AMENDMENT TO RULES COMM. PRINT 114–32
OFFERED BY MR. PERRY OF PENNSYLVANIA

At the end of title III of division A, add the following:

SEC. 3024. PROVISION OF PERFORMANCE BASED PUBLIC TRANSPORTATION.

(a) Payments.—Section 5315 of chapter 53 of title 49, United States Code, is amended by adding at the end the following:

“(d) Payments.—

“(1) Calculation of capital payments.—

Data included in the National Transit Database as a result of reporting by a private provider of transit service who meets the definition in section 5323(I)(2)(C) or a private commuter bus operator shall be used by the Administrator to calculate capital payments under sections 5307 and 5311. Any funds received by a designated recipient as a result of the calculation shall be transferred to the provider described in section 5335(d) to the extent that the provider may use the funds for capital expenditures to expand services to meet the requirements of para-
graph (2), minus an administrative fee not to exceed 10 percent.

“(2) EXCEPTION.—The requirements to transfer funds described in paragraph (1) shall not apply to funds derived from service that—

“(A) consists of trips of 12 or less miles one way;

“(B) service that—

“(I) overlaps or directly competes with service provided by the designated recipient; and

“(ii) has a direct effect on such service resulting in a reduction of more than 3 percent of ridership along a corridor directly attributed to the new service; or

“(C) is provided by a service provider that has less than 7 vehicles serving the recipient’s designated area.

“(3) LOCAL CONSENT.—The metropolitan planning organization in which the service is being provided has 30 days from the date on which the data is submitted to the designated recipient to signify through a letter to the Secretary its opinion that the service being provided does not meet the guidelines of paragraph (2) or that it does not want the FTA
to count the service miles towards the region’s allocation.”.

(b) Provision of Performance Based Public Transportation.—Section 5335 of chapter 53 of title 49, United States Code, is amended by adding at the end the following:

“(d) Direct Reporting.—A provider of transit service as defined in section 5323(1)(2)(C) and a private commuter bus service provider may directly submit data regarding service it provides to the National Transit Database, if the service meets the requirements of section 5315(d). The provider shall report the same information to the appropriate designated recipient.”.