Celebrating 25 Years of Safety

"THE Q’STRAINT NATIONAL TRAINING SEMINAR GIFT!" - Where, What, Why, When & How?!

What: Q’STRAINT is offering an ALL EXPENSE PAID two (2) day Training Seminar on Wheelchair & Occupant Securement which will include: Roundtrip airfare, two (2) day hotel accommodations, meals and transportation to and from the Q’STRAINT facility.

Where: At their Fort Lauderdale, Florida facility

When: Two seminar dates will be scheduled in 2009 - 1) end of September and 2) mid-October

Seminar Highlights: Will provide trainers & attendees with extensive hands-on training in the proper method of wheelchair and occupant securement; Discussion on the rules, standards and regulations relating to the manufacturing, testing and use of wheelchair securement systems; Observation of the manufacturing process of wheelchair securement parts and accessories along with simulated crash testing of wheelchair securement components; Learn about the inspection and maintenance of wheelchair securement systems; Share your real world experiences with other attendees from around the U.S. & Canada.

How: Email your agency & nominee’s name, address, phone and email address to: LNippolt@qstraint.com on or before March 1, 2009. A random drawing will be held and the winning agency will be announced at the 2009 CalAct Conference.

Why: Because Safety is a Team Effort and its Important to Everyone!

Good Luck to All!!

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March 17-19, 2009
Bahia Resort, San Diego, CA

Spring is just around the corner and so is CalACT’s 25th Anniversary Spring Conference & EXPO. This year CalACT will be celebrating 25 years as an Association with several activities that reflect on CalACT’s past, and acknowledgement of its founding leaders. It also represents the third year for our Annual Awards ceremony, which will be held during the luncheon on March 18 to honor and recognize outstanding members and agencies in California.

The Conference will open on St. Patrick’s Day with keynote speaker, Dale Marsico, Executive Director of the Community Transportation Association of America (CTAA). He will reflect on the status of community and public transportation, how to weather the storm of the current economic crisis, while preparing for the next 20 years.

Dale J. Marsico became Executive Director of the Community Transportation Association of America in November 1996. During his time with the Association, he worked to broaden support for community and public transportation by reaching out to those who already understand the need for a strong, national commitment to mobility as well as to those who need a new understanding and appreciation of the potential transit provides for all Americans. In recent years the Association’s legislative efforts were seen in the improvement for community transportation in several important areas like SAFETEA-LU, the Deficit Reduction Act, and in proposed reforms to our health and human services programs. Dale also expanded the services offered by the organization, and was the driving force behind the creation of the Community Transportation Development Fund, which is a certified development organization, financing and investing in community and public transportation organizations.

Wednesday morning, Keynote speaker, Ted Gaebler, City Manager of Rancho Cordova and Co-Author of the book, “Reinventing Government” will share his views on how to survive the current financial crisis and adversity facing transportation and government today. More importantly, he will expound on how to build enthusiasm and generate public support for changes in government that will sustain transportation in California.

Ted Gaebler has served as Rancho Cordova City Manager since October 1, 2003. He has spent more than 25 years as an appointed government official in California, Oregon, Ohio, Maryland and Pennsylvania. He is a former City Manager of Cordova and Co-Author of the book, “Reinventing Government” will share his views on how to survive the current financial crisis and adversity facing transportation and government today. More importantly, he will expound on how to build enthusiasm and generate public support for changes in government that will sustain transportation in California.
General Information

CalACTION is published by:
The California Association for Coordinated Transportation, Inc.
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CalACTION
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CalACTION is published by the California Association for Coordinated Transportation, Inc. with funding, in part, from the Rural Transit Assistance Program which is administered by CalACT under contract with the California Department of Transportation (Caltrans). Any opinions, findings, conclusions, recommendations or endorsements in this newsletter are those of the authors and/or the CalACT Board of Directors, and do not necessarily reflect the views of the Rural Transit Assistance Program nor the Federal or State Departments of Transportation.

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In order to protect members' privacy, CalACT’s membership list is available to members only. A hard copy (paper) list will be supplied to members at no charge. Printed mailing labels will be supplied for a fee of $30. The master mailing list will not be made available. Exceptions to this policy will be considered on a case-by-case basis by the Board of Directors.

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All ads must be submitted two weeks prior to publication of newsletter publication date. Ads also need to be emailed in a "tif" or "jpg" file. 300 dpi minimum.

For next publication date, please call 916.920.8018.

Calender of Events

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<tr>
<td>February 20</td>
<td>Reasonable Suspicion Determination for Supervisors, Pomona, CA Visit the TSI website <a href="http://www.tsi.dot.gov">www.tsi.dot.gov</a> for details</td>
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<tr>
<td>March 2 – 5</td>
<td>Instructor’s Course in Paratransit Operator Training, Sacramento. For details, please contact Meg Desmond at 916-920-8018</td>
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<tr>
<td>March 16 - 20</td>
<td>Transit Supervisor Certification Course, Monterey. For details, visit the TSI website <a href="http://www.tsi.dot.gov">www.tsi.dot.gov</a></td>
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<td>March 17 – 19</td>
<td>CalACT’s 25th Anniversary Spring Conference &amp; EXPO, Bahia Resort in San Diego</td>
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<td>April 4 – 5</td>
<td>CalACT Spring Roadeo, Galt, California</td>
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<td>April 6 – 9</td>
<td>Instructor’s Course in Bus Operator Training (Visit the TSI website at <a href="http://www.tsi.dot.gov">www.tsi.dot.gov</a> for details) Hayward</td>
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<td>April 20 – 21</td>
<td>Mobility Management Training, Sacramento. Details will be available on the CalACT website soon.</td>
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<tr>
<td>April 23 -24</td>
<td>Mobility Management Training, Monterey. Details will be available on the CalACT website soon.</td>
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<tr>
<td>May 12 – 14</td>
<td>Small Bus Basic Electrical Training, Clovis. Details will be available on the CalACT website soon.</td>
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<tr>
<td>May 31 – June 5</td>
<td>CTAA Conference &amp; EXPO, Providence, Rhode Island. For details, visit the CTAA website at <a href="http://www.ctaa.org">www.ctaa.org</a></td>
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<td>June 9</td>
<td>The “Ins &amp; Outs” of Public Meetings RTAP Workshop, Sacramento. Details will be available on the CalACT website soon.</td>
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<td>June 11</td>
<td>The “Ins &amp; Outs” of Public Meetings RTAP Workshop, So. California. Details will be available on the CalACT website soon.</td>
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<tr>
<td>June 22 – 23</td>
<td>Mobility Management Training, San Diego. Details will be available on the CalACT website soon.</td>
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<tr>
<td>June 25 &amp; 26</td>
<td>Mobility Management Training, Los Angeles. Details will be available on the CalACT website soon.</td>
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Chair’s Message

San Diego – A Chance to Celebrate the Past & Shape a New Future

This March, CalACT’s Annual Spring Conference & EXPO will be returning to the Bahia Resort in San Diego to celebrate its 25th Anniversary. CalACT historians will remember that our very first conference was held at the Bahia twenty-five years ago. The conference theme “Reflecting on the Past, Preparing for the Future” seems particularly timely given our current circumstances. Our new President is a serious student of history and seeks to apply the lessons learned in order to make changes that will shape the future.

CalACT’s first quarter century is full of lessons that can inform our perspective as we prepare to engage a future filled with difficulties and opportunities for change. CalACT’s history has been one of innovation in order to meet the challenges our industry has faced over the years. Many of these new solutions got their start at a CalACT Conference.

The Spring Conference & EXPO will be March 17-19. The conference will include sessions on non-traditional approaches to providing transportation, maintaining service in a tough economy, revenue generation and reducing costs as well as professional development topics and the latest news on transit funding and regulations. We are particularly pleased to have Dale Marsico, Executive Director of the Community Transportation Association of America (CTAA), and Ted Gaebler, co-author of the book Reinventing Government, as featured speakers.

So come to San Diego to reflect on and celebrate our past and start work on shaping the future.

George L. Sparks

CalACT Schedule of Association Meetings

Members can participate on any of the committees by conference call. The conference call-in number is 800-482-3251 and the passcode is 707127

Conference Planning Committee Meetings Dates:  February 12 & 26 and March 5, 2009; 2:00 p.m.

Legislative Committee Meeting Dates:  February 12 & 26, March 12 & 26, April 9 & 23, May 7 & 21, and June 11 & 25

Rural Transit Assistance Program (RTAP) Meeting Dates:  March 16 at 11:30, June 26 at 1:30, September TBD, and December 10; time TBD.

Professional Development Committee Meeting Dates:  March 16 at 4:00, June 26 at 3:30, September, TBD, and December 10; time TBD.

Revenue Enhancement & Membership Committee Meeting Dates:  March 3 at 2:00, March 19 at 12:45, June 26 at 10:00, and December 11; time TBD.

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The “American’s With Disabilities Act” case law
& “ADA Service Issues” session by Attorney Jim Weisman will provide valuable information on the new ADA Employment laws and insight into the proposed regulations by Department of Transportation, Department of Justice and the ACCESS Board.

Mr. Weisman is the General Counsel for the Eastern Paralyzed Veterans Association, now called United Spinal Association, where he provides legal assistance to the Association. He has spoken at CalACT Conferences in the past, has educated, and entertained attendees with his provocative and enlightening presentations on ADA.

His experiences with accessible mass transit systems opened doors as a key negotiator with members of Congress in drafting and supporting the passage of the Americans with Disabilities Act (ADA). The transportation provisions of the ADA are based on the Settlement Agreements in New York and Philadelphia. In 1991, he was appointed to the U.S. Department of Transportation’s Advisory Committee to promulgate a regulation implementing the ADA. He was also appointed by Governor Cuomo to a task force whose mandate is insuring New York State’s compliance with the ADA. In July 1995, he became a founding member of the Board of Directors of the American Association of People with Disabilities and in 2003 served as Chairman of the Board for two years. He remains active on the AAPD Board. In 1994, he was presented with the Governor’s Advocacy Award by Mario Cuomo for his Americans with Disabilities Act efforts. He has also served on the Architectural and Transportation Barriers Compliance Board (Access Board).

The conference is offering many other sessions of interest for attendees and they are listed below:

- Maintaining Service in a Tough Economy
- Creating Linkages with Greyhound
- Maintenance 101 for the Transit Manager

[Continues on Page 05]
I became the Transit Coordinator for KCAPTA (Kings County Area Public Transit Agency) in 1989. This allowed me the time to pursue a Business Administration degree. Previous to this time I worked as a County Engineer and City Public Works Director. The plan was to complete the degree and move on to City or County management. I found along the way that I enjoyed the field of transit, particularly the interaction between riders, drivers and elected officials and never left.

Between 1989 and the present, KCAPTA has grown from a public transit system of 7 vehicles providing 120,000 rides to an operation with 423 vehicles providing over 3 million rides covering a five county area. The Agency has grown from a staff of 2 overseeing 8 contract employees to a staff of 18 overseeing 53 contract employees. Riders range from seniors getting to their doctor appointments to farm workers getting to the fields they work in. Along the way, the Agency has faced some challenges, but these are more than offset by the ultimate satisfaction in helping riders get where they want to go.

The future holds the spectrum of higher gas prices, a depressed economy, and more unemployment. With this comes the growing need for a transit system that is able to step up and meet the challenges that are before us. As a CalACT Board member I look forward to this challenge.

Ron Hughes - South Central Representative Board Member

Jean Foletta
San Joaquin Regional Transit District

On January 5, San Joaquin Regional Transit District (RTD) opened its One-Stop Shop, a full-service call center where San Joaquin County residents can access comprehensive transportation options in one place. This program, federally funded through a 5317 New Freedoms (NF) grant, will provide information on transportation throughout the county and surrounding areas, including modes of transportation, route schedules, boarding and de-boarding locations, and fare information.

The One-Stop Shop is available to anyone interested in learning more about transit options and how to use them by calling (209) 955-8444 seven days a week from 8:00 a.m. to 5:00 p.m.

For more information or to schedule outreach please contact Mobility Manager Jean Foletta at (209) 955-8453, or Mobility Specialist Julie Brustow at (209) 955-8432. Visit us online at www.SanJoaquinRTD.com/onestopshop.

San Joaquin Regional Transit District (SJRTD) Introduces One-Stop Shop Service
Small Buses Finding Bigger Role in Public and Private Fleets [cont.]

suddenly are feeling a bit overwhelmed by the new responsibility of maintaining these buses.

Small buses benefit from technological advances
Just because we call them small buses, does not mean they are devoid of technology. The 40-foot bus gets its new technology from such organizations as Cummins, Detroit Diesel, Allison and others, who are leaders within the Class 8 heavy-duty vehicle industries. The difference is that small buses get their new technologies from Class 5 and Class 6 trucks on the sales floor, and very quickly out of Detroit engineering labs.

Virtually all of the modern technologies on trucks are already in place or are on their way to application on the small bus. Thus, small buses benefit from the development of applicable truck technology, especially in the area of fuel, electrical and power system issues.

Here are some technological advances that small bus operators could soon be embracing:

• Drop-down LCD screens for entertainment and advertising
• Fully-electronic air conditioning
• Emergency heart defibrillators
• Connections for Segway-type mobility devices
• Bright yellow handles and floor covering for the visually impaired
• Skid-resistant steps and flooring
• Cabin filtration systems
• Electronic steering
• 42-volt system components
• Side-looking driver warning systems
• Programmable logic controls (PLC) systems
• Integrated AVL, GPS and tire-inflation monitoring systems

Chances are that we all know someone who rides these buses. They may be elderly or live in a rural area not served by large transit buses or they may be on the way to the state fair from the parking lot. Whatever the need, the small bus fills a critical void where reliable, safe, economical transportation is needed.

Halsey King is a fleet maintenance management consultant whose specialty is bus fleets. He provides seminars and workshops on a variety of maintenance management issues, including the vehicle maintenance management and inspection workshop for the Community Transportation Association of America and the National Rural Transit Assistance Program. He can be reached at (760) 809-2142 or Halsey@halseyking.com.

[This high-top van configuration has been around for several years. Many state DOT’s will specify this vehicle with the wheelchair lift deploying out the rear doors over the bumper. Vehicle shown with side lift as specified by California (CalTrans). (Photo by Rick Streiff, Fleet Administrator, Access Services Inc., Los Angeles, CA)]

[The modified low-floor minivan is a popular choice in urban high-traffic density areas. A smaller vehicle can traverse the obstacles that are associated with metropolitan style of driving. This vehicle has high fuel economy, low running cost, but limited passenger capacity. (Photo by Rick Streiff, Fleet Administrator, Access Services Inc., Los Angeles, CA)]
Small Buses Finding Bigger Role in Public and Private Fleets

Halsey King
Fleet Maintenance Management Consultant
San Diego, California

Although 40-foot city transit buses and even larger over-the-road motor coaches are the general public’s idea of “buses,” their smaller cousin, the shuttle bus, is carving a sizable niche in public and private transportation operations due to its versatility, maneuverability and ADA-related advantages.

These smaller buses can be seen everywhere, shuttling rental car customers to and from airports, elderly folks to doctor’s appointments and travelers to tourist destinations. In the commercial sector, they are referred to as shuttle buses, but when used under a transportation plan authorized and funded by the Federal Transit Administration (FTA), they are called paratransit buses.

Prior to the advent of these innovative vehicles in the mid-1970s, many organizations used small school buses or unmarked vans to transport small groups of people. In other cases, the family car filled in for the same type of transportation.

Many museums across the nation (including the Studebaker Museum in South Bend, Ind.) have examples of modified sedans used to provide this mobility for war veterans, elderly and the disabled to hospitals, libraries and dialysis centers. Big Packards, Cadillacs and limousines were popular during the 1940s, ’50s and ’60s, along with taxis and carryalls.

A dramatic shift occurred in the ’40s when the Veterans Administration devised a lift to help people in wheelchairs make the transition from ground level to vehicle floor height. Still, this was just a first step in providing seamless mobility because the U.S. infrastructure still required massive improvements in accessibility.

Thanks to the 1964 Civil Rights Act that set the foundation for accessible transportation of the elderly and the 1990 Americans with Disabilities Act (ADA), today’s infrastructure meets most of the mobility needs of the elderly and disabled.

Manufacturers face layers of regulations. In the early ’90s, more than 30 companies were qualified to build and sell small buses under FTA contracts. Through consolidation and other business actions, that number has been reduced over the years. Today, we find about a dozen small-bus manufacturers. Unlike some of their large bus counterparts, these manufacturers use a body-on-chassis process. That is, they buy the chassis from a manufacturer such as Ford or GM and then build the bus body onto it.

Just as in other modes of surface transportation, shuttle buses have safety regulations and they begin at the manufacturing level. Indeed, each bus manufacturer is required to certify that its vehicles meet the applicable Federal Motor Vehicle Safety Standards (FMVSS) outlined in the Code of Federal Regulations. Depending upon how the bus was built and which options were added, a large 40-foot transit bus could have as many as 30 applicable FMVSS and a smaller shuttle/paratransit bus could have as many as 40 FMVSS. In addition, the manufacturer has to consider the mandates of the EPA, ADA and state vehicle codes.

Well-suited for rural transportation

In addition to being used for airport shuttles, corporate outings and paratransit service, the small bus is particularly suited for rural transportation, where narrow roads and tight turnarounds are common. For this application, the bus usually has full forward-facing seats with grab handles, ceiling-mounted handrails, two forward-facing wheelchair positions and a hydraulically-controlled, electric wheelchair lift. Some may also have an electronic destination sign complemented by an electronic fare box.

Increasingly, rural garages are finding these vehicles showing up in their yard, parked next to the road graders, sheriff’s cars and articulated wheel loaders. Vehicle maintenance staff can be excused if they

[Continues on Page 19]
Temporary Executive Management [cont.]

the objectives of the assignment as a caretaker to keep things going until permanent leadership is selected; as a stabilizer to bring order to an otherwise chaotic environment; or as a change agent to use the temporary role to institute significant changes in an organization in anticipation of hiring permanent management.

While there may be some difference in expectations depending upon the level of position being engaged on the temporary basis, there is always a high level of expectation for immediate effectiveness. Even if the job being filled temporarily is a second tier technical position such as Operations Manager or Assistant General Manager, the presumption is that the individual brings good judgment and decision making skills to the organization in order to have an almost immediate impact with the team that is being managed. As with any temporary engagement, it is imperative that the executive quickly determines the “situation” and is prepared to address the agency’s unique needs on the basis established by the Board of Directors (or Chief Executive if it is a second tier leadership role).

Effective communication is essential to any successful management arrangement. Because a temporary executive is typically unknown to the Board Members entering into the arrangement, greater than normal emphasis is placed on communication. A temporary executive must be able to keep all parties informed of actions and decisions in order to gain the comfort level among Board and staff that objectives are being pursued and that authority is respected.

Agencies that engage temporary management should expect to pay for a premium over the typical executive salary for such service. While rates and terms are certainly negotiable, an agency can expect to pay as much as double the normal salary for a position for a temporary period of time. This premium reflects the complexity of the typical assignment and the necessity for a high level of directly relevant experience to manage in a crisis mode. In addition to salary considerations, an agency can expect to pay for temporary housing, subsistence, and travel for a temporary executive. Again these factors add cost to the engagement but the dividend is in the comfort level that accompanies the commitment of an experienced senior executive.

Both parties to a temporary executive engagement must recognize that it will come to an end at some point. Usually this point is the hiring of a permanent executive. The realization that someone permanent will come to the position with a different set of skills, experiences, and expectations is critical to the transition process. It is common to such arrangements that there is little contact with the outgoing temporary executive after the engagement is completed. This natural phenomenon is part of the evolution of the role. Some transition of agendas to a new permanent executive can be helpful but is not always desired. The terms of the separation of the temporary executive can be negotiated up front but often take shape as relationships with key Board and staff members are forged.

No matter what the terms of a temporary executive engagement, the fact that such management talent is available to organizations in a crisis can be reassuring and offer real options to the hasty selection of a permanent manager. Many organizations have already benefited greatly from the service of temporary executives.

About the Author: Philip McGuire is a very experienced temporary executive. Since 2004, he has served as the senior executive for a municipal transit agency, a transit district (joint powers authority), and three nonprofit corporations. Combined with many other executive management experiences, he has become expert in the field of executive leadership. For further information, contact Mr. McGuire at consultbpm@aol.com.
By Philip McGuire, Principal, McGuire Management Consultancy

Temporary Executive Management

In today’s business world, movement and change is a primary constant. Unlike years ago, today the likelihood of staying with a single employer for an entire career is slim. There is constant movement between employers for a variety of reasons, ranging from a desire for upward mobility to forced turnover as a result of increased emphasis on performance. Whatever the reasons, there is greater movement than ever before.

One of the conditions resulting from this circumstance is the increasing frequency of vacancies in key leadership positions within organizations. In the field of community transportation, these might include small to mid size public agencies, municipalities, or nonprofit corporations. Any of these types of organizations could experience temporary vacancies in a number of different positions. The most common vacancy – and among the most difficult to fill on a short-term basis – is the top spot: the senior executive position.

The senior executive in a transportation agency could be a Chief Executive Officer, Executive Director, General Manager, or someone in a similar leadership role. Typically this individual reports to a Board of Directors or, in the case of a public agency, to a governmental entity such as a city council or county commission.

The vacancy of a second tier operating position in a small to mid size organization, while not typically of the same “crisis” level as the top position, can also be a very traumatic event for a transportation agency. Staff at this level typically has the expertise to understand and manage such technical tasks as work assignments, sometimes union liaison, maintenance oversight, compliance, and other requirements typical of the transit industry.

A vacancy in either first or second tier management is a prime candidate for temporary executive leadership. Organizations that are facing potential crisis or that are thrust into a crisis mode by an unplanned event can derive assurance that their agency will not collapse if they understand that there are resources who are available to step in on short notice and manage for extended periods of time as needed. A temporary executive can provide the stability, leadership, and guidance to an organization undergoing “vacancy trauma” such that sound decisions can be made without the stress of immediacy. An organization simply has to engage an executive with the skills and credentials to take on this delicate task.

A temporary executive must come to the situation with a “toolkit” of experiences, technical credentials, and interpersonal skills that will allow for immediate effectiveness in a new environment. There is no “ramp up” time for the interim executive whose expertise must go far beyond the simple description of the typical executive profile. A temporary executive must be able to:

- Listen to key Board and staff members to identify issues or problems;
- Analyze crucial information such as financial statements, contracts, labor agreements, or other technical data to understand context and formulate options;
- Assess both internal and external environments to understand the decision processes;
- Act decisively to inspire confidence that leadership is present.

The executive must be able to work with unfamiliar resources to accomplish the immediate objectives of the temporary engagement. The Board may define

[Continues on Page 17]
Charter services provided under any of these exceptions now require that the recipient maintain records concerning the trip and periodic report this information to FTA.

Charter Operator Registration
Under the old rule, the transit system had responsibility to annually solicit the interest of willing and able private charter operators prior to performing charters. This process has been replaced with a web-based registration process for charter operators. If a public transit agency receives a request to perform a charter service (and the requested service does not fall under one of the exemptions), the agency is obligated to search the registration database to determine if there are any private operators who have registered to provide service within the origin/destination service area of the requested charter trip. If there are charter operators on the registered list, then the transit system cannot provide the charter unless its meets one of the exceptions to the regulations.

Enforcement and Oversight
In issuing new charter rules, FTA has significantly increased its enforcement process and now defines penalties (clarified in SAFETEA-LU) for violations of the rules. New formal procedures are in place and potential sanctions may be made against public transit systems for violating charter rules, including the withholding of Federal financial assistance.

Summary
FTA’s new charter regulations contain many provisions that will assist transit agencies to provide service under contract without fear of potential charter violations. The regulations are complex, however, and all systems are encouraged to download and understand these regulations (http://edocket.access.gpo.gov/2008/pdf/08-86.pdf). Exhibit 1 provides guidance on the charter process.
FTA’s New Charter Regulation [cont.]

[From Page 13]

Transport of Employees for Emergency Preparedness Planning
When a transit system transports the same group of listed employees and related parties for purposes of emergency preparedness planning and operations, the charter regulations do not apply.

Nonurbanized Area Employee Training
Transit systems in nonurbanized areas may transport their own employees, other transit system employees, transit management officials, and transit contractors and bidders to or from transit training outside its geographic service area without the service being deemed charter service by FTA.

Program Exemption
Charter rules do not apply to recipients under the following FTA programs:

• Section 5310, Elderly Individuals and Individuals with Disabilities Program;
• Section 5311, Nonurbanized Area Formula Program;
• Section 5316, Job Access and Reverse Commute (JARC) Program; and
• Section 5317, New Freedom Program.

This categorical exemption applies only when the transit system is providing charter for program purposes only. FTA defines this term as:

...transportation that serves the needs of either human service agencies or targeted populations (elderly, individuals with disabilities, and or low income individuals).

Thus, systems funded under these four programs are exempt provided the charter service is provided on behalf of a human service agency or Qualified Human Service Organization (QHSO) or is provided to one of the three targeted population groups. If a charter service does not meet the definition listed above, then the program exemption does not apply.

These distinctions are particularly important, as the new regulation could potentially apply to recipients of Section 5310 funding (previously categorically exempt) if they engage in other than program purpose transportation.

Private Charter Operators That Receive FTA Assistance
There may be instances where a private charter company receives, either directly or indirectly, financial assistance under an FTA program. In such cases, FTA’s charter rules do not apply to the provider’s non-FTA funded activities.

National, State, or Local Emergencies
Transit systems that provide service in direct response to an emergency declared by the President, a governor, a mayor, or in an emergency requiring immediate action prior to a formal declaration, are exempt from the regulations. If the emergency lasts more than 45 days, the transit system must request permission to continue the service from the FTA Administrator.

Program Exceptions
If the proposed service meets the charter definition and is not exempt, FTA regulations generally prohibit the recipient from providing the trip. There are, however, a limited number of circumstances where the trip can be provided. These are known as program exceptions; exceptions include:

• Government officials/governmental business exception;
• Qualified human service organizations (QHSO);
• Leasing FTA funded equipment and drivers;
• No response by a registered charter operator to a notice;
• Agreements with all registered charter operators; and
• Petitions to the FTA Administrator.

There are detailed descriptions, including specific limitations associated with each exception, in the

[Continues on Page 15]
FTA’s New Charter Regulation

By Rich Garrity, RLS Associates

Since the initial passage of the Urban Mass Transportation Act of 1964 (Pub. L. No. 88-365), there have been limitations in place that restrict a recipient of FTA funds from engaging in charter activities. Most transit systems have become very familiar with these regulations, based on FTA’s December 30, 1988 rulemaking action.

Based on Congressional directives, FTA substantially revised its charter regulations in 2008. The new rules were published in the Federal Register on January 14, 2008, and became effective on April 30, 2008.

FTA’s rulemaking is significant, introducing a number of changes to longstanding charter rules. All recipients of FTA funding should be aware of these changes; significant changes include:

- A new definition of charter service;
- A new category of consumer referred to as a “Qualified Human Service Organization” (QHSO);
- A new exemption from the rules for Section 5311 recipients when the service is for “program purposes” only;
- New exemptions for:
  - Emergency response and preparedness services; and
  - Transportation of employees for training by nonurbanized systems;
- New exceptions for transport of government officials conducting government business;
- New reporting and recordkeeping requirements imposed on public transit operators who provide charter services;
- “Willing and able” solicitation process replaced with new, web-based registration process;
- New advisory procedure established and complaint/investigation/penalties procedures formalized;
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- A new charter ombudsman position has been created at FTA.

New Charter Definition

FTA has developed a totally new definition of what constitutes “charter” service.

Charter Service, Defined:

“Charter service” means, but does not include demand response service to individuals:

- Transportation provided by a recipient at the request of a third party for the exclusive use of a bus or van for a negotiated price. The following features may be characteristic of charter service:
  - A third party pays the transit provider a negotiated price for the group;
  - Any fares charged to individual members of the group are collected by a third party;
  - The service is not part of the transit provider’s regularly scheduled service, or is offered for a limited period of time; or
  - A third party determines the origin and destination of the trip as well as scheduling or:

- Transportation provided by a recipient to the public for events or functions that occur on an irregular basis or for a limited duration and:
  - A premium fare (e.g., higher than the regular fare) is charged; or
  - The service is paid for in whole or in part by a third party.

1. A third party arranges and negotiates a price for the service. The arrangement does not have to be in writing.
2. The group has acquired the exclusive use of the vehicle.
3. Transportation is by bus or van. It should be noted that these two categories are inclusive of all public transit vehicles, including replica trolley vehicles. FTA only recognizes two categories of rolling stock: buses and vans.
4. The service is not part of the transit provider’s regularly scheduled service.
5. Service is offered for a single trip or for a limited amount of time.
6. The group has specified the origin, destination, and any intermediate stops in the travel itinerary.
7. Service is provided to the public for events or functions that occur on an irregular basis or for a limited duration and:
   a. A premium fare (e.g., higher than the regular fare) is charged; or
   b. A third party pays, in whole or in part, for the service.

FTA further states that service provided in demand response mode to individuals is categorically defined as not being charter service.

Applicability of the Regulations

Charter regulations only apply to FTA recipients. FTA defines this to also include subrecipients and third party operators who utilize FTA funded equipment in the delivery of service. FTA has long held, however, that mere utilization of non-FTA funded equipment does not allow a recipient to perform charters as such equipment may be maintained at FTA constructed facilities, maintained by FTA funded mechanics, etc.

Additionally, when a third party private charter operator provides service under contract, only that portion of the company’s service public services are covered by the regulations.

As a condition of the receipt of FTA funding, all applicants are required to execute a certification that the organization, and each of its subrecipients, and third party contractors at any level who use FTA-funded vehicles, may provide charter service using equipment or facilities acquired with FTA financial assistance only in compliance with the regulations set out in 49 CFR 604.

Please note that there are several key exemptions from the regulations, some of which have generated some confusion among public transit agencies.

Exemptions to the Regulations

An exemption from the regulations means that the provisions of 49 CFR part 604 do not apply. In cases where 49 CFR part 604 does apply, there still may be unique circumstances where the recipient of FTA assistance may provide charter services; these cases are exceptions to the regulations and described later in this manual.

This section identifies the exemptions to the regulations. There are five exemptions:

1. Transport of employees exemption;
2. Transport of employees for emergency preparedness planning exemption;
3. Nonurbanized transit system employee training exemption;
4. Program related exemptions;
5. Private contractor exemptions; and
6. National, state, or local emergency exemptions.

Transport of Employees

If a transit system that is an FTA recipient is only transporting its employees, or the employees of other transit systems, such transport is no longer considered a charter service (it may have been under the old rules). This exemption also applies if the system is transporting the following individuals to/from transit facilities or projects within its geographic service area or proposed geographic service area for the purpose of conducting oversight functions such as inspection, evaluation, or review:

- Transit management officials;
- Transit contractors and/or bidders; and
- Government officials and their official guests.

From Page 12

(Continues on Page 13)

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From Page 12

(Continues on Page 14)
FTA’s New Charter Regulation

By Rich Garrity, RLS Associates

Since the initial passage of the Urban Mass Transportation Act of 1964 (Pub. L. No. 88-365), there have been limitations in place that restrict a recipient of FTA funds from engaging in charter activities. Most transit systems have become very familiar with these regulations, based on FTA’s December 30, 1988 rulemaking action.

Based on Congressional directives, FTA substantially revised its charter regulations in 2008. The new rules were published in the Federal Register on January 14, 2008, and became effective on April 30, 2008.

FTA’s rulemaking is significant, introducing a number of changes to longstanding charter rules. All recipients of FTA funding should be aware of these changes; significant changes include:

• A new definition of charter service;
• A new category of consumer referred to as a “Qualified Human Service Organization” (QHSO);
• A new exemption from the rules for Section 5311 recipients when the service is for “program purposes” only;
• New exemptions for:
  • Emergency response and preparedness services; and
  • Transportation of employees for training by nonurbanized systems;
• New exceptions for transport of government officials conducting government business;
• New reporting and recordkeeping requirements imposed on public transit operators who provide charter services;
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attachment-1
FTA’s New Charter Regulation [cont.]

[From Page 13]

Transport of Employees for Emergency Preparedness Planning
When a transit system transports the same group of listed employees and related parties for purposes of emergency preparedness planning and operations, the charter regulations do not apply.

Nonurbanized Area Employee Training
Transit systems in nonurbanized areas may transport their own employees, other transit system employees, transit management officials, and transit contractors and bidders to or from transit training outside its geographic service area without the service being deemed charter service by FTA.

Program Exemption
Charter rules do not apply to recipients under the following FTA programs:

• Section 5310, Elderly Individuals and Individuals with Disabilities Program;
• Section 5311, Nonurbanized Area Formula Program;
• Section 5316, Job Access and Reverse Commute (JARC) Program; and
• Section 5317, New Freedom Program.

This categorical exemption applies only when the transit system is providing charter for program purposes only. FTA defines this term as:

…transportation that serves the needs of either human service agencies or targeted populations (elderly, individuals with disabilities, and or low income individuals).

Thus, systems funded under these four programs are exempt provided the charter service is provided on behalf of a human service agency or Qualified Human Service Organization (QHSO) or is provided to one of the three targeted population groups. If a charter service does not meet the definition listed above, then the program exemption does not apply.

These distinctions are particularly important, as the new regulation could potentially apply to recipients of Section 5310 funding (previously categorically exempt) if they engage in other than program purpose transportation.

Private Charter Operators That Receive FTA Assistance
There may be instances where a private charter company receives, either directly or indirectly, financial assistance under an FTA program. In such cases, FTA’s charter rules do not apply to the provider’s non-FTA funded activities.

National, State, or Local Emergencies
Transit systems that provide service in direct response to an emergency declared by the President, a governor, a mayor, or an emergency requiring immediate action prior to a formal declaration, are exempt from the regulations. If the emergency lasts more than 45 days, the transit system must request permission to continue the service from the FTA Administrator.

Program Exceptions
If the proposed service meets the charter definition and is not exempt, FTA regulations generally prohibit the recipient from providing the trip. There are, however, a limited number of circumstances where the trip can be provided. These are known as program exceptions; exceptions include:

• Government officials/governmental business exception;
• Qualified human service organizations (QHSO);
• Leasing FTA funded equipment and drivers;
• No response by a registered charter operator to a notice;
• Agreements with all registered charter operators; and
• Petitions to the FTA Administrator.

There are detailed descriptions, including specific limitations associated with each exception, in the

[Continues on Page 15]
Charter services provided under any of these exceptions now require that the recipient maintain records concerning the trip and periodic report this information to FTA.

Charter Operator Registration
Under the old rule, the transit system had responsibility to annually solicit the interest of willing and able private charter operators prior to performing charters. This process has been replaced with a web-based registration process for charter operators. If a public transit agency receives a request to perform a charter service (and the requested service does not fall under one of the exemptions), the agency is obligated to search the registration database to determine if there are any private operators who have registered to provide service within the origin/destination service area of the requested charter trip. If there are charter operators on the registered list, then the transit system cannot provide the charter unless its meets one of the exceptions to the regulations.

Enforcement and Oversight
In issuing new charter rules, FTA has significantly increased its enforcement process and now defines penalties (clarified in SAFETEA-LU) for violations of the rules. New formal procedures are in place and potential sanctions may be made against public transit systems for violating charter rules, including the withholding of Federal financial assistance.

Summary
FTA’s new charter regulations contain many provisions that will assist transit agencies to provide service under contract without fear of potential charter violations. The regulations are complex, however, and all systems are encouraged to download and understand these regulations (http://edocket.access.gpo.gov/2008/pdf/08-86.pdf).

Exhibit 1 provides guidance on the charter process.
Temporary Executive Management

By Philip McGuire, Principal, McGuire Management Consultancy

In today’s business world, movement and change is a primary constant. Unlike years ago, today the likelihood of staying with a single employer for an entire career is slim. There is constant movement between employers for a variety of reasons, ranging from a desire for upward mobility to forced turnover as a result of increased emphasis on performance. Whatever the reasons, there is greater movement than ever before.

One of the conditions resulting from this circumstance is the increasing frequency of vacancies in key leadership positions within organizations. In the field of community transportation, these might include small to mid size public agencies, municipalities, or nonprofit corporations. Any of these types of organizations could experience temporary vacancies in a number of different positions. The most common vacancy -- and among the most difficult to fill on a short-term basis -- is the top spot: the senior executive position.

The senior executive in a transportation agency could be a Chief Executive Officer, Executive Director, General Manager, or someone in a similar leadership role. Typically this individual reports directly to a Board of Directors and is responsible for managing the day-to-day operations. Vacancies in such positions can occur in a number of different positions. The most common vacancy -- and among the most difficult to fill on a short-term basis -- is the top spot: the senior executive position.

A temporary executive can provide the stability, leadership, and guidance to an organization undergoing “vacancy trauma” such that sound decisions can be made without the stress of immediacy. An organization simply has to engage an executive with the skills and credentials to take on this delicate task.

A temporary executive must come to the situation with a “toolkit” of experiences, technical credentials, and interpersonal skills that will allow for immediate effectiveness in a new environment. There is no “ramp up” time for the interim executive whose expertise must go far beyond the simple description of the typical executive profile. A temporary executive must be able to:

- Listen to key Board and staff members to identify issues or problems;
- Analyze crucial information such as financial statements, contracts, labor agreements, or other technical data to understand context and formulate options;
- Assess both internal and external environments to understand the decision processes;
- Act decisively to inspire confidence that leadership is present.

The executive must be able to work with unfamiliar resources to accomplish the immediate objectives of the temporary engagement. The Board may define

California’s Public & Community Transportation Conference & EXPO

The California Public & Community Transportation Conference & Expo, jointly hosted by CalACT and the California Transit Association was an exceptional event! With well over 700 people in attendance, the vendors at the EXPO had many visitors and opportunities to discuss and display their products.

This joint conference was held in beautiful Monterey, CA and the weather greatly cooperated, just in time for the Frank Lichtanski golf tournament at the Rancho Carilada Golf Club, and the outdoor Bus Barbecue.

An elegant and delicious buffet dinner was held at the Monterey Bay Aquarium, with over 400 in attendance. During dinner, a Scavenger Hunt was part of the festivities, and the winners received gift certificates from CalACT to Macy’s, Best Buy, and Starbucks. The winners were Shonna Halterman (1st), Gary Bauer and David Carlson (2nd), Jim Peplow (3rd), Grace Malson, Catherine Patterson-Valdez, Ava Myers, and Ken Hamm (4th).

An exceptional highlight of the conference was the inspiring and enlightening speech given by Robert F. Kennedy, Jr., hosted by Veolia Transportation. Mr. Kennedy spoke to the issues of the necessary changes needed to environmental and energy policies, and of the proactive and successful energy systems in place in other parts of the world.

The first day of the conference was on the historic
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Temporary Executive Management [cont.]

the objectives of the assignment as a caretaker to keep things going until permanent leadership is selected; as a stabilizer to bring order to an otherwise chaotic environment; or as a change agent to use the temporary role to institute significant changes to an organization in anticipation of hiring permanent management. While there may be some difference in expectations depending upon the level of position being engaged on the temporary basis, there is always a high level of expectation for immediate effectiveness. Even if the job being filled temporarily is a second tier technical position such as Operations Manager or Assistant General Manager, the presumption is that the individual brings good judgment and decision making skills to the organization in order to have an almost immediate impact with the team that is being managed. As with any temporary engagement, it is imperative that the executive quickly determines the “situation” and is prepared to address the agency’s unique needs on the basis established by the Board of Directors (or Chief Executive if it is a second tier leadership role).

Effective communication is essential to any successful management arrangement. Because a temporary executive is typically unknown to the Board Members entering into the arrangement, greater than normal emphasis is placed on communication. A temporary executive must be able to keep all parties informed of actions and decisions in order to gain the comfort level among Board and staff that objectives are being pursued and that authority is respected.

Agencies that engage temporary management should expect to pay a premium over the typical executive salary for such service. While rates and terms are certainly negotiable, an agency can expect to pay as much as double the normal salary for a position for a temporary period of time. This premium reflects the complexity of the typical assignment and the necessity for a high level of directly relevant experience to manage in a crisis mode. In addition to salary considerations, an agency can expect to pay for temporary housing, subsistence, and travel for a temporary executive. Again these factors add cost to the engagement but the dividend is in the comfort level that accompanies the commitment of an experienced senior executive.

Both parties to a temporary executive engagement must recognize that it will come to an end at some point. Usually this point is the hiring of a permanent executive. The realization that someone permanent will come to the position with a different set of skills, experiences, and expectations is critical to the transition process. It is common to such arrangements that there is little contact with the outgoing temporary executive after the engagement is completed. This natural phenomenon is part of the evolution of the role. Some transition of agendas to a new permanent executive can be helpful but is not always desired. The terms of the separation of the temporary executive can be negotiated up front but often take shape as relationships with key Board and staff members are forged.

No matter what the terms of a temporary executive engagement, the fact that such management talent is available to organizations in new crisis can be reassuring and offer real options to the hasty selection of a permanent manager. Many organizations have already benefited greatly from the service of temporary executives.

About the Author: Philip McGuire is a very experienced temporary executive. Since 2004, he has served as the senior executive for a municipal transit agency, a transit district (joint powers authority), and three nonprofit corporations. Combined with many other executive management experiences, he has become expert in the field of executive leadership. For further information, contact Mr. McGuire at consultbpm@aol.com.
Small Buses Finding Bigger Role in Public and Private Fleets

Halsey King
Fleet Maintenance Management Consultant
San Diego, California

Although 40-foot city transit buses and even larger over-the-road motor coaches are the general public’s idea of “buses,” their smaller cousin, the shuttle bus, is carving a sizable niche in public and private transportation operations due to its versatility, maneuverability and ADA-related advantages.

These smaller buses can be seen everywhere, shuttling rental car customers to and from airports, elderly folks to doctor’s appointments and travelers to tourist destinations. In the commercial sector, they are referred to as shuttle buses, but when used under a transportation plan authorized and funded by the Federal Transit Administration (FTA), they are called paratransit buses.

Prior to the advent of these innovative vehicles in the mid-1970s, many organizations used small school buses or unmarked vans to transport small groups of people. In other cases, the family car filled in for the same type of transportation.

Many museums across the nation (including the Studebaker Museum in South Bend, Ind.) have examples of modified sedans used to provide this mobility for war veterans, elderly and the disabled to hospitals, libraries and dialysis centers. Big Packards, Cadillacs and limousines were popular during the 1940s, ‘50s and ‘60s, along with taxis and carryalls.

A dramatic shift occurred in the ‘40s when the Veterans Administration devised a lift to help people in wheelchairs make the transition from ground level to vehicle floor height. Still, this was just a first step in providing seamless mobility because the U.S. infrastructure still required massive improvements in accessibility.

Thanks to the 1964 Civil Rights Act that set the foundation for accessible transportation of the elderly and the 1990 Americans with Disabilities Act (ADA), today’s infrastructure meets most of the mobility needs of the elderly and disabled.

Manufacturers face layers of regulations
In the early ‘90s, more than 30 companies were qualified to build and sell small buses under FTA contracts. Through consolidation and other business actions, that number has been reduced over the years. Today, we find about a dozen small-bus manufacturers. Unlike some of their large bus counterparts, these manufacturers use a body-on-chassis process. That is, they buy the chassis from a manufacturer such as Ford or GM and then build the bus body onto it.

Just as in other modes of surface transportation, shuttle buses have safety regulations and they begin at the manufacturing level. Indeed, each bus manufacturer is required to certify that its vehicles meet the applicable Federal Motor Vehicle Safety Standards (FMVSS) outlined in the Code of Federal Regulations. Depending upon how the bus was built and which options were added, a large 40-foot transit bus could have as many as 30 applicable FMVSS and a smaller shuttle/paratransit bus could have as many as 40 FMVSS. In addition, the manufacturer has to consider the mandates of the EPA, ADA and state vehicle codes.

Well-suited for rural transportation
In addition to being used for airport shuttles, corporate outings and paratransit service, the small bus is particularly suited for rural transportation, where narrow roads and tight turnarounds are common. For this application, the bus usually has full forward-facing seats with grab handles, ceiling-mounted handrails, two forward-facing wheelchair positions and a hydraulically-controlled, electric wheelchair lift. Some may also have an electronic destination sign complemented by an electronic fare box.

Increasingly, rural garages are finding these vehicles showing up in their yard, parked next to the road grader’s, sheriff’s cars and articulated wheel loaders. Vehicle maintenance staff can be excused if they...

How many of us have a degree in the area that we are currently working? Very few. The reality is that through destiny, hard work, and either good or bad luck, we end up on a particular career path. Eventually many people excel in their line of work and are rewarded by being promoted into a supervisory or management role. Just as becoming a manager involves accepting new responsibilities, becoming an effective manager requires additional skill sets. Proficiency in communication, demonstrating leadership, understanding the importance of budgets, managing people, minimizing risk for the organization, and understanding regulations and funding become paramount to your success as a manager.

There are many ways of learning how to be an effective manager. Some involve learning on the job, others involve learning from costly mistakes, but the best method is through continuing your education. By going back to school, you can learn firsthand the best practices without having to make the mistakes yourself. At the same time, you will build relationships with others in the transit industry who may be valuable contacts in the future.

Regardless of whether you’re a current manager, department head, new hire, or a veteran looking to hone skills, call the University of the Pacific Westgate Center for Management Development to take your career to the next level with the Transit and Paratransit Management Certificate Program.

The series begins soon and space is limited. Once you attend the program, you will understand why hundreds of people just like you in transit agencies throughout the state have earned their Transit and Paratransit Management Certificate.

FOR MORE INFORMATION, PLEASE CALL 888.439.2867
Small Buses Finding Bigger Role In Public and Private Fleets [cont.]

...suddenly are feeling a bit overwhelmed by the new responsibility of maintaining these buses.

Small buses benefit from technological advances.

Just because we call them small buses, does not mean they are devoid of technology. The 40-foot bus gets its new technology from such organizations as Cummins, Detroit Diesel, Allison and others, who are leaders within the Class 8 heavy-duty vehicle industries. The difference is that small buses get their new technologies from Class 5 and Class 6 trucks on the sales floor, and very quickly out of Detroit engineering labs.

Virtually all of the modern technologies on trucks are already in place or are on their way to application on the small bus. Thus, small buses benefit from the development of applicable truck technology, especially in the area of fuel, electrical and power system issues.

Here are some technological advances that small bus operators could soon be embracing:

- Drop-down LCD screens for entertainment and advertising
- Fully-electronic air conditioning
- Emergency heart defibrillators
- Connections for Segway-type mobility devices
- Bright yellow handles and floor covering for the visually impaired
- Skid-resistant steps and flooring
- Cabin filtration systems
- Electronic steering
- 42-volt system components
- Side-looking driver warning systems
- Programmable logic controls (PLC) systems
- Integrated AVL, GPS and tire-inflation monitoring systems

Chances are that we all know someone who rides these buses. They may be elderly or live in a rural area not served by large transit buses or they may be on the way to the state fair from the parking lot. Whatever the need, the small bus fills a critical void where reliable, safe, economical transportation is needed.

Halsey King is a fleet maintenance management consultant whose specialty is bus fleets. He provides seminars and workshops on a variety of maintenance management issues, including the vehicle maintenance management and inspection workshop for the Community Transportation Association of America and the National Rural Transit Assistance Program. He can be reached at (760) 809-2142 or Halsey@halseyking.com.

[This high-top van configuration has been around for several years. Many state DOT’s will specify this vehicle with the wheelchair lift deploying out the rear doors over the bumper. Vehicle shown with side lift as specified by California (CalTrans). (Photo by Rick Streiff, Fleet Administrator, Access Services Inc., Los Angeles, CA)]

[This modified low-floor minivan is a popular choice in urban high-traffic density areas. A smaller vehicle can traverse the obstacles that are associated with metropolitan style of driving. This vehicle has high fuel economy, low running cost, but limited passenger capacity. (Photo by Rick Streiff, Fleet Administrator, Access Services Inc., Los Angeles, CA)]

[From Page 18]
I became the Transit Coordinator for KCAPTA (Kings County Area Public Transit Agency) in 1989. This allowed me the time to pursue a Business Administration degree. Previous to this time I worked as a County Engineer and City Public Works Director. The plan was to complete the degree and move on to City or County management. I found along the way that I enjoyed the field of transit, particularly the interaction between riders, drivers and elected officials and never left.

Between 1989 and the present, KCAPTA has grown from a public transit system of 7 vehicles providing 120,000 rides to an operation with 423 vehicles providing over 3 million rides covering a five county area. The Agency has grown from a staff of 2 overseeing 8 contract employees to a staff of 18 overseeing 53 contract employees. Riders range from seniors getting to their doctor appointments to farm workers getting to the fields they work in. Along the way, the Agency has faced some challenges, but these are more than offset by the ultimate satisfaction in helping riders get where they want to go.

The future holds the spectrum of higher gas prices, a depressed economy, and more unemployment. With this comes the growing need for a transit system that is able to step up and meet the challenges that are before us. As a CalACT Board member I look forward to this challenge.

San Joaquin Regional Transit District (SJRTD) Introduces One-Stop Shop Service

Jean Foletta
San Joaquin Regional Transit District

On January 5, San Joaquin Regional Transit District (RTD) opened its One-Stop Shop, a full-service call center where San Joaquin County residents can access comprehensive transportation options in one place. This program, federally funded through a 5317 New Freedoms (NF) grant, will provide information on transportation throughout the county and surrounding areas, including modes of transportation, route schedules, boarding and de-boarding locations, and fare information.

The One-Stop Shop is a specialized call center open to the general public, but with an emphasis placed on serving seniors, low-income residents and persons with disabilities. Call center staff will provide information on public transportation, volunteer driver programs, private transportation providers, services provided by social service and public agencies, including those serving destinations outside the county, and specialized information upon request. RTD staff is conducting continuous outreach activities with social service, non-profit, and public agencies to educate and periodically update groups about the call center.

The One-Stop Shop is available to anyone interested in learning more about transit options and how to use them by calling (209) 955-8444 seven days a week from 8:00 a.m. to 5:00 p.m.

For more information or to schedule outreach please contact Mobility Manager Jean Foletta at (209) 955-8433, or Mobility Specialist Julie Bristow at (209) 955-8432. Visit us online at www.SanJoaquinRTD.com/onestopshop.
of the California cities East Palo Alto, San Rafael, and Visalia, and was a former County Executive Officer in Nevada County, California. Mr. Gaebler has been an advocate for pragmatic, internally driven changes in governments, including decentralizing authority, cutting management layers, and building public/private partnerships—creating governments that citizens can be proud of as its main goal. He is also the co-author of the book “Reinventing Government,” which is an international best seller that speaks of transforming governments from outdated, bureaucratic organizations, to flexible, customer-focused organizations.

The Conference Committee has planned educational sessions that offer many new ideas and tools. Four educational routes will provide attendees numerous opportunities to acquire new information and tools to assist you with your job. The routes are Management/ Human Resources, Operations/Maintenance, and Partnerships and Technology. CalACT is very fortunate to have several professional speakers this year. In the "Fuel Cost Saving Measures" session, Dale Marsico will provide information on the Fuel Partnership CTAA has developed to help transportation providers purchase gas at lower prices; Marc Ellison from Invotive will highlight new technology that decreases the consumption of fuel; and Caltrans will discuss how to purchase fuel through the state contract. Gary Hegland, Associate Research Fellow from the Upper Great Plains Transportation Institute’s Small Urban and Rural Transportation Center (SURTC), will discuss numerous ways to generate operating capital by discussing fundraising options in the “Show Me the Money” session. University of Pacific Transit Certificate program is sponsoring a class on “Hiring and Firing, the Legal Basics” taught by Associate Professor of Business Law, Thomas Brierton.

The “American’s With Disabilities Act” case law & “ADA Service Issues” session by Attorney Jim Weisman will provide valuable information on the new ADA Employment laws and insight into the proposed regulations by Department of Transportation, Department of Justice and the ACCESS Board.

Mr. Weisman is the General Counsel for the Eastern Paralyzed Veterans Association, now called United Spinal Association, where he provides legal assistance to the Association. He has spoken at CalACT Conferences in the past, has educated, and entertained attendees with his provocative and enlightening presentations on ADA.

His experiences with accessible mass transit systems opened doors as a key negotiator with members of Congress in drafting and supporting the passage of the Americans with Disabilities Act (ADA). The transportation provisions of the ADA are based on the Settlement Agreements in New York and Philadelphia. In 1991, he was appointed to the U.S. Department of Transportation’s Advisory Committee to promulgate a regulation implementing the ADA. He was also appointed by Governor Cuomo to a task force whose mandate is insuring New York State’s compliance with the ADA. In July 1995, he became a founding member of the Board of Directors of the American Association of People with Disabilities and in 2003 served as Chairman of the Board for two years. He remains active on the AAPD Board. In 1994, he was presented with the Governor’s Advocacy Award by Mario Cuomo for his Americans with Disabilities Act efforts. He has also served on the Architectural and Transportation Barriers Compliance Board (Access Board).

The conference is offering many other sessions of interest for attendees and they are listed below:

- Maintaining Service in a Tough Economy
- Creating Linkages with Greyhound
- Maintenance 101 for the Transit Manager

[Continues on Page 05]

Legislative Update

Steve Wallau, Suter, Wallau, Corbett Association

February 1st marked the edge of the cliff for the state’s ability to write checks. California now has the lowest bond rating, payments to cities and counties have been deferred, and income tax refund checks will not be sent. Negotiations are at a “critical point,” but the cone of silence over the Big Five negotiations has prevented any extrapolation of what that means, but we are told that the end is near.

The Republican Caucus has finally conceded that tax increases are inevitable to address the $40 billion deficit. Leadership expectations are to vote on an 18 month budget because both sides do not want to pass a short term fix, only to return to the table the next day to fight over the 2009-10 budget. If an agreement is reached in the next two weeks it will cover this year and next year and will contain over $14 billion in additional cuts.

For public transit funding, the fight is over preserving the State Transit Assistance program. Both the Governor and the Democrats have agreed to cut funding in the current year to $150 million, but the Governor continues to push for the elimination of STA in the 2009-10 fiscal year and beyond. It is imperative for transit operators to call the Governor and their Legislators to express opposition to repealing STA. Now is the time to make those calls to save STA.

The Republican Caucus is willing to put up votes on taxes but the package must contain ongoing cuts, a “hard” spending cap, and economic stimulus provisions. This means they will push for eliminating transit assistance funds. The spending cap, which must be placed on the ballot, is aimed at making it difficult for programs to grow faster than inflation and population growth. This would have a significant impact on local programs because state funding cuts already provide far less revenue than what is needed to meet the demand for services. The economic stimulus includes relaxing labor and environmental protection regulations and providing targeted tax cuts to businesses. On a macro level, agreement has already been reached on many of these items, but the details are the obstacle.

Any agreement reached will be bleak for all levels of government, but the fight we cannot lose is the preservation of STA. While there remains no support for repealing STA within the Democratic Caucus, local operators must continue to voice their opposition to the Governor’s plan. Do not forget to call the Governor and your legislative delegation! ■
Chair’s Message

San Diego – A Chance to Celebrate the Past & Shape a New Future

This March, CalACT’s Annual Spring Conference & EXPO will be returning to the Bahia Resort in San Diego to celebrate its 25th Anniversary. CalACT historians will remember that our very first conference was held at the Bahia twenty-five years ago. The conference theme ‘Reflecting on the Past, Preparing for the Future’ seems particularly timely given our current circumstances. Our new President is a serious student of history and seeks to apply the lessons learned in order to make changes that will shape the future.

CalACT’s first quarter century is full of lessons that can inform our perspective as we prepare to engage a future filled with difficulties and opportunities for change. CalACT’s history has been one of innovation in order to meet the challenges our industry has faced over the years. Many of these new solutions got their start at a CalACT Conference.

The Spring Conference & EXPO will be March 17-19. The conference will include sessions on non-traditional approaches to providing transportation, maintaining service in a tough economy, revenue generation and reducing costs as well as professional development topics and the latest news on transit funding and regulations. We are particularly pleased to have Dale Marsico, Executive Director of the Community Transportation Association of America (CTAA), and Ted Gaebler, co-author of the book Reinventing Government, as featured speakers.

So come to San Diego to reflect on and celebrate our past and start work on shaping the future.

George L. Sparks

CalACT Schedule of Association Meetings

Members can participate on any of the committees by conference call. The conference call-in number is 800-482-3251 and the passcode is 707127

Conference Planning Committee Meetings Dates: February 12 & 26 and March 5, 2009; 2:00 p.m.

Legislative Committee Meeting Dates: February 12 & 26, March 12 & 26, April 9 & 23, May 7 & 21, and June 11 & 25

Rural Transit Assistance Program (RTAP) Meeting Dates: March 16 at 11:30, June 26 at 1:30, September TBD, and December 10; time TBD.

Professional Development Committee Meeting Dates: March 16 at 4:00, June 26 at 3:30, September, TBD, and December 10; time TBD.

Revenue Enhancement & Membership Committee Meeting Dates: March 3 at 2:00, March 19 at 12:45, June 26 at 10:00, and December 11; time TBD.

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General Information

CalACTION is published by:
The California Association for Coordinated Transportation, Inc.
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Sacramento, CA 95825

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CalACTION is published by the California Association for Coordinated Transportation, Inc. with funding, in part, from the Rural Transit Assistance Program which is administered by CalACT under contract with the California Department of Transportation (Caltrans). Any opinions, findings, conclusions, recommendations or endorsements in this newsletter are those of the authors and/or the CalACT Board of Directors, and do not necessarily reflect the views of the Rural Transit Assistance Program nor the Federal or State Departments of Transportation.

Mailing List Policy:
In order to protect members’ privacy, CalACT’s membership list is available to members only. A hard copy (paper) list will be supplied to members at no charge. Printed mailing labels will be supplied for a fee of $30. The master mailing list will not be made available. Exceptions to this policy will be considered on a case-by-case basis by the Board of Directors.

Calender of Events

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<th>Date</th>
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<tr>
<td>February 20</td>
<td>Reasonable Suspicion Determination for Supervisors, Pomona, CA</td>
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<td>Visit the TSI website <a href="http://www.tsi.dot.gov">www.tsi.dot.gov</a> for details</td>
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<td>March 2 – 5</td>
<td>Instructor’s Course in Paratransit Operator Training, Sacramento.</td>
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<td>For details, please contact Meg Desmond at 916-920-8018</td>
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<tr>
<td>March 16 - 20</td>
<td>Transit Supervisor Certification Course, Monterey. For details, visit</td>
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<td>the TSI website <a href="http://www.tsi.dot.gov">www.tsi.dot.gov</a></td>
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<tr>
<td>March 17 – 19</td>
<td>CalACT’s 25th Anniversary Spring Conference &amp; EXPO, Bahia Resort in</td>
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<td>San Diego</td>
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<td>April 4 – 5</td>
<td>CalACT Spring Roadeo, Galt, California</td>
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<tr>
<td>April 6 – 9</td>
<td>Instructor’s Course in Bus Operator Training (Visit the TSI website</td>
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<td>at <a href="http://www.tsi.dot.gov">www.tsi.dot.gov</a> for details) Hayward</td>
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<td>April 20 – 21</td>
<td>Mobility Management Training, Sacramento. Details will be available</td>
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<td>on the CalACT website soon.</td>
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<td>April 23 - 24</td>
<td>Mobility Management Training, Monterey. Details will be available</td>
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<td>May 12 – 14</td>
<td>Small Bus Basic Electrical Training, Clovis. Details will be available</td>
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<td>May 31 – June 5</td>
<td>CCAA Conference &amp; EXPO, Providence, Rhode Island. For details, visit</td>
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<td>the CCAA website at <a href="http://www.ctaa.org">www.ctaa.org</a></td>
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<td>June 9</td>
<td>The “Ins &amp; Outs” of Public Meetings RTAP Workshop, Sacramento.</td>
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<td>Details will be available on the CalACT website soon.</td>
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<tr>
<td>June 11</td>
<td>The “Ins &amp; Outs” of Public Meetings RTAP Workshop, So. California.</td>
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<td>June 22 – 23</td>
<td>Mobility Management Training, San Diego. Details will be available</td>
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<td>June 25 &amp; 26</td>
<td>Mobility Management Training, Los Angeles. Details will be available</td>
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Advertise in CalACTION

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All ads must be submitted two weeks prior to publication of newsletter publication date. Ads also need to be emailed in a “.tif” or “.jpg” file. 300 dpi minimum.

For next publication date, please call 916.920.8018.
Celebrating 25 Years of Safety

“THE Q’STRAINT NATIONAL TRAINING SEMINAR GIFT!” - Where, What, Why, When & How?!

What: Q’STRAINT is offering an ALL EXPENSE PAID two (2) day Training Seminar on Wheelchair & Occupant Securement which will include: Roundtrip airfare, two (2) day hotel accommodations, meals and transportation to and from the Q’STRAINT facility.

Where: At their Fort Lauderdale, Florida facility

When: Two seminar dates will be scheduled in 2009 - 1) end of September and 2) mid-October

Seminar Highlights: Will provide trainers & attendees with extensive hands-on training in the proper method of wheelchair and occupant securement; Discussion on the rules, standards and regulations relating to the manufacturing, testing and use of wheelchair securement systems; Observation of the manufacturing process of wheelchair securement parts and accessories along with simulated crash testing of wheelchair securement components; Learn about the inspection and maintenance of wheelchair securement systems; Share your real world experiences with other attendees from around the U.S. & Canada.

How: Email your agency & nominee’s name, address, phone and email address to: LNippolt@qstraint.com on or before March 1, 2009. A random drawing will be held and the winning agency will be announced at the 2009 CalAct Conference.

Why: Because Safety is a Team Effort and its Important to Everyone! Good Luck to All!!

CalACT 25th Anniversary Spring Conference & EXPO

March 17-19, 2009 Bahia Resort, San Diego, CA

Spring is just around the corner and so is CalACT’s 25th Anniversary Spring Conference & EXPO. This year CalACT will be celebrating 25 years as an Association with several activities that reflect on CalACT’s past, and acknowledgement of its founding leaders. It also represents the third year for our Annual Awards ceremony, which will be held during the luncheon on March 18 to honor and recognize outstanding members and agencies in California.

The Conference will open on St. Patrick’s Day with keynote speaker, Dale Marsico, Executive Director of the Community Transportation Association of America (CTAA). He will reflect on the status of community and public transportation, how to weather the storm of the current economic crisis, while preparing for the next 20 years.

Dale J. Marsico became Executive Director of the Community Transportation Association of America in November 1996. During his time with the Association, he worked to broaden support for community and public transportation by reaching out to those who already understand the need for a strong, national commitment to mobility as well as to those who need a new understanding and appreciation of the potential transit provides for all Americans. In recent years the Association’s legislative efforts were seen in the improvement for community transportation in several important areas like SAFETEA-LU, the Deficit Reduction Act, and in proposed reforms to our health and human services programs. Dale also expanded the services offered by the organization, and was the driving force behind the creation of the Community Transportation Development Fund, which is a certified development organization, financing and investing in community and public transportation organizations.

Wednesday morning, Keynote speaker, Ted Gaebler, City Manager of Rancho Cordova and Co-Author of the book, “Reinventing Government” will share his views on how to survive the current financial crisis and adversity facing transportation and government today. More importantly, he will expound on how to build enthusiasm and generate public support for changes in government that will sustain transportation in California.

Ted Gaebler has served as Rancho Cordova City Manager since October 1, 2003. He has spent more than 25 years as an appointed government official in California, Oregon, Ohio, Maryland and Pennsylvania. He is a former City Manager