



Rep. Al Riley

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LRB097 03412 RLJ 51662 a

1 AMENDMENT TO HOUSE BILL 585

2 AMENDMENT NO. _____. Amend House Bill 585 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Regional Transportation Authority Act is
5 amended by changing Section 2.30 as follows:

6 (70 ILCS 3615/2.30)

7 Sec. 2.30. Paratransit services.

8 (a) For purposes of this Act, "ADA paratransit services"
9 shall mean those comparable or specialized transportation
10 services provided by, or under grant or purchase of service
11 contracts of, the Service Boards to individuals with
12 disabilities who are unable to use fixed route transportation
13 systems and who are determined to be eligible, for some or all
14 of their trips, for such services under the Americans with
15 Disabilities Act of 1990 and its implementing regulations.

16 (b) Beginning July 1, 2005, the Authority is responsible

1 for the funding, ~~from amounts on deposit in the ADA Paratransit~~
2 ~~Fund established under Section 2.01d of this Act,~~ financial
3 review, and oversight of all ADA paratransit services that are
4 provided by the Authority or by any of the Service Boards. If
5 the Board determines that the funding available for ADA
6 paratransit services from the ADA Paratransit Fund is
7 insufficient to meet the operating deficit for ADA paratransit
8 services and the actions taken by the Authority are inadequate
9 to eliminate the shortfall, then the Board shall, by ordinance,
10 authorize the issuance of working cash notes subject to the
11 requirements set forth in Section 4.04. The proceeds of the
12 working cash notes shall be in an amount equal to the shortfall
13 in funding for ADA paratransit services in that year and
14 deposited into the ADA Paratransit Fund. The working cash notes
15 issued under this Section shall not constitute a debt or pledge
16 of the full faith and credit of the State or any political
17 subdivision of the State other than the Authority. The Suburban
18 Bus Board shall operate or provide for the operation of all ADA
19 paratransit services by no later than July 1, 2006, except that
20 this date may be extended to the extent necessary to obtain
21 approval from the Federal Transit Administration of the plan
22 prepared pursuant to subsection (c).

23 (c) No later than January 1, 2006, the Authority, in
24 collaboration with the Suburban Bus Board and the Chicago
25 Transit Authority, shall develop a plan for the provision of
26 ADA paratransit services and submit such plan to the Federal

1 Transit Administration for approval. Approval of such plan by
2 the Authority shall require the affirmative votes of 12 of the
3 then Directors. The Suburban Bus Board, the Chicago Transit
4 Authority and the Authority shall comply with the requirements
5 of the Americans with Disabilities Act of 1990 and its
6 implementing regulations in developing and approving such plan
7 including, without limitation, consulting with individuals
8 with disabilities and groups representing them in the
9 community, and providing adequate opportunity for public
10 comment and public hearings. The plan shall include the
11 contents required for a paratransit plan pursuant to the
12 Americans with Disabilities Act of 1990 and its implementing
13 regulations. The plan shall also include, without limitation,
14 provisions to:

15 (1) maintain, at a minimum, the levels of ADA
16 paratransit service that are required to be provided by the
17 Service Boards pursuant to the Americans with Disabilities
18 Act of 1990 and its implementing regulations;

19 (2) transfer the appropriate ADA paratransit services,
20 management, personnel, service contracts and assets from
21 the Chicago Transit Authority to the Authority or the
22 Suburban Bus Board, as necessary, by no later than July 1,
23 2006, except that this date may be extended to the extent
24 necessary to obtain approval from the Federal Transit
25 Administration of the plan prepared pursuant to this
26 subsection (c);

1 (3) provide for consistent policies throughout the
2 metropolitan region for scheduling of ADA paratransit
3 service trips to and from destinations, with consideration
4 of scheduling of return trips on a "will-call" open-ended
5 basis upon request of the rider, if practicable, and with
6 consideration of an increased number of trips available by
7 subscription service than are available as of the effective
8 date of this amendatory Act;

9 (4) provide that service contracts and rates, entered
10 into or set after the approval by the Federal Transit
11 Administration of the plan prepared pursuant to subsection
12 (c) of this Section, with private carriers and taxicabs for
13 ADA paratransit service are procured by means of an open
14 procurement process;

15 (5) provide for fares, fare collection and billing
16 procedures for ADA paratransit services throughout the
17 metropolitan region;

18 (6) provide for performance standards for all ADA
19 paratransit service transportation carriers, with
20 consideration of door-to-door service;

21 (7) provide, in cooperation with the Illinois
22 Department of Transportation, the Illinois Department of
23 Public Aid and other appropriate public agencies and
24 private entities, for the application and receipt of
25 grants, including, without limitation, reimbursement from
26 Medicaid or other programs for ADA paratransit services;

1 (8) provide for a system of dispatch of ADA paratransit
2 services transportation carriers throughout the
3 metropolitan region, with consideration of county-based
4 dispatch systems already in place as of the effective date
5 of this amendatory Act;

6 (9) provide for a process of determining eligibility
7 for ADA paratransit services that complies with the
8 Americans with Disabilities Act of 1990 and its
9 implementing regulations;

10 (10) provide for consideration of innovative methods
11 to provide and fund ADA paratransit services; and

12 (11) provide for the creation of one or more ADA
13 advisory boards, or the reconstitution of the existing ADA
14 advisory boards for the Service Boards, to represent the
15 diversity of individuals with disabilities in the
16 metropolitan region and to provide appropriate ongoing
17 input from individuals with disabilities into the
18 operation of ADA paratransit services.

19 (d) All revisions and annual updates to the ADA paratransit
20 services plan developed pursuant to subsection (c) of this
21 Section, or certifications of continued compliance in lieu of
22 plan updates, that are required to be provided to the Federal
23 Transit Administration shall be developed by the Authority, in
24 collaboration with the Suburban Bus Board and the Chicago
25 Transit Authority, and the Authority shall submit such
26 revision, update or certification to the Federal Transit

1 Administration for approval. Approval of such revisions,
2 updates or certifications by the Authority shall require the
3 affirmative votes of 12 of the then Directors.

4 (e) The Illinois Department of Transportation, the
5 Illinois Department of Public Aid, the Authority, the Suburban
6 Bus Board and the Chicago Transit Authority shall enter into
7 intergovernmental agreements as may be necessary to provide
8 funding and accountability for, and implementation of, the
9 requirements of this Section.

10 (f) By no later than April 1, 2007, the Authority shall
11 develop and submit to the General Assembly and the Governor a
12 funding plan for ADA paratransit services. Approval of such
13 plan by the Authority shall require the affirmative votes of 12
14 of the then Directors. The funding plan shall, at a minimum,
15 contain an analysis of the current costs of providing ADA
16 paratransit services, projections of the long-term costs of
17 providing ADA paratransit services, identification of and
18 recommendations for possible cost efficiencies in providing
19 ADA paratransit services, and identification of and
20 recommendations for possible funding sources for providing ADA
21 paratransit services. The Illinois Department of
22 Transportation, the Illinois Department of Public Aid, the
23 Suburban Bus Board, the Chicago Transit Authority and other
24 State and local public agencies as appropriate shall cooperate
25 with the Authority in the preparation of such funding plan.

26 (g) Any funds derived from the federal Medicaid program for

1 reimbursement of the costs of providing ADA paratransit
2 services within the metropolitan region shall be directed to
3 the Authority and shall be used to pay for or reimburse the
4 costs of providing such services.

5 (h) Nothing in this amendatory Act shall be construed to
6 conflict with the requirements of the Americans with
7 Disabilities Act of 1990 and its implementing regulations.

8 (Source: P.A. 94-370, eff. 7-29-05; 95-708, eff. 1-18-08.)".