



Coronavirus Disease 2019 (COVID-19) Frequently Asked Questions

June 22, 2020

Q: Has FTA waived any federal requirements?

A: FTA has established an Emergency Relief docket that allows recipients in states in which the Governor has declared an emergency related to COVID-19 to request temporary relief from federal requirements under 49 U.S.C. Chapter 53 as well as the provisions of any non-statutory FTA requirements.

Some federal requirements include specific provisions related to emergencies, and therefore, no FTA waiver is necessary. For example, federal procurement standards established in 2 CFR part 220.317-326 permit the use of a noncompetitive (sole source) procurement when the circumstances of an emergency (or public exigency) would not permit a delay resulting from competitive solicitation. National Environmental Policy Act (NEPA) continues to apply and will not be waived during the COVID-19 public health emergency. FTA will waive the “Levels of Service” requirement for Capital Investment Grant (CIG) projects in certain circumstances. (From FTA web page at <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19>, accessed June 22, 2020.)

Q: Has FTA extended any deadlines?

A: FTA will refrain from taking any enforcement action on the Public Transportation Agency Safety Plan (PTASP) regulation until December 31, 2020 against transit agencies that are unable to meet the July 20, 2020 deadline. FTA recipients may postpone submission of Federal Financial Reports and/or Milestone Progress Reports currently due to July 30, 2020. FTA is postponing the submission of all Title VI Programs with current or upcoming due dates until October 1, 2020. Recipients may use their current on-file Title VI Programs through November 30, 2020. FTA has decided to postpone remaining fiscal year 2020 program oversight reviews (triennial, state management, etc.) until early in federal fiscal year 2021. For recipients with DBE goals due August 1, 2020, FTA is extending the due date to October 1, 2020. (From FTA web page at <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19>, accessed May 7, 2020.) NTD monthly reporting deadlines have been relaxed.

Q: Can CARES Act funds can be used for transit agencies to deliver food, medicine, etc.?

A: Yes. FTA Circular 5010.1E provides that such use must not conflict with the approved purposes of the asset and must not interfere with the intended transit uses of the project property. An acceptable incidental use, such as meal or grocery delivery, does not affect a property's transit

capacity. In cases where a recipient has reduced service levels in response to COVID-19, the recipient may utilize FTA funded assets for other emergency response activities as long as such use does not interfere with its remaining limited service. (From FTA web page at <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19>, accessed April 9, 2020.)

Q: Can CARES Act funds be used to support Section 5310 (Enhanced Mobility of Seniors & Individuals with Disabilities) services?

A: No. CARES Act funds can only be used to support Section 5311 (Rural Formula Program) and Section 5307 (Urbanized Area Formula Program) services. Some states are using state funds to help with Section 5310 services during the COVID-19 pandemic.

Q: Can agencies deny riders if they are sick with COVID-19 and provide them with alternative transport?

A. FTA provided the following guidance: A transit agency should contact local and state public health officials, who generally coordinate information with the Centers for Disease Control and Prevention (CDC), to determine under what circumstances the agency may deny service to any transit rider. The U.S. DOT ADA regulations at 49 CFR 37.5(h) provide that an agency may deny service to a person with a disability who “represents a direct threat to the health or safety of others.” A “direct threat” is defined, in part, by 49 CFR 37.3, as “a significant risk to the health or safety of others.” (From FTA web page at <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19>, accessed April 28, 2020.)

Participants in our March 26, 2020 Transit Manager’s Peer Roundtable said that Medicaid call centers are letting transit agencies know that they are not required to transport COVID-19 positive individuals and to let them know they can take an ambulance. The Centers for Medicare and Medicaid Services (CMS) published Medicare and Medicaid Programs; Policy and Regulatory Revisions in Response to the COVID-19 Public Health Emergency in the Federal Register on April 6, 2020, which expanded on an interim basis the list of destinations that Medicare covers ambulance transportation to include all destinations, from any point of origin, that are equipped to treat the condition of the patient consistent with Emergency Medical Services protocols established by state and/or local laws where the services will be furnished.

Q: Where can we find samples of contingency plans for transit during the COVID-19 pandemic?

A: National RTAP has developed a Coronavirus Hot Topic Guide at <https://www.nationalrtap.org/Toolkits/Find-Anything-Toolkit/Free-and-Low-Cost-Resources/Hot-Topics#Coronavirus>. We list some samples in our guide and American Public Association (APTA) also lists some on their COVID-19 webpage at <https://www.apta.com/public-transit-response-to-coronavirus/transit-system-stories>.

Q: What are best practices for drivers for helping passengers who use wheelchairs during the COVID-19 pandemic?

Community Transportation Association of America (CTAA) has published a best practices article on wheelchair securement at https://ctaa.org/wp-content/uploads/2020/03/Wheelchair_Securement.pdf. They recommend asking passengers to turn their head towards the window as the driver secures their wheelchair, not having conversations during wheelchair securement, a process for sanitizing securement belts, and offering masks to riders.

Q: What conferences, specifically transportation conferences, are being cancelling due to COVID-19?

A: Many conferences are being canceled, postponed, or moved to virtual settings due to COVID-19. National RTAP is listing these in our eNews, beginning with the March 19, 2020 edition. See <https://www.nationalrtap.org/News/eNews>.

Q: How can we show the public that riding transit is not a threat to their health and increase ridership?

A: Transit agencies can calm rider stress through common-sense communication. Communications for transit services can be tailored to their current service provisions. Mobility Lab's How Mobility Messaging Can Inject Confidence Into a COVID-Changed Society (see <https://bit.ly/2Xv59UH>) is a helpful resource for marketing communications. Recommendations in the article include that transit messaging can emphasize rider and employee safety, provide real-time information about how crowded or empty each bus is, and forge trust by enabling other options that passengers may be comfortable with (such as bicycles and ride-sharing companies).

Q: How best should transit agencies meet increasing demand during phased reopening while having limited capacity on each vehicle?

A: Some agencies have been purchasing larger vehicles (CARES Act funds can be used for this purpose). Agencies have also been using vehicles not currently in use by community partners (such as school buses). An idea to consider is increasing hours of service. Another idea is to deploy two buses to each fixed route stop so each bus so both can board fewer passengers.

Q: What are some best practices surrounding emergency preparedness and COVID-19?

A: The U.S. Federal Emergency Management Administration (FEMA) prepared COVID-19 Pandemic Operational Guidance for the 2020 Hurricane Season at <https://www.fema.gov/media-library/assets/documents/188203>. The guidance discusses maintaining availability of mass transit and paratransit services for evacuation of people with disabilities in accordance with CDC guidance and social distancing requirements. The National Academies held a webinar on extreme events and the COVID-19 pandemic. The recording is available at <https://www.nationalacademies.org/event/05-13-2020/webinar-on-environmental-extreme-events-and-covid-19-in-2020>. Emergency response agencies in Missouri stress that it is important to plan for multiple emergency preparedness scenarios (such as a pandemic and an extreme weather event) simultaneously and proactively provide training on these types of situations (see <https://bit.ly/3gCGxCa>). If buses are used for evacuation purposes, transit agencies can provide gloves, masks and hand sanitizer for evacuees.

Q: Should transit agencies require drivers and passengers to wear masks?

A: This is discussed in FTA’s Frequently Asked Question CDC1. FTA states that for the transit workforce, agencies should follow CDC and OSHA guidance, which recommend Personal Protective Equipment (PPE), including cloth face coverings, during the COVID-19 pandemic. (From FTA web page at <https://www.transit.dot.gov/frequently-asked-questions-fta-grantees-regarding-coronavirus-disease-2019-covid-19>, accessed May 27, 2020.) CDC also recommends that passengers wear masks while traveling on public transportation. Transit agencies can enact policies that their drivers and/or passengers are required to wear face coverings. Note that some individuals may not be able to wear face coverings due to disability or medical condition.

Q: Have rural transit agencies begun reinstating fares that were free during the stay-at-home orders? What issues need to be considered?

A: A literature search conducted by the National RTAP Resource Center Manager found 17 agencies (6 serving rural populations) reinstating fares that were made free due to travel restrictions. Fare reinstatement ranged between April 12 – July 1, 2020, with a median date of May 18 and an average date of May 31. Policies and issues were discussed on the Rural Transit Manager’s Forum. Transit agencies considering the change need to work with their governing bodies and State DOTs, and follow necessary public meeting guidelines. For agencies considering cashless fare technologies, they must ensure that their fare media changes do not result in disparities for riders protected under Title VI Civil Rights regulations.

Answers to additional questions asked during National RTAP COVID-19 Focused Peer Roundtables and Panel Discussions can be found on <https://www.nationalrtap.org/Technical-Assistance/Peer-Roundtables-and-Chats>.

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