacements, the age of the bus to be replaced is its years of service at the time the new bus is introduced into service. Agencies may apply for replacement buses prior to the end of its useful life provided that the end of the useful life will be reached prior to placing the new vehicle in service.

The Division encourages that vehicles/equipment reaching the end of their normal useful life be retained in transit service if they are still functional. If the system wishes to replace a vehicle, the system is encouraged to offer it for transfer to any other public transit system wanting to continue to use it as a revenue or maintenance vehicle.

The system must first obtain permission from the Division before disposing of the equipment. When direct recipient/subrecipients sell the equipment, competitive sales procedures shall be followed to ensure the highest possible return.

All sale proceeds (less actual expenses) submitted to the Division shall be deposited in a "Capital Replacement Account" to be used for future capital purchases. If the direct recipient/subrecipient provided the matching funds, proceeds from the sale of the equipment remains with the direct recipient/subrecipient.

Should an agency wreck a vehicle, the insurance proceeds are used to fix the vehicle or, if totaled prior to reaching its useful life, to purchase a new vehicle.

Construction and Renovation of Facilities: The Division contracts directly for all construction projects for subrecipients. The Division hires an architecture and engineering (A&E) firm to design and manage the project; participates in the design team; reviews project plans; and attends (in-person or by phone) bi-weekly construction meetings. The Division holds a mandatory pre-bid meeting for the construction contract. The Division requires the subrecipient to attend all construction meetings and keep a weather diary and photos of progress of the project. At 50 percent completion, WV DOT Internal Audit Division reviews compliance with Davis-Bacon, material test files, and the Division's project management files. At substantial completion (95 percent), the Division develops a punch list as part of a walk-through at which the Division, subrecipient, A&E firm, general contractor and subs are present. The contractor has up to 60 days for final completion. At final completion, the Division, subrecipient, A&E firm, and general contractor conduct a final walk-through to assess punch list items. If project does not meet substantial or final completion deadlines, the Division assesses liquidated damages.

All construction and renovation projects are conducted in accordance with FTA and state purchasing requirements. This includes a facility needs assessment; environmental impact

statement; land acquisition; request and review of bids; and, contract award and construction oversight.

Audit: The Division is audited as part of the WV DOT's annual audit, which is performed by an independent public accounting firm. The audit is performed pursuant to the requirements of 2 CFR 200. The Division resolves audit findings as they occur and notifies FTA of any problems.

Closeout: All grants are closed out with FTA immediately after all work activities for the program of projects are completed. A final financial status report, final budget and a revised program of projects are submitted to FTA.

Subrecipient Audits and Project Monitoring: Operating contracts are executed for a one year period, based on the state's fiscal year of July 1 through June 30, except in the case of repeat recipients who receive a "no-opinion" on the annual audit for the previous year. When a "no-opinion" is received by an organization, the Division executes a six month operating contract and during that period, the agency is once again audited. The results of this audit will determine an organization's eligibility to receive continued and/or further operating assistance.

Subrecipient organizations receive funding on a monthly reimbursement basis. Reimbursements are made for actual eligible expenditures.

All recipients are bound by contract and are accountable to the Division of Public Transit for all financial aspects of the project. Should an audit show that overpayments were made or there were ineligible expenses reported, the recipients, under the terms of the contract, are responsible for refunding to the Division any such costs. Upon receipt of the an audit, the Division's Comptroller reviews it, internal control and compliance findings are resolved and the federal share of any questioned costs are recovered and credited back to FTA.

State Standards: The Division does not set standards for productivity, cost-effectiveness or service. Subrecipients are, however, encouraged to achieve a 12-percent fare box recovery rate. In an effort to promote operational efficiency and effectiveness, the Division emphasizes six performance measures: operating cost per vehicle hour, operating cost per mile, operating cost per passenger trip, farebox recovery ratio, passenger trips per mile and passenger trips per hour.

State Reporting Requirements: State reporting requirements include: Semi-annual DBE Activities Report; ADA Update (from fixed-route systems only) when major changes are made to the system's ADA service; audit reports; copies of all vehicle accident/incident reports and all passenger accident/incident reports; drug and alcohol MIS Reports; Charter Service Reporting Form (only if a system provides charter service); Proof of Insurance; Annual Certification of Use of Project Equipment and/or Facilities Certification; Facility Maintenance Report (from those systems with FTA-funded facilities); and annual cost allocation plan.

Project Management: The Division reserves the right to waive or change any requirements or policies that would best serve the interests of the state and/or the program.

L. OTHER PROVISIONS

Environmental Protection: All potential capital projects will be screened to determine which clearly meet the FHWA/FTA criteria for categorical exclusions or which may require additional documentation. The latter will be coordinated with the FTA Regional Office early in project development so that any necessary environmental analysis and review will not delay implementation. The Division will insure that all transportation plans, programs, projects and purchases conform to all applicable environmental guidelines.

Buy America Provisions: The Division includes a Buy America Certification form in its bid packages - for both rolling stock and non-rolling stock – for all purchases exceeding the Federal simplified acquisition threshold. When applicable direct recipients/subrecipients must comply with Buy America regulations and state so on their purchase orders.

Pre-award and Post-delivery Audits: The Division’s procedures for complying with pre-award and post-delivery audit requirements follow.

After selection of a vendor, but prior to signing a contract, the vendor furnishes to the Division documentation proving that at least 60 percent of the equipment components are domestic and that the equipment's final assembly will be in the United States. The Division audits the documentation verifying that the provisions are met.

The Division also ensures that the proposed equipment meets the specifications and that the manufacturer is responsible with the capability to produce equipment that meets the specifications. A self-certification is received from the manufacturer stating that equipment built by them will meet the Federal Motor Vehicle Safety Standards.

The Division contracts and provides a resident inspector at the manufacturing site during production. The inspector monitors production of equipment and ensures compliance with the specifications issuing reports on the production.

During manufacture and after delivery but before acceptance the vendor furnishes to the Division documentation proving that at least 60 percent of the completed equipment components were domestic, that the equipment's final assembly was in the United States and that the vehicle did meet the Federal Motor Vehicle Safety Standards.

The Division audits this documentation to ensure compliance and receives and reviews the resident inspector’s reports. After delivery, the Division performs a visual inspection and a road test verifying that the equipment was constructed and operates in accordance with the specifications.

Lobbying: Recipients of federal grants and contracts exceeding \$100,000 certify that they have not and will not use federal funds to pay for influencing or attempting to influence an officer or employee of any federal department or agency, a member of Congress, in connection with obtaining any federal grant, cooperative agreement or any other federal award.

School Bus Restrictions: FTA grantees are prohibited from providing exclusive school bus service unless the service qualifies and is approved by the FTA under an allowable exemption. Federally funded equipment or facilities cannot be used to provide exclusive school bus service. School tripper service that operates and looks like all other regular service is allowed. School tripper service is regularly scheduled mass transportation service that is open to the public and is designed or modified to accommodate the needs of school students and personnel. Buses used in tripper service must be clearly marked as open to the public, not carry designations such as “school bus” or “school special,” and stop at regular bus stops. The Division ensures compliance with school bus restrictions during biennial site visits.

Drug and Alcohol Testing: Division subrecipients are required to comply with the FTA Drug and Alcohol Regulations (49 CFR Part 655). The Division contracts with a consultant to periodically review the systems’ written drug and alcohol policies and conduct on-site monitoring reviews. The Division has sponsored training classes and granted RTAP scholarships for subrecipients to attend drug and alcohol education courses that will assist them in understanding and complying with the regulations.

Drug-Free Workplace Requirements: Pursuant to the Drug-Free Workplace Act of 1988, the Division of Public Transit certifies to FTA annually that a drug-free workplace exists. The Division posts the state’s Drug-Free Workplace Act policy in the workplace and informs staff of the dangers of drug abuse and available counseling and other services.

Maintenance: Vehicle maintenance is a key aspect to a successful system. The Division requires each subrecipient to develop a written maintenance plan for vehicles and facilities. Subrecipients must establish a preventative maintenance program that at least meets the manufacturers’ minimum requirements. Suggestions on establishing a preventative maintenance program are in the Safety and Security Planning Information Directed to Effective Response (SPIDER). Records must be maintained showing routine maintenance along with all major repairs which may occur.