

115TH CONGRESS  
2D SESSION

# H. R. 5542

To establish a grant program under which the Secretary of Transportation will reimburse public transportation agencies that offer free unlimited transportation passes to eligible individuals.

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 17, 2018

Ms. VELÁZQUEZ (for herself, Mr. CROWLEY, Mr. SERRANO, Mr. ESPAILLAT, Mr. NADLER, and Mr. ENGEL) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To establish a grant program under which the Secretary of Transportation will reimburse public transportation agencies that offer free unlimited transportation passes to eligible individuals.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Transportation Equity Act”.

6 (b) TABLE OF CONTENTS.—The table of contents for  
7 this Act is as follows:

Sec. 1. Short title; table of contents.

- Sec. 2. Establishment of grant program.
- Sec. 3. Eligible agencies.
- Sec. 4. Eligible individuals.
- Sec. 5. Eligible services and requirements.
- Sec. 6. Features of T–U Pass.
- Sec. 7. Proof of eligibility.
- Sec. 8. Applications submitted by transportation agencies.
- Sec. 9. Amount of reimbursement to transit agencies.
- Sec. 10. Reports from agencies.
- Sec. 11. Termination of benefits under certain circumstances.
- Sec. 12. Rule of construction.
- Sec. 13. Authorization of appropriations.
- Sec. 14. Definitions.

1 **SEC. 2. ESTABLISHMENT OF GRANT PROGRAM.**

2       The Secretary of Transportation shall establish a  
 3 program to reimburse eligible public transportation agen-  
 4 cies that provide eligible individuals a free unlimited trans-  
 5 portation pass (to be known as a “T–U Pass”).

6 **SEC. 3. ELIGIBLE AGENCIES.**

7       A public transportation agency is eligible to partici-  
 8 pate in the program if the agency—

9           (1) at the time of application, receives funds  
 10 pursuant to the surface transportation block grant  
 11 program described in section 133 of title 23, United  
 12 States Code;

13           (2) for each year beginning in the year that is  
 14 five years before the date of application, has received  
 15 funding for public transportation projects pursuant  
 16 to programs described in chapter 53 of title 49,  
 17 United States Code;

1           (3) provides a monthly, flat-rate, unlimited  
2           transportation pass for purchase by any individual;  
3           and

4           (4) agrees to establish a separate T–U Pass for  
5           eligible individuals.

6 **SEC. 4. ELIGIBLE INDIVIDUALS.**

7           The following individuals are eligible to receive a free  
8           T–U Pass:

9           (1) An individual aged 60 and older.

10           (2) An individual with a disability (as defined  
11           in section 3 of the Americans with Disabilities Act  
12           of 1990 (42 U.S.C. 12102)).

13           (3) An individual who receives a means-tested  
14           benefit, as determined by the Secretary.

15           (4) A low-income individual (as defined in this  
16           Act).

17           (5) The spouse of an individual described in  
18           paragraphs (1) through (4) who lives with such indi-  
19           vidual.

20           (6) The unmarried dependent of an individual  
21           described in paragraphs (1) through (4) who lives  
22           with such individual.

1 **SEC. 5. ELIGIBLE SERVICES AND REQUIREMENTS.**

2 (a) IN GENERAL.—Subject to subsection (b), a T–  
3 U Pass shall only provide general transportation services  
4 and not premium transportation services.

5 (b) EXCEPTION FOR CERTAIN INDIVIDUALS.—A pub-  
6 lic transportation agency may seek a waiver from the Sec-  
7 retary to provide a T–U Pass that provides premium  
8 transportation services to an eligible individual who the  
9 transit agency determines—

10 (1) has no access to reasonably accessible trans-  
11 portation access points and is not eligible for para-  
12 transit transportation services; or

13 (2) is disabled and whose principal place of res-  
14 idence, primary or specialist medical facilities, edu-  
15 cational facilities, or place of employment is not  
16 within one-half mile of a transportation access point  
17 that contains the necessary infrastructure for the in-  
18 dividual to use public transportation.

19 (c) T–U PASS REQUIREMENTS.—A T–U Pass shall  
20 provide unlimited access to public transportation and shall  
21 be valid for all schedules, times, and periods the transpor-  
22 tation agency offers service.

23 (d) AUTOMATIC MONTHLY LOADING CAPABILITY OF  
24 TRANSPORTATION BENEFITS.—A T–U Pass shall—

1           (1) be able to receive funds remotely or be load-  
2           ed with funds automatically on the first day of each  
3           calendar month; and

4           (2) make such funds available upon entrance or  
5           boarding at the first transportation access point on  
6           the first day the T-U Pass is used in such month.

7           (e) WAIVER FOR CERTAIN PUBLIC TRANSPORTATION  
8           AGENCIES.—The Secretary may waive a requirement  
9           under subsection (d) if the Secretary determines that—

10           (1) a public transportation agency cannot meet  
11           such requirement because of infrastructure limita-  
12           tions, cost inefficiencies, inability to finance, or un-  
13           available technology; and

14           (2) the transportation agency provides a T-U  
15           Pass that—

16           (A) only functions at entry and exit points  
17           of the transit system; or

18           (B) only permits transactions of transpor-  
19           tation-related expenses at facilities operated by  
20           the transportation agency, including—

21           (i) booths or automated vending ma-  
22           chines at transportation access points oper-  
23           ated by the transit agency;

24           (ii) telephone or online interfaces op-  
25           erated by the transit agencies; and

1 (iii) additional facilities as determined  
2 by the Secretary.

3 (f) ROLLOVER PROHIBITED.—Any funds that are  
4 disbursed to a T–U Pass shall be surrendered if not used  
5 in the course of the month for which such benefits were  
6 provided.

7 (g) PROHIBITION OF DUPLICATIVE TRANSPOR-  
8 TATION BENEFITS.—Grants made pursuant to the pro-  
9 gram shall not be used to reimburse more than one T–  
10 U Pass per individual.

11 **SEC. 6. FEATURES OF T-U PASS.**

12 (a) EXPIRATION.—Subject to section 11, a T–U Pass  
13 expires one year after issuance, and a public transpor-  
14 tation agency may not terminate the validity of the T–  
15 U Pass until the date of expiration regardless of whether  
16 the individual continues to be eligible under section 4 of  
17 this Act.

18 (b) DESIGN.—A public transportation agency receiv-  
19 ing a grant pursuant to the program shall select a design  
20 that distinguishes the T–U Pass from other passes. The  
21 T–U Pass shall—

22 (1) be a card, ticket, or voucher;

23 (2) include the words “Photo ID T–U Pass” on  
24 the front and back;

1           (3) include the words “If found, please return  
2           to” immediately followed by the address of the  
3           issuing office of the transportation agency;

4           (4) include a photo of the person to whom the  
5           T–U Pass was provided;

6           (5) include a seal with the logo of the transpor-  
7           tation agency;

8           (6) include the full name of such eligible per-  
9           son;

10          (7) include the expiration date of the T–U  
11          Pass; and

12          (8) include any additional features the Sec-  
13          retary determines is necessary.

14 **SEC. 7. PROOF OF ELIGIBILITY.**

15          An individual seeking a T–U Pass must provide to  
16          the public transportation agency—

17               (1) proof of the basis of at least one ground of  
18               eligibility described section 4; and

19               (2) documentation the Secretary determines is  
20               necessary to support the basis of eligibility.

21 **SEC. 8. APPLICATION AND SELECTION.**

22          The Secretary shall award grants on a competitive  
23          basis and may require that an application from a public  
24          transportation agency be submitted in a prescribed form

1 and manner and that it contains specified agreements, as-  
2 surances, and information.

3 **SEC. 9. AMOUNT OF REIMBURSEMENT TO TRANSIT AGEN-**  
4 **CIES.**

5 (a) IN GENERAL.—Grants made pursuant to the pro-  
6 gram shall be used only to reimburse a public transpor-  
7 tation agency for the cost of providing a T–U Pass.

8 (b) AMOUNT OF REIMBURSEMENT.—A public trans-  
9 portation agency shall be eligible to receive reimbursement  
10 for each T–U Pass at the cost charged for a monthly, flat-  
11 rate, unlimited transportation pass.

12 (c) EXCEPTION FOR DISCOUNTED MONTHLY  
13 PASSES.—If an eligible individual is eligible for a reduced-  
14 cost monthly, flat-rate, unlimited transportation pass for  
15 reasons including disability or age, the public transpor-  
16 tation agency shall be eligible to receive compensation  
17 equaling the cost of such reduced-cost pass.

18 **SEC. 10. REPORTS FROM AGENCIES.**

19 A public transportation agency receiving a grant  
20 under this Act shall provide to the Secretary an annual  
21 report explaining—

22 (1) the agency’s plan to annually verify the eli-  
23 gibility of holders of a T–U Pass; and

24 (2) the number of T–U Passes that have been  
25 terminated pursuant to section 11.



1 **SEC. 11. TERMINATION OF BENEFITS UNDER CERTAIN CIR-**  
2 **CUMSTANCES.**

3 (a) FRAUD AND SALE.—The Secretary shall establish  
4 procedures for termination of a T–U Pass if—

5 (1) an individual obtains or uses the T–U Pass  
6 fraudulently; or

7 (2) an individual sells, distributes, or provisions  
8 the T–U Pass to an individual other than the indi-  
9 vidual to whom the T–U Pass was provided.

10 (b) PROCEDURES.—The procedures required by sub-  
11 section (a) shall include notice, opportunity for hearing,  
12 and civil monetary penalties.

13 **SEC. 12. RULE OF CONSTRUCTION.**

14 Nothing in this Act shall be construed to limit any  
15 other programs that are sponsored by public transpor-  
16 tation agencies to provide free transportation to eligible  
17 individuals.

18 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated such sums  
20 as may be necessary to carry out this Act.

21 **SEC. 14. DEFINITIONS.**

22 In this Act:

23 (1) DEPENDENT.—The term “dependent” has  
24 the meaning given such term in section 152 of the  
25 Internal Revenue Code of 1986, except that the term  
26 also includes an individual who is not a citizen or

1 national of the United States if such individual  
2 would otherwise be considered a dependent pursuant  
3 to such section if such individual were a citizen or  
4 national of the United States.

5 (2) ELIGIBLE INDIVIDUAL.—The term “eligible  
6 individual” means an individual described in section  
7 4.

8 (3) GENERAL TRANSPORTATION SERVICE.—The  
9 term “general transportation service” means a  
10 transportation service that is subject to the same  
11 base fare established by the transportation agency  
12 for local or general service.

13 (4) LOW-INCOME INDIVIDUAL.—The term “low-  
14 income individual” means, with respect to any cal-  
15 endar year, any individual who lives in a household  
16 that has a gross income that does not exceed 300  
17 percent of the poverty line, as defined in section  
18 673(2) of the Community Services Block Grant Act  
19 (42 U.S.C. 9902(2)).

20 (5) MEANS-TESTED BENEFIT.—The term  
21 “means-tested benefit” means a mandatory spending  
22 program of the Federal Government for which, as  
23 determined by the Secretary, eligibility for the pro-  
24 gram’s benefits, or the amount of such benefits, is

1 determined on the basis of income or resources of  
2 the individual or family seeking the benefit.

3 (6) PARATRANSIT SERVICES.—The term “para-  
4 transit services” means service to individuals with  
5 disabilities that is comparable to the level of service  
6 provided to individuals without disabilities who use  
7 routes operated by the public transportation agency.

8 (7) PREMIUM TRANSPORTATION SERVICE.—The  
9 term “premium transportation service” means a  
10 transportation service that is not a general transpor-  
11 tation service.

12 (8) PROGRAM.—The term “program” means  
13 the grant program established pursuant to section 2.

14 (9) REASONABLY ACCESSIBLE.—The term “rea-  
15 sonably accessible” means, with respect to a trans-  
16 portation access point, a transportation access point  
17 within one-half mile of the eligible individual’s prin-  
18 cipal place of residence.

19 (10) SECRETARY.—The term “Secretary”  
20 means the Secretary of Transportation.

21 (11) T-U PASS.—The term “T-U Pass” means  
22 the unlimited transportation pass established pursu-  
23 ant to the program.

24 (12) TRANSPORTATION ACCESS POINT.—The  
25 term “transportation access point” means a bus

- 1 stop, a train, subway, or rail station, or any similar
- 2 fixed infrastructure used by passengers to embark
- 3 and disembark mass-transit service.

