

MDOT RESPONSE TO DLS ANALYSIS

***DLS Budget Analysis Issues***

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**1. U.S. Department of Transportation to Conduct Civil Rights Compliance Review of MDOT (Page 18)**

*The Secretary should brief the committees on when the review is likely to begin and how long it is likely to last.*

**MDOT Response:**

At this time the review timelines are not yet scheduled. When the Department is advised, we can inform the committees.

**2. Paratransit Pilot Programs Complete (Page 18)**

*MDOT should comment on the likelihood that it will pursue a statewide implementation of any of the service delivery methods used in the pilots.*

**MDOT Response:**

The likelihood of MDOT pursuing a statewide implementation of the Coordinated Alternative to Paratransit Service (CAPS) as a result of the pilot programs in Montgomery and Prince George’s County is yet to be determined. Although the audit for the CSS pilot program that was initiated in Montgomery County has concluded the audit of the pilot program in Prince George’s County with the Arc was delayed as a result of MDOT’s decision to grant Prince George’s County’s request for an extension of the pilot programs through June 30, 2016. As a result, it would be premature to speculate on MDOT’s plans to implement a statewide program.

An MDOT sponsored initiative would need to be a competitive CAPS Grant Program available Statewide to all human service agencies that is compliant with all State and federal laws, including those regarding procurement and the Americans with Disabilities Act (ADA). Since services provided under CAPS are not ADA compliant, all individuals currently taking CAPS trips retain their right to use MetroAccess at any time. The State of Maryland must still ensure that system capacity exists for all MetroAccess eligible riders by providing funds to WMATA for the operational and capital system, regardless of whether or not those trips are ever actually taken. This requirement significantly offsets any potential cost savings that could be achieved via this approach.

Lastly, the Washington Metropolitan Area Transit Authority (WMATA) issued a request for proposals for the Abilities Ride program, a public private partnership designed to provide MetroAccess eligible customers with multiple vendors to provide on demand service. The paratransit pilot program is scheduled to be launched in Montgomery and Prince George’s County, Maryland later this spring.

**MDOT RESPONSE TO DLS ANALYSIS**

***Operating Budget Recommended Actions (page 20)***

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1. Add the following language to the special fund appropriation:

, provided that no more than \$4,044,334 of this appropriation may be expended for operating grants-in-aid, except for:

- (1) any additional special funds necessary to match unanticipated federal fund attainments; or
- (2) any proposed increase either to provide funds for a new grantee or to expand funds for an existing grantee.

Further provided that no expenditures in excess of \$4,044,334 may occur unless the department provides notification to the budget committees to justify the need for additional expenditures due to either item (1) or (2) above, and the committees provide review and comment or 45 days elapse from the date such notification is provided to the committees.

**Explanation:** This annual language caps the level of special funds provided for operating grants-in-aid. The cap may be increased to match unanticipated federal dollars or to provide new or expanded grant funding upon notification to the budget committees.

**MDOT Response:**

The Department concurs with the recommended language.

MDOT RESPONSE TO DLS ANALYSIS

***PAYGO Capital Budget Recommended Actions (page 21)***

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1. Amend the following language on the special fund appropriation:

Special Fund Appropriation, provided that these funds intended as transportation grants shall be allocated as follows:

Baltimore City	<del>5,484,423</del>
	<u>2,000,000</u>
County Governments	<del>27,422,115</del>
	<u>4,000,000</u>
Municipal Governments	<del>20,109,551</del>
	<u>19,000,000</u>

Further provided that ~~\$27,422,115~~ \$4,000,000 of this appropriation to county governments and ~~\$20,109,551~~ \$19,000,000 to municipal governments shall be allocated to eligible counties and municipalities as provided in Sections 8-404 and 8-805 of the Transportation Article and may be expended only in accordance with Section 8-408 of the Transportation Article.

Further provided that \$25,000,000 of this appropriation made for the purpose of providing transportation grants to county and municipal governments may not be expended for that purpose but instead may be used only to provide transportation grants to county governments that are in addition to the allocation shown above. Further provided that these funds shall be allocated as provided in Sections 8-404 and 8-805 of the Transportation Article and may be expended only in accordance with Section 8-408 of the Transportation Article. Funds not expended for this restricted purpose may not be transferred by budget amendment or otherwise to any other purpose and shall be canceled.

**Explanation:** This language restricts funding for capital grants to county and municipalities to the levels funded in fiscal 2017 and restricts an additional \$25 million of the appropriation as capital grants to county governments to replace Highway User Revenue funding in J00B01.05 intended for county governments but which is restricted for another purpose.

**MDOT Response:**

The Department respectfully does not concur with the recommended language.

Providing local jurisdictions with supplemental grants to support their transportation needs began in FY 2014. They have become dependent upon these grants to help maintain their existing infrastructure and support improvements.

The Administration is committed to funding this grant in FY 2018 as planned to help support the much needed transportation needs of Maryland’s local jurisdictions.

**MDOT RESPONSE TO DLS ANALYSIS**

***PAYGO Capital Budget Recommended Actions(continued)***  
***(page 21)***

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2. Add the following language to the special fund appropriation:

Further provided that no funds may be expended by the Secretary’s Office for any system preservation or minor project with a total project cost in excess of \$500,000 that is not currently included in the fiscal 2017-2022 Consolidated Transportation Program except as outlined below:

- (1) the Secretary shall notify the budget committees of any proposed system preservation or minor project with a total project cost in excess of \$500,000, including the need and justification for the project, and its total cost; and
- (2) the budget committees shall have 45 days to review and comment on the proposed system preservation or minor project.

**Explanation:** This language provides legislative oversight of grants exceeding \$500,000 that are not listed in the current Consolidated Transportation Program.

**MDOT Response:**

The Department concurs with the recommended language.

MDOT RESPONSE TO DLS ANALYSIS

***PAYGO Capital Budget Recommended Actions(continued)***  
***(page 22)***

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	<b><u>Amount Reduction</u></b>
3. Reduce funds that are in excess of the amount needed to restrict capital transportation grants to local governments to the fiscal 2017 level and to allow funds to be restricted for capital grants to county governments in an amount equal to county Highway User Revenue funding in program J00B01.05 that is restricted for another purpose.	\$ 3,016,089 SF
<b>Total Special Fund Reductions</b>	<b>\$ 3,016,089</b>

**MDOT Response:**

The Department respectfully does not concur with the recommended reduction.

Providing local jurisdictions with supplemental grants to support their transportation needs began in FY 2014. They have become dependent upon these grants to help maintain their existing infrastructure and support improvements.

The Administration is committed to funding this grant in FY 2018 as planned to help support the much needed transportation needs of Maryland’s local jurisdictions.