

116TH CONGRESS
1ST SESSION

H. R. 5152

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.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 18, 2019

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

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. Application and selection.
 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) provides a monthly, flat-rate, unlimited
 10 transportation pass for purchase by any individual;
 11 and

12 (2) agrees to establish a separate T–U Pass for
 13 eligible individuals.

14 **SEC. 4. ELIGIBLE INDIVIDUALS.**

15 The following individuals are eligible to receive a free
 16 T–U Pass:

17 (1) An individual aged 60 and older.

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

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

6 (4) A low-income individual (as defined in this
7 Act).

8 (5) The spouse of an individual described in
9 paragraphs (1) through (4) who lives with such indi-
10 vidual.

11 (6) The unmarried dependent of an individual
12 described in paragraphs (1) through (4) who lives
13 with such individual.

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

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

18 (b) EXCEPTION FOR CERTAIN INDIVIDUALS.—A pub-
19 lic transportation agency may seek a waiver from the Sec-
20 retary to provide a T–U Pass that provides premium
21 transportation services to an eligible individual who the
22 transit agency determines—

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

1 (2) is disabled and whose principal place of res-
2 idence, primary or specialist medical facilities, edu-
3 cational facilities, or place of employment is not
4 within one-half mile of a transportation access point
5 that contains the necessary infrastructure for the in-
6 dividual to use public transportation.

7 (c) T-U PASS REQUIREMENTS.—A T-U Pass shall
8 provide unlimited access to public transportation and shall
9 be valid for all schedules, times, and periods the transpor-
10 tation agency offers service.

11 (d) AUTOMATIC MONTHLY LOADING CAPABILITY OF
12 TRANSPORTATION BENEFITS.—A T-U Pass shall—

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

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

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

22 (1) a public transportation agency cannot meet
23 such requirement because of infrastructure limita-
24 tions, cost inefficiencies, inability to finance, or un-
25 available technology; and

1 (2) the transportation agency provides a T–U
2 Pass that—

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

5 (B) only permits transactions of transpor-
6 tation-related expenses at facilities operated by
7 the transportation agency, including—

8 (i) booths or automated vending ma-
9 chines at transportation access points oper-
10 ated by the transit agency;

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

13 (iii) additional facilities as determined
14 by the Secretary.

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

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

23 **SEC. 6. FEATURES OF T–U PASS.**

24 (a) EXPIRATION.—Subject to section 11, a T–U Pass
25 expires one year after issuance, and a public transpor-

1 tation agency may not terminate the validity of the T–
2 U Pass until the date of expiration regardless of whether
3 the individual continues to be eligible under section 4 of
4 this Act.

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

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

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

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

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

17 (5) include a seal with the logo of the transpor-
18 tation agency;

19 (6) include the full name of such eligible per-
20 son;

21 (7) include the expiration date of the T–U
22 Pass; and

23 (8) include any additional features the Sec-
24 retary determines is necessary.

1 **SEC. 7. PROOF OF ELIGIBILITY.**

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

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

6 (2) documentation the Secretary determines is
7 necessary to support the basis of eligibility.

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

9 The Secretary shall award grants on a competitive
10 basis and may require that an application from a public
11 transportation agency be submitted in a prescribed form
12 and manner and that it contains specified agreements, as-
13 surances, and information.

14 **SEC. 9. AMOUNT OF REIMBURSEMENT TO TRANSIT AGEN-**
15 **CIES.**

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

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

23 (c) EXCEPTION FOR DISCOUNTED MONTHLY
24 PASSES.—If an eligible individual is eligible for a reduced-
25 cost monthly, flat-rate, unlimited transportation pass for
26 reasons including disability or age, the public transpor-

1 tation agency shall be eligible to receive compensation
2 equaling the cost of such reduced-cost pass.

3 **SEC. 10. REPORTS FROM AGENCIES.**

4 A public transportation agency receiving a grant
5 under this Act shall provide to the Secretary an annual
6 report explaining—

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

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

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

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

15 (1) an individual obtains or uses the T–U Pass
16 fraudulently; or

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

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

23 **SEC. 12. RULE OF CONSTRUCTION.**

24 Nothing in this Act shall be construed to limit any
25 other programs that are sponsored by public transpor-

1 tation agencies to provide free transportation to eligible
2 individuals.

3 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

4 There are authorized to be appropriated
5 \$1,000,000,000, to be available under expended, for fiscal
6 year 2021 and each fiscal year thereafter.

7 **SEC. 14. DEFINITIONS.**

8 In this Act:

9 (1) **DEPENDENT.**—The term “dependent” has
10 the meaning given such term in section 152 of the
11 Internal Revenue Code of 1986, except that the term
12 also includes an individual who is not a citizen or
13 national of the United States if such individual
14 would otherwise be considered a dependent pursuant
15 to such section if such individual were a citizen or
16 national of the United States.

17 (2) **ELIGIBLE INDIVIDUAL.**—The term “eligible
18 individual” means an individual described in section
19 4.

20 (3) **GENERAL TRANSPORTATION SERVICE.**—The
21 term “general transportation service” means a
22 transportation service that is subject to the same
23 base fare established by the transportation agency
24 for local or general service.

1 (4) LOW-INCOME INDIVIDUAL.—The term “low-
2 income individual” means, with respect to any cal-
3 endar year, any individual who lives in a household
4 that has a gross income that does not exceed 300
5 percent of the poverty line, as defined in section
6 673(2) of the Community Services Block Grant Act
7 (42 U.S.C. 9902(2)).

8 (5) MEANS-TESTED BENEFIT.—The term
9 “means-tested benefit” means a mandatory spending
10 program of the Federal Government for which, as
11 determined by the Secretary, eligibility for the pro-
12 gram’s benefits, or the amount of such benefits, is
13 determined on the basis of income or resources of
14 the individual or family seeking the benefit.

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

20 (7) PREMIUM TRANSPORTATION SERVICE.—The
21 term “premium transportation service” means a
22 transportation service that is not a general transpor-
23 tation service.

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

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

6 (10) SECRETARY.—The term “Secretary”
7 means the Secretary of Transportation.

8 (11) T–U PASS.—The term “T–U Pass” means
9 the unlimited transportation pass established pursu-
10 ant to the program.

11 (12) TRANSPORTATION ACCESS POINT.—The
12 term “transportation access point” means a bus
13 stop, a train, subway, or rail station, or any similar
14 fixed infrastructure used by passengers to embark
15 and disembark mass-transit service.

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