

MEMORANDUM OF AGREEMENT

To Implement a Regional Reduced Fare Permit for Senior and Disabled Persons

This agreement is entered into as of the August 30, 2017, by and between Clallam Transit System, the City of Everett (Everett Transit), Grays Harbor Transit, Thurston County Public Transportation Benefit Authority (Intercity Transit), Jefferson Transit Authority (Jefferson Transit), King County Department of Transportation – Metro Transit Division (King County Metro), King County Marine Division (King County Water Taxi), Kitsap County Public Transportation Benefit Area (Kitsap Transit), Pierce County Ferries, Pierce County Public Transportation Benefit Area (Pierce Transit), Snohomish County Public Transportation Benefit Area Corporation (Community Transit), Washington State Department of Transportation – Ferries Division (Washington State Ferries), Central Puget Sound Regional Transit Authority (Sound Transit), Mason County Public Transportation Benefit Area Authority (Mason Transit Authority), Skagit Transit, and Whatcom Transportation Authority hereinafter called the “parties.”

Section 1. Purpose and Changes from Prior Agreement: The purpose of this agreement is to set forth the requirements for and implementation of the Regional Reduced Fare Permit (RRFP) established in memoranda of agreement dated May 17, 1982, August 8, 1984, August 8, 1987, September 8, 1994, December 1, 2000, September 1, 2002, February 3, 2003, August 1, 2009, December 1, 2012, and June 1, 2015. This agreement supersedes these 10 prior agreements. Grays Harbor Transit has been added to this agreement as a party, including amendments to Attachments 1 and 2. Section 7 - Eligibility Certification - has been modified from the agreement dated June 1st, 2015 to indicate that photo identification is required to be provided during eligibility determination. Section 5 – Cost of Regional Reduced Fare Permit – has been changed to indicate that issuing agencies can charge any amount up to \$3 for permanent, temporary, and replacement RRFP cards. Section 17 – Amendment Approval – has had text added to clarify that amendments and other Task Force decisions where there is not a full consensus will be determined by a majority-rule vote. The design of RRFP materials distributed in association with this agreement, including the medical eligibility document, and the application have been updated per the request of the signatories and to accommodate new parties.

Section 2. Background: Federal regulations require operators of public transportation services receiving assistance under Title 49 USC, Section 5307 to charge senior and disabled persons no more than one-half the normal peak-hour fare during off-peak hours. Further, the Americans with Disabilities Act (A.D.A.) requires that a personal care attendant accompanying an A.D.A.-eligible person ride fare-free on paratransit service. The parties anticipate that A.D.A. eligible persons will desire to ride fixed-route bus service and will encourage such usage.

Public transportation operators must establish procedures to comply with the requirements of Title 49, Section 5307. Without this agreement among the parties, senior and disabled persons in the Puget Sound Region would be required to apply for certification of eligibility from each of the parties where reduced fare privileges are desired; also, A.D.A.-eligible persons within the region desiring both an A.D.A. Paratransit Card and Regional Reduced Fare Permit would be required to go through two separate certification processes.

Each of the parties agrees to adhere to all policies and procedures established in this agreement, including the eligibility certification, cost, and design of the Regional Reduced Fare Permit. Each of the parties also agrees to honor a Regional Reduced Fare Permit issued by any of the parties, which will result in mutual benefits by facilitating interagency public transportation use by senior and disabled persons within the region.

Section 3. Roles and Responsibilities. The roles and responsibilities associated with this agreement are as follows:

a). **MOA Signatories (parties):** Transportation operators who sign this MOA (agreement) will comply with the conditions set forth in this MOA, Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, regulations adopted to implement Title VI, and other applicable FTA regulations, and will provide staff for the RRFP Task Force. MOA signatories agree to address eligibility issues and other complaints as they arise with their customers relating to this agreement. Issues associated with this agreement that cannot be handled by the Resident Agency will be brought to the attention of the RRFP Task Force by the Resident Agency at its next scheduled meeting. MOA signatories will also provide timely and substantive feedback on amendments to this agreement.

b). **Puget Sound Regional Council (PSRC):** Will serve as the holder of the MOA and convener of the RRFP Task Force. PSRC is not a signatory or enforcer of the agreement.

c). **RRFP Task Force:** Will adhere to the responsibilities set forth in Sections 13 and 14. The RRFP Task Force will review and evaluate possible amendments to this agreement and make recommendations for amendments consistent with Sections 16, 17, and 18 of this agreement.

Section 4. Definition of Terms. The following words used in this agreement shall have the meanings set forth in this section:

a). **A.D.A.-eligible:** Shall mean a person certified under the Americans with Disabilities Act consistent with CFR 49, sections 37.123 and 37.125.

b). **Automatically Eligible:** An applicant with a valid A.D.A. Paratransit Card or other supporting materials will not be required to go through the standard eligibility certification process for a Regional Reduced Fare Permit. Any party may establish reasonable application procedures to determine validity of the A.D.A. Paratransit Card (or other supporting materials) and to gather necessary information.

c). **Disabled Person:** Shall mean any individual who, by reason of a physical or mental impairment which can be expected to last for a continuous period of not less than three (3) months or to result in death, is unable without specific facilities, planning or design to utilize mass transportation facilities and services as effectively as persons who are not so affected.

d). **Permanent Disability:** Shall mean any incapacity expected to last for the lifetime of the person affected.

e). **Personal Care Attendant (PCA) Policy:** Shall mean certifying a disabled person as requiring another person as an aid to facilitate travel all or some of the time.

f). Puget Sound Region: Shall mean the area included within the following Washington State counties: Clallam, Grays Harbor, Jefferson, King, Kitsap, Mason, Pierce, Snohomish, Skagit, Thurston and Whatcom.

g). Region/Regional: Shall mean pertaining to the Puget Sound Region.

h). A.D.A. Paratransit Card: Shall mean an eligibility card issued to A.D.A.-eligible persons in conformance with specifications established by parties to the MOA.

i). Regional Reduced Fare Permit Task Force: Shall mean the sub-committee of the Puget Sound Regional Council by that name.

j). Resident Agency: Shall mean the public transportation provider whose service boundaries include the person's place of residence.

k). Senior: Shall mean a person of age 65 years or older.

l). Temporary Disability: Shall mean an impairment expected to last for a continuous period of no more than five (5) years.

Section 5. Cost of Regional Reduced Fare Permit: An agency may charge a processing fee of no more than \$3.00 for issuance of a temporary, permanent, or replacement Regional Reduced Fare Permit,

Section 6. Design of Regional Reduced Fare Permit: The Regional Reduced Fare Permit design, both permanent and temporary, shall conform to the authorized design specifications approved by the RRFPTask Force. Parties must issue one of the authorized designs identified in Attachment 1. Parties shall continue to accept RRFPTs issued prior to the date of this agreement that used the previous design. No party shall issue an unauthorized design, nor make changes to the authorized designs without agreement among all parties. A photo is required on all Regional Reduced Fare Permits except those issued to seniors. (See Attachment 1.)

Section 7. Eligibility Certification: Any of the parties may certify the eligibility of applicants on behalf of all of the parties. Applicants may apply for a Regional Reduced Fare Permit, either permanent or temporary, from any of the parties designated as issuing agencies.

All applicants must provide photo identification (state issued, Passport, Military, Tribal or an ID issued by a human services or health agency) that verifies the identity of the individual seeking reduced fare.

An applicant will be certified as eligible when any one or more of the following criteria are met:

For Issuance of a Permanent RRFPT Card (Must be Puget Sound Region resident)

- a). The applicant provides satisfactory proof that he or she is 65 years of age or older (for issuance of a permanent Regional Reduced Fare Permit).
- b). The applicant provides proof of current disability certification of 40 percent or more by the Veterans Administration.

For Issuance of a Temporary RRFP Card

- c). The applicant provides proof of current eligibility for Social Security disability benefits or current receipt of Supplemental Security Income Benefits due to a disability.
- d). The applicant presents a valid Medicare card issued by the Social Security Administration.
- f). The applicant has a current Washington State Individual Educational Program (IEP)
- g). The applicant presents a valid Washington State Department of Licensing-issued disabled parking identification card in conjunction with a government-issued photo identification.

For Issuance of either a Permanent or Temporary RRFP Card (Case-by-Case)

- h). The applicant presents a valid A.D.A. Paratransit card or other supporting materials
- i). The applicant obviously meets one or more of the medical criteria in Attachment 2.
- j). The applicant is certified by a Washington State-Licensed physician (M.D.), psychiatrist, psychologist (Ph.D.), physician's assistant (P.A.), Doctor of Osteopathic Medicine (D.O.) advanced registered nurse practitioner (A.R.N.P.) or audiologist (certified by the American Speech, Language, and Hearing Association) as meeting the medical criteria in Attachment 2 as now existing or hereafter amended.

Parties do not have discretion to allow health care providers other than those on the approved list contained in Attachment 2 to certify applicants.

Each approved health care provider certifying a person under Criterion j must provide his or her professional degree and Washington State license number as well as specify the section and subsection of the Medical Eligibility Criteria under which the applicant qualifies (see Attachment 2).

Section 8. Issuance of Permanent Regional Reduced Fare Permit:

a). For persons who are not A.D.A.-eligible: These persons will be issued a permanent Regional Reduced Fare Permit if they are certified as eligible under Section 7 of this agreement as having a permanent disability.

b). For persons who have a permanent A.D.A. Paratransit Card or other supporting materials: These persons will be automatically eligible for a permanent Regional Reduced Fare Permit. However, this policy will apply only if the person applies for a Regional Reduced Fare Permit from the resident agency that issued the A.D.A. Paratransit Card. As automatically eligible, these persons will not be required to go through the standard eligibility process. Any party may establish reasonable application procedures to determine the validity of an A.D.A. Paratransit Card (or other supporting materials) and to gather necessary information.

Section 9. Issuance of Temporary Regional Reduced Fare Permit:

a). For persons who are not A.D.A.-eligible: Temporary Regional Reduced Fare Permits will be issued to persons certified as eligible under Section 7 with a temporary disability. The temporary Regional Reduced Fare Permit will be issued for the amount of time reflected in the eligibility certification

documentation provided during the application process, up to a maximum of five (5) years. If no expiration date is provided in the eligibility certification documentation, the temporary permit shall be valid for three (3) years.

b). For persons who have a temporary A.D.A. Paratransit Card or other supporting materials: These persons will be automatically eligible for a temporary Regional Reduced Fare Permit which will be issued with the same expiration date as the temporary A.D.A. Paratransit Card.. As automatically eligible, these persons will not be required to go through the standard eligibility process. The parties may require reasonable application procedures to determine the validity of an A.D.A. Paratransit Card (or other supporting materials) and to gather necessary information.

Section 10. Personal Care Attendant Policy: Applicants that are 6 years or older (i.e. eligible to pay a fare) and require a personal care attendant (PCA) can be certified as such by the resident agency or by an approved health care provider. Persons eligible for an RRFP who are certified for the use of a PCA will be able, at their option, to use a PCA on any system that is a party to this agreement. PCA's do not have to be certified to travel fare-free if they board and disembark at the same location as a person that is PCA-certified. PCA certification will be indicated on the Regional Reduced Fare Permit (see Attachment 1).

Section 11. Regional Reduced Fare Permit Privileges: Each of the parties shall honor valid Regional Reduced Fare Permits issued by any of the parties. Holders of a valid Regional Reduced Fare Permit shall be entitled to the reduced fare privilege of the respective parties. This agreement does not attempt to standardize privileges among the parties. Time of day restrictions, transfer privileges, and cost of daily fares and monthly passes shall be set by the respective parties.

Section 12. Local Reduced Fare Permits (Optional): At the discretion of each party, local reduced fare permits for use within a party's own service area may be issued using criteria other than those established by this agreement. Such permits shall be clearly distinctive in appearance, in terms of color and design, from the Regional Reduced Fare Permit and need not be honored by any other party.

Section 13. Information-Sharing: All parties to this agreement shall share information with other parties that is necessary to implement the regional program effectively.

Section 14. Regional Coordination: Parties shall meet at least once every two years, or more frequently as-needed, through the Puget Sound Regional Council's Regional Reduced Fare Permit Task Force which shall periodically review this agreement to discuss any necessary amendment, responsibilities among the parties, and other matters pertaining to regional implementation of the Regional Reduced Fare Permit.

Section 15. Duration: This agreement shall be effective as of the date first written above and shall continue from year to year unless otherwise amended or terminated by agreement of the parties.

Section 16. Amendment: Amendment to this agreement may be made only by written amendment signed by all parties. In recognition of the time and effort it takes to prepare updates to this agreement and associated attachments, substantive amendments that require an amendment to this agreement are discouraged from occurring more frequently than once every two years. The RRFP Task Force, when it meets, will make every effort to address issues that arise in a manner that does not require substantive amendments to this agreement. Substantive amendments include new agency opt-ins and other significant

changes to RRFp policy reflected in the MOA, and other similar changes. Non-substantive amendments, including changes to agency logos, contact information and other minor changes to attachments associated with this agreement may be implemented no more frequently than on an annual basis. The RRFp Task Force shall make the determination about whether an amendment constitutes a substantive amendment or a non-substantive amendment.

Section 17. Amendment Approval: All proposed amendments to this agreement also shall require approval by the PSRC Transportation Operators Committee. The RRFp Task Force shall submit proposed amendments for approval and will report to the Transportation Operators Committee on the proposed changes to the agreement and other supplementary materials. Key issues, including those around amendments, will be resolved by a majority rule vote.

Section 18. New Agency Opt-In: In recognition of the time and effort it takes to update regional reduced fare permit materials and public information, agencies who are not yet signatories to the MOA may become parties to the agreement, no sooner than two years after the date of this agreement. Agencies that want to accept regional reduced fare permits as valid in their system may do so at any time.

Section 19. Termination: Any party may terminate its participation in this agreement by providing all other parties with written notice at least ninety (90) days in advance of the termination date.

Section 20. No Third-Party Beneficiaries: This agreement is exclusively for the benefit of the parties, and creates no rights in any other person or entity.

IN WITNESS WHEREOF, the Parties hereto have executed this agreement as of the date and year written above.

Clallam Transit System

Name: Kevin Gallacci, General Manager, Clallam Transit

Signature _____ Date _____

City of Everett (Everett Transit)

Name: Ray Stephanson, Mayor, City of Everett

Signature _____ Date _____

Attest: Sharon Fuller, City Clerk

Signature _____ Date _____

Jim Iles, City Attorney

Signature _____ Date _____

Grays Harbor Transportation Authority (Grays Harbor Transit)

Name: Ken Mehin, General Manager

Signature _____ Date _____

Thurston County Public Transportation Benefit Authority (Intercity Transit)

Name: Ann Freeman-Manzanares, General Manager, Intercity Transit

Signature _____ Date _____

Jefferson Transit Authority (Jefferson Transit)

Name: Tammi Rubert, General Manager, Jefferson Transit

Signature Tammi Rubert Date 11.16.17

King County Department of Transportation (King County Metro)

Name: Rob Gannon, General Manager, King County Department of Transportation - Metro Transit Division

Signature _____ Date _____

King County Marine Division (King County Water Taxi)

Name: Paul Brodeur, Director, King County Department of Transportation - King County Marine Division

Signature _____ Date _____

Kitsap County Public Transportation Benefit Area (Kitsap Transit)

Name: John Clauson, Executive Director, Kitsap Transit

Signature _____ Date _____

Mason County Public Transportation Benefit Area Authority (Mason Transit Authority)

Name: Danette Brannin, General Manager, Mason Transit Authority

Signature _____ Date _____

Pierce County Ferries

Name: Lauren Behm, Administrator, Pierce County Ferries

Signature _____ Date _____

Pierce County Public Transportation Benefit Area (Pierce Transit)

Name: Sue Dreier, CEO, Pierce Transit

Signature _____ Date _____

Skagit Transit (Skagit Transit)

Name: Dale O'Brien, Executive Director, Skagit Transit

Signature _____ Date _____

Snohomish County Public Transportation Benefit Area Corporation (Community Transit)

Name: Emmett Heath, CEO, Community Transit

Signature _____ Date _____

Washington State Department of Transportation – Ferries Division (Washington State Ferries)

Name: Amy Scarton, Assistant Secretary, Washington State Department of Transportation – Ferries Division

Signature _____ Date _____

Whatcom Transportation Authority

Name: Peter Stark, General Manager, Whatcom Transportation Authority

Signature _____ Date _____

Central Puget Sound Regional Transit Authority (Sound Transit)

Name: Peter Rogoff, CEO, Sound Transit

Signature _____ Date _____

