



## MEMORANDUM

**DATE:** July 29, 2019

**SUBJECT:** Request for BRATS Transit Service

Thank you for your interest in utilizing BRATS for your special transit needs. We are here to serve you and look forward to assisting you in any way that we can. Requests for Special Transit Services must be submitted at least six weeks prior to an event.

BRATS exists to provide an alternative mode of transportation for citizens who need access to health care, shopping, education, employment, public services, and recreation. These services generally occur on existing, scheduled routes that are open and available to any citizen. Periodically, BRATS is asked to provide a service that is dedicated to a specific group of passengers, whether that be a scout's club, convention attendees, or an economic development agency. When BRATS provides specialized transit services that look and feel more like charter services, it triggers a new set of federal regulations.

To protect private charter companies, Congress passed a law which limits when a public transit agency can provide charter-like services. The law identifies two types of charter services:

1. Transportation provided exclusively to an outside group for a negotiated price, and
2. Transportation provided for members of the public to events that only occur periodically.

A public transit agency may not provide either of the charter services defined above, except in a few specific situations. We want to help determine whether an exemption or exception exists that might allow BRATS to provide you with community-based charter services. The difference between an **exemption** and **exception** is the type of record keeping required for BRATS to provide the service. **Please keep in mind that even if an exemption or exception does exist, all requests for special transit services must be approved by the Baldwin County Commission.**

**Exemption** - Rural transportation for human service agencies or for elderly, disabled, or low-income passengers are exempted by Congress from the charter regulations (49 CFR 604.2(e))

**Exceptions** - Below are the six exceptions that allow a public transit agency to provide community-based charter services.

### *Primary Exceptions:*

1. Service for Qualified Human Service Organizations (49 CFR 604.7)
2. Service for Government Officials on Official Government Business (49 CFR 604.6)
3. Service When Private Charter Service Not Available (49 CFR 604.9)

### *Lessor Exceptions:*

1. Service Leased to Private Charter Company (49 CFR 604.8)
2. Service Based on Agreement with Private Charter Companies (49 CFR 604.10)
3. Service Based on Petition to Federal Transit Administration Administrator (49 CFR 604.11)

Exceptions 4 through 6 are rarely applicable and are not considered further in this document.

The following pages provide additional information relating to exemptions 1 & 2 and exceptions 1 through 3. The last page in this document is a form that your agency can fill out to request special transportation service and identify an exemption or exception that applies to your entity. We encourage you to contact our special transit service coordinator, Amanda Thweatt (251-972-6817 Ext. 7300), to answer any questions you have prior to submitting a formal request.

After you complete the form please scan and email to [athweatt@baldwincountyal.gov](mailto:athweatt@baldwincountyal.gov) and [kweeks@baldwincountyal.gov](mailto:kweeks@baldwincountyal.gov). We will review your request and present to the Commission for consideration if appropriate.

Please do not hesitate to contact me with any questions at 251-972-8576.

Sincerely,

A handwritten signature in blue ink, appearing to be 'MB', is written over the printed name.

Matthew Brown  
Director of Transportation

## Exemption 1 Rural Program Purposes

To qualify for the Rural Program Purposes Exemption the following conditions must be met:

1. Origin of the trip must be outside the MPO Urbanized Area.
2. Trip must be for a Human Service Organization or for the elderly, disabled, or low income.

## Exception 1 Service for Qualified Human Service Organizations (QHSO)

To qualify for the QHSO exception both of the following conditions must be met:

1. Requested service is for individuals in one of the following three categories:
  - a. Those with mobility limitations due to advanced age.
  - b. Those with disabilities
  - c. Those with low income
2. The entity requesting the service either:
  - a. Receives funding directly or indirectly from a federal program listed on the included attachment ([link](#)), or
  - b. Is registered as a QHSO on the FTA charter registration website ([link](#)).

When providing service under this exception, BRATS will be required to post notice of the service on FTA's charter registration website and also document the following:

- The QHSO's name, address, phone number, and e-mail address;
- The date and time of service;
- The number of passengers;
- The origin, destination, and trip length (miles and hours);
- The fee collected; and
- The vehicle number for the vehicle used to provide the service.

## Exception 2 Service for Government Officials on Official Government Business

To qualify for the Government Business exception the following conditions must be met:

1. Service must be provided in BRATS service area (currently all of Baldwin County);
2. No revenue is generated from the service;
3. At least one elected or appointed government official must be on each trip provided as part of the service;

BRATS is limited to providing 80 hours of service each year under the Government Business exception. When providing service under this exception, BRATS will be required to post notice of the service on FTA's charter registration website and also document the following:

- The Government Organization's name, address, phone number, and e-mail address;
- The date and time of service;
- The number of passengers (specifically noting the number of government officials on each trip);

- The origin, destination, and trip length (miles and hours);
- The fee collected; and
- The vehicle number for the vehicle used to provide the service.

Exception 3  
Service When Private Charter Service Not Available

To qualify for exception three, the following conditions must be met:

1. Notice of need issued to all registered private charter services through FTA's charter website;
2. No private charter service responds to the notice within:
  - a. 72 hours for service requested to be provided in less than 30 days; or
  - b. 14 calendar days for charter service requested to be provided in 30 days or more.

**NOTE:** Due to the time required to present a request to the Commission, option "a" above will not apply when seeking specialized transit service from BRATS.

BRATS cannot provide the service if a registered charter indicates an interest in providing the services and notifies BRATS of its interest. When providing service under this exception, BRATS will be required to post notice of the service on FTA's charter registration website and also document the following:

- The requesting entity's name, address, phone number, and e-mail address;
- The date and time of service;
- The number of passengers;
- The origin, destination, and trip length (miles and hours);
- The fee collected; and
- The vehicle number for the vehicle used to provide the service.

REQUEST FOR BRATS TRANSIT SERVICE

Name of Organization: \_\_\_\_\_ Date of Request: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Email Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

Billing Address: \_\_\_\_\_

Do you currently have an approved account with Baldwin Regional Area Transit System? Yes \_\_\_\_ No \_\_\_\_

**POTENTIAL EXEMPTIONS OR EXCEPTIONS**

**EXEMPTION: Rural Program Purpose**

Is the origin of the proposed trip outside the MPO Urbanized Area (see attached map)?  Yes  No  
Will the proposed transportation be for a human service organization or for elderly, disabled, or low income passengers.  Yes  No

**EXCEPTION 1: Service for Qualified Human Service Organizations (QHSEO)**

Is the requested service for individuals in one of the following three categories (check all that apply)?  
 Those with mobility limitations due to advance age  Those with disabilities  Those with low income  
Does one of the following apply to your entity (check all that apply)?  
 Receives funding from federal program listed in attachment  Is a registered QHSEO on the FTA charter website

**EXCEPTION 2: Service for Government Officials on Official Government Business**

Will the proposed trip occur within BRATS service area (currently all of Baldwin County)?  Yes  No  
Will the proposed involve official government business?  Yes  No  
Will at least one elected or appointed official be on each provided trip?  Yes  No

**EXCEPTION 3: Service When Private Charter Service Not Available**

Would you like BRATS to initiate exceptions by issuing a notice to determine whether any registered charter providers are interested in providing your entity with charter service?  Yes  No

**NOTE: if you mark "yes" above, BRATS will issue the required notice to registered charter service providers within Baldwin County. If any provider responds with interest in providing the service, Baldwin County cannot provide your entity with the requested service.**

EVENT INFORMATION

Name of Event: \_\_\_\_\_ Date of Event: \_\_\_\_\_

Contact Person at Event: \_\_\_\_\_ Cell Phone Number: \_\_\_\_\_

Number of Vehicles Needed: \_\_\_\_\_ Number of Passengers: \_\_\_\_\_

Number of Wheelchairs: \_\_\_\_\_ Number of Lift Assist Passengers: \_\_\_\_\_

Time to Begin Event: \_\_\_\_\_ Time Event Will End: \_\_\_\_\_

Pick Up Location & Physical Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Destination Location and Physical Address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

A timed itinerary with address details must be supplied for multiple stops.

**We acknowledge there will be additional charges for excessive cleanup or damage to the vehicle caused by passengers. We understand charges will include pre and post safety inspections of vehicle and travel times to and from event. We will not hold BRATS responsible for breakdowns, accidents, bad road conditions, inclement weather, and other conditions beyond its control.**

**Signed:**

**For:**

\_\_\_\_\_  
**(Authorized Signature)**

\_\_\_\_\_  
**(Company Name)**

Trip Scheduled: \_\_\_\_\_ / \_\_\_\_\_  
(scheduler signature) (date)

Approved Cost: \_\_\_\_\_

MPO Urbanized Area (Inside Red Line)

