

## JUSTIFICATION STATEMENT Over-the-Road Bus Accessibility Program

### Summary of Submission

This submission is a request for approval of a new information collection.

The total number of burden hours associated with this submission and accounted for by FTA is 32,400. An additional 100 burden hours is reflected in the Department of Health and Human Services (HHS) information collection, to reflect burden associated with the grant application Federal Standard Form 424 (SF-424), since HHS administers that form.

### 1. EXPLAIN THE CIRCUMSTANCE THAT MAKE THE COLLECTION OF INFORMATION NECESSARY

The Federal Transit Administration (FTA) provides financial assistance to providers of intercity fixed-route service, and to other providers of over-the-road bus (OTRB) services, including local fixed-route service, commuter service, and charter and tour service. These services are an important element of the U.S. transportation system. The program is authorized under Section 3038 of the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21), Pub. L. 105-85 as amended by the Safe, Accountable, Flexible, Efficient, Transportation Equity Act: A Legacy for Users (SAFETEA-LU), Pub. L 109-059, August 10, 2005.

Federal Transit funds are available to intercity fixed-route providers and other OTRB providers at up to 90 percent of the project cost. Successful applicants are awarded grants. Typical grants under this program range from \$25,000 to \$180,000, with most grants being less than \$40,000, for lift equipment for one bus.

Complete applications for Over-the-Road Bus Program grants must be submitted to the appropriate FTA regional office, or submitted electronically through the GRANTS.GOV website. FTA announces grant selections in the Federal Register when the competitive selection process is complete.

### APPLICATION STAGE

During the application stage, FTA must determine the applicant's eligibility to receive program funds. FTA must know who the applicant is, for what purpose the funds are requested, and the amount of federal funds requested.

A description of the application stage follows:

## 1. Eligible Applicants

FTA must determine the applicant's eligibility to receive program funds. Grants are made directly to operators of over-the-road buses. Applicants must establish eligibility as intercity fixed-route providers by meeting established criteria on factors identified in the application. OTRB operators who provide both intercity, fixed-route service and another type of service, such as commuter, charter or tour, may apply for both categories with a single application. Private for-profit operators of over-the-road buses are eligible to be direct applicants for this program. This is a departure from most other FTA programs which the direct applicant must be a State or local public body. FTA does not award grants to public entities under this program.

## 2. Eligible Projects

Projects to finance the incremental capital and training costs of complying with the Department of Transportation's (DOT's) over-the-road bus accessibility rule (49 CFR Part 37) are eligible for funding. Incremental capital costs eligible for funding include adding lifts, tie-downs, moveable seats, doors and training costs associated with using the accessibility features and serving persons with disabilities. Retrofitting vehicles with such accessibility components is also an eligible expense.

## 3. Review and Selection Process

FTA conducts a national solicitation for applications under the OTRB Accessibility program. Grant awards are made on a competitive basis. Applications must provide information on all items for which funds are requested.

Each application is screened by a panel of members represented by FTA headquarters and regional staff. Incomplete or non-responsive applications are disqualified. Intercity fixed-route service providers must provide evidence that they meet the first two criteria and at least one of the next three criteria set forth in Project Information, if funds are requested under this category. Applicants that do not qualify as intercity-fixed route operators may be considered for funding in the "other" category. FTA makes an effort to award every qualified applicant at least one lift. Prior year funding under the program is a factor; however, so depending upon demand, an applicant that received significant prior year funding may not be selected to receive additional funding.

2. INDICATE HOW, BY WHOM, AND FOR WHAT PURPOSE THE INFORMATION IS TO BE USED.

FTA screens all applications to determine whether all required eligibility elements are present. An FTA evaluation team evaluates each application according to the criteria described in the announcement. FTA notifies all applicants, both those selected for funding and those not selected when the competitive selection process is complete. Projects selected for funding are published in a Federal Register notice. Applicants selected for funding must apply to the FTA regional office for the actual grant award, sign Certifications and Assurances, and execute a grant contract before funds can be drawn down.

3. DESCRIBE WHETHER, AND TO WHAT EXTENT, THE COLLECTION OF INFORMATION INVOLVES THE USE OF AUTOMATED, ELECTRONIC, MECHANICAL, OR OTHER TECHNOLOGICAL COLLECTIONS TECHNIQUES OR OTHER FORMS OF INFORMATION TECHNOLOGY

Over-the-Road Bus Program grant applicants are able to submit applications electronically through the GRANTS.GOV website by the deadline for submission of applications. Five percent of respondents exercised the electronic submission option.

4. DESCRIBE EFFORTS TO IDENTIFY DUPLICATION. SHOW SPECIFICALLY WHY ANY SIMILAR INFORMATION ALREADY AVAILABLE CANNOT BE USED OR MODIFIED FOR USE FOR THE PURPOSES DESCRIBED IN ITEM 2.

The information collected is project specific and is not available elsewhere. There is no duplication.

5. IF THE COLLECTION OF INFORMATION IMPACTS SMALL BUSINESS OR OTHER SMALL ENTITIES, DESCRIBE THE METHODS USED TO MINIMIZE BURDEN.

The information collection does not directly involve small businesses.

6. DESCRIBE CONSEQUENCES TO FEDERAL PROGRAMS OR POLICY ACTIVITIES IF THE COLLECTION WERE CONDUCTED LESS FREQUENTLY AS WELL AS ANY TECHNICAL OR LEGAL OBSTACLES TO REDUCING BURDEN.

The number of projects approved for funding would be limited, thereby impacting FTA's ability to improve mobility for individuals with disabilities by providing financial assistance to help make vehicles accessible.

7. EXPLAIN ANY SPECIAL CIRCUMSTANCES THAT REQUIRE THE COLLECTION TO BE CITED IN A MANNER INCONSISTENT WITH THE GUIDELINES IN 5 CFR 1320.6.

The information collected is consistent with the guidelines in 5 CFR 1320.6.

8. DESCRIBE EFFORTS TO CONSULT WITH PERSONS OUTSIDE THE AGENCY.

A 60-day Federal Register notice was published on June 29, 2009 (pages 31085 and 31086), soliciting comments prior to submission to OMB. No comments were received from that notice. The 30-day Federal Register notice was published on September 16, 2009 (pages 47638 and 47639).

9. EXPLAIN ANY DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS, OTHER THAN REMUNERATION OF CONTRACTORS OR GRANTEES.

No payment or gift is made to respondents.

10. DESCRIBE ANY ASSURANCE OF CONFIDENTIALITY PROVIDED TO RESPONDENTS AND THE BASIS FOR ASSURANCE IN STATUTE, REGULATIONS, OR AGENCY POLICY.

There is no assurance of confidentiality regarding these submissions.

11. PROVIDE ADDITIONAL JUSTIFICATION FOR ANY QUESTIONS OF SENSITIVE NATURE.

No questions of a sensitive nature are involved.

12. PROVIDE ESTIMATES OF THE HOUR BURDEN OF THE COLLECTION OF INFORMATION AND ANNUALIZED COST TO RESPONDENTS.

Annually, it is estimated to take 324 hours for the application and project management stages.

Therefore, 324 hours x 100 respondents = 32,400 total annual burden hours.

Completion of HHS's SF 424 (grants.gov application form) is estimated to take one hour per application. Therefore, 1 hour x 100 applicants = (100 hours).

The total number of burden hours associated with this submission in FTA's information collection inventory is 32,400.

The 100 burden hours associated with the use of HHS's Standard Form 424 (GRANTS.GOV application form), as shown, have been reassigned to HHS's information collection approval for their Standard Form 424.

13. PROVIDE AN ESTIMATE OF THE TOTAL ANNUAL COST BURDEN TO RESPONDENTS OR RECORDKEEPERS RESULTING FROM THE COLLECTION OF INFORMATION.

There is no additional cost beyond that shown in items 12 and 14.

14. ESTIMATES OF ANNUALIZED COST TO THE FEDERAL GOVERNMENT.

This cost is calculated as follows:

Application Review: It takes approximately 4 hours to review each application at \$43.00 per hour (GS-13) from 100 respondents.

Therefore, 4 hours per respondent x \$43.00 per hour = 172 hours x \$43.00 per hour x 100 respondents = \$739,600 annually.

Project Management: Project management activities annually take approximately 4 hours per respondent at \$43.00 per hour.

Therefore, 100 respondents x \$43.00 per hour = \$4,300.

Total Annual Cost is: \$739,600 (application review) + \$4,300 (project management) = \$743,900.

15. EXPLAIN REASONS FOR CHANGES IN BURDEN, INCLUDING THE NEED FOR ANY INCREASES.

This is a new collection. No hours were previously approved.

16. PLANS FOR TABULATION AND PUBLICATION OF COLLECTION OF INFORMATION WHOSE RESULTS WILL BE PUBLISHED.

FTA does not plan to publish the results of the information collected for statistical use.

17. IF SEEKING APPROVAL NOT TO DISPLAY THE EXPIRATION DATE FOR OMB APPROVAL, EXPLAIN THE REASONS.

There is no reason not to display the expiration date of OMB approval.

18. EXPLAIN ANY EXCEPTIONS TO THE CERTIFICATION STATEMENT IDENTIFIED IN ITEM 19 OF OMB FORM 83-I.

No exceptions are stated.