

Transit Resources to Assist in Emergency Response

Use of Transit Assets

Transit agencies may use vehicles, facilities and other state and FTA-funded assets for emergency response including loaning vehicles to another impacted agency. These are allowable incidental uses of the assets.

Transit agencies may place buses in an inactive contingency fleet (stockpile) in preparation for emergencies. However, transit agencies may not stockpile buses before they have reached the end of their minimum normal service life. Transit agencies must store and maintain buses in a contingency fleet, and must document them in a contingency plan, updated as necessary, to support the continuation of the fleet. Because buses in a contingency fleet are not part of an active fleet, they do not count in the calculation of spare ratio.

Funding

State Funding

The Special Transportation Fund (STF) is an entitlement provided to STF Agencies. These Agencies include mass transit and transportation districts, tribes, and counties (where there is no transit or transportation district). Because STF funds are an entitlement, they can be used in a flexible manner for costs within the scope of the grant agreement that meet the intent of the program. This would include transit operations in emergency response.

The intent of the STF program is to provide public transportation services needed to access health, education, work, and social/recreational opportunities so that seniors and people with disabilities may live as independently and productively as possible. The funds may be used for any purpose directly related to transportation services, including transit operations, capital equipment, planning, and travel training. STF grants are funded at 100%. Standard STF reporting and reimbursement processes would apply.

More information on the STF program and project eligibility can be found at this link:
<https://www.oregon.gov/odot/RPTD/RPTD%20Document%20Library/stf-guidebook.pdf>

The Statewide Transportation Improvement Fund (STIF) Formula program is a new dedicated source of funding for improving, expanding, and maintaining public transportation service in Oregon. STIF funds can support a wide range of operational, capital, maintenance, administrative, planning and other costs. Emergency response and recovery activities can be eligible expenses under STIF Formula grants provided that the activities are consistent with one of the approved projects in the STIF Plan. STIF

Program Reserve projects may specifically be used to mitigate the impact of unanticipated or emergency needs during the agreement period.

STIF Formula grants are funded at 100%. Standard STIF reporting and reimbursement processes would apply.

More information on the STIF program and project eligibility can be found at this link:

<https://www.oregon.gov/ODOT/RPTD/Pages/STIF.aspx>

During the application process for each of these state funds, it may be advantageous to create a Program Reserve project to mitigate the impact of unanticipated or emergency needs during the agreement period. Both STF and STIF funds are also not intended to supplant local funding sources to maintain existing services, even in emergency situations. If a proposed project was previously funded by local dollars that are now being reallocated for non-transit purposes, this may be considered supplanting and would then be an ineligible use of funding.

Federal Transit Administration (FTA) Emergency Relief Program

In 2012, the federal transportation bill “MAP-21” authorized FTA's Emergency Relief Program (ER) and provided FTA with primary responsibility for reimbursing emergency response and recovery costs after an emergency or major disaster that affects public transportation systems. The ER Program allows FTA to make grants for eligible public transportation capital and operating costs in the event of a natural disaster that affects a wide area or a catastrophic failure from any external cause. See the [ER Program guide](#) for more information, including the FAQs listed on page 59.

Transit agencies may utilize FTA Section 5307 and 5311 funding for emergency response costs eligible under the ER Program. However, if a grantee draws down these formula funds to reimburse emergency expenses, the funds may not be replaced or restored with ER funds if funding is subsequently made available under the ER Program. FTA recommends that grantees follow both FTA and FEMA procedures until it is clear whether funding will be available for FTA’s ER program. Transit agencies may also pursue funding from FEMA if ER funds are not available.

Training activities related to emergency response should be built into a transit agency’s ongoing service cost just as any other training should be.

Additional resources from the FTA are available here - <https://www.transit.dot.gov/funding/grant-programs/emergency-relief-program/fta-hurricane-natural-disaster-response>

Eligible Activities

Grantees do not require prior approval from FTA to incur costs under pre-award authority, but are advised that pre-award authority does not guarantee the eligibility of the expenses incurred nor the

eventual reimbursement of those costs under FTA's ER Program. To ensure eligibility for reimbursement, transit agencies should track the following information:

- the type of any emergency transportation services being provided, including the number and type of vehicles, the number of trips provided, the number of passengers transported, the dates and hours of service, and any fares collected for emergency transportation services
- emergency protective measures put in place to protect transit assets and/or personnel
- damages to vehicles, facilities, or equipment
- any temporary or permanent repairs made to damaged vehicles, facilities, or equipment

Eligible activities include:

- **Emergency operations** including evacuations, temporary services to detour around affected areas and to transport increased number of evacuees and shelter residents, transport of utility workers, transport of evacuees to their homes, re-establishing public transportation and relocating rolling stock.

Transit agencies may conduct emergency operations as long as these actions are directly related to a declaration of emergency by the President, governor, or mayor, without triggering the [charter rule](#). Transit agencies may provide such services for up to 45 days from the declaration of emergency. If transit agencies need to provide the type of emergency transportation services described above past those dates, they must follow the procedures set out in [49 CFR Part 601, Subpart D](#) – Emergency Procedures for Public Transportation Systems. If the service is free or demand-responsive it would not be considered charter service and can occur longer than the 45 day window.

Typically, the FTA will not reimburse affected transit operators for lost revenue as a result of suspended operations, inoperable assets, or ensuing reduced ridership due to an emergency or major disaster. Lost revenue typically does not qualify as either an eligible operating expense or as a temporary or permanent repair project. However, in the case of the COVID-19 pandemic, reimbursement for lost revenue is an eligible expense under the [CARES](#), [CRRSAA](#) and [ARP](#) relief programs.

- **Emergency protective measures** including capital expenses before, during or after an emergency to protect public health, safety and property. This can include communications, security services, sandbagging or protection of transit assets, and other activities to protect and bring assets back into use. The FTA will not reimburse for heavy maintenance activities resulting from deferred maintenance.

- **Emergency Repairs** including capital projects that are undertaken within a short time period after an emergency to minimize the extent of damage, restore service, or ensure that service can continue until such time as necessary permanent repairs can be made.
- **Permanent repairs** are capital projects that are undertaken after an emergency or major disaster to permanently repair, replace, or reconstruct seriously damaged public transportation system elements, including rolling stock, equipment, facilities, infrastructure, and other assets to a satisfactory operable condition.
- **Resilience projects** are capital projects, or functionally independent elements of capital projects, that are designed and built specifically to address existing and future vulnerabilities to a public transportation facility or system as a result of a probable occurrence or recurrence of an emergency or major disaster in the geographic area where the public transportation system is located. The FTA will not reimburse for resilience projects that change the function of the original infrastructure.
- **Spare parts** are an eligible expense when a transit agency has utilized its existing supplies to respond to a major emergency or disaster and the agency seeks to replenish its stock. The FTA will not reimburse for lost or damaged assets owned by contractors that should be covered by the contractor's insurance.

Federal Emergency Management Agency (FEMA) Public Assistance Program

The FEMA Public Assistance (PA) program reimburses state and local governments, federally recognized tribes and certain private nonprofit organizations in designated counties for eligible expenses incurred before, during and after an emergency on a cost-share basis. This money helps pay for efforts to protect people and property, restore power, repair roads and clean up neighborhoods. Transit agencies typically do not have a direct subrecipient relationship with FEMA and must receive these funds through a county or state.

With the establishment of FTA's Emergency Relief Program, transit agencies must now seek reimbursement first under the FTA program; FEMA PA funding may be sought secondarily for expenses not reimbursed under the FTA program.

If funding is made available through FTA's Emergency Relief Program, FTA assumes primary responsibility for reimbursing transit-related emergency relief expenses.

Learn more about FEMA [PA grants and Direct Federal Assistance](#).