June 10, 2019

The Honorable K. Jane Williams  
Acting Administrator  
Federal Transit Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590-0001  

Re: Request for Comments on National Transit Database Reporting Changes and Clarifications (Docket Number: FTA-2018-0010)

Dear Acting Administrator Williams:

The American Association of State Highway and Transportation Officials (AASHTO) is pleased to provide comments on the Federal Transit Administration’s (FTA) Request for Comments on National Transit Database Reporting Changes and Clarifications (Docket Number: FTA-2018-0010), published in the Federal Register on April 9, 2019. Representing all 50 states, the District of Columbia, and Puerto Rico, AASHTO serves as a liaison between state departments of transportation (state DOTs) and the federal government.

The National Transit Database (NTD) is the most vital information source on public transit systems across the United States, providing financial and service information for every mode of transit. State departments of transportation can collect this data and report it directly into NTD or ask their sub-recipients to directly report into NTD. These transit systems can include those serving small urban (Section 5307) and rural (Section 5311) communities, as well as transit systems serving seniors and people with disabilities (Section 5310). State DOTs also report transit asset management targets into NTD. Overall, NTD reporting by state DOTs could affect formula grant awards for some sub-recipients, like Section 5307.

Needless to say, any changes or clarifications made to the reporting in the National Transit Database will have a direct effect on the work of state departments of transportation and their sub-recipients. As a result, AASHTO is including below a section-by-section attachment with recommendations for FTA and hopes the agency will consider adopting them.
We look forward to working with the agency to implement the reporting changes and clarifications to the NTD. If you would like to discuss the issues raised in this letter, please contact Shayne Gill, AASHTO’s Program Director for Multimodal Transportation at (202) 624-3630 or via e-mail at sgill@AASHTO.org.

Sincerely,

Carlos Braceros, P.E.
President, AASHTO
Executive Director, Utah Department of Transportation
AASHTO - Section-by-Section Comments
(Docket No. FTA-2018-0010)

B. Additional Types of Service

AASHTO supports the changes to section B with the addition of new types of service (to be designated in NTD as “TX” and “TN”) and could expand reporting requirements for these agencies, as they may use taxi and transportation network companies (TNCs) for sponsored service. Specifically, the TNCs represent a new type of service and transit agencies have limited data about their impact on public transit services. By collecting this data, regulatory and funding agencies could develop a better understanding of the role TNCs play in transit service, how effective they are at demand response/first mile-last mile service, and, more importantly, whether TNCs augment or compete with traditional public transit service. These are important questions to answer, given the lack of reliable data on TNC service.

C. Changes to the A-30 Revenue Vehicle Asset forms

This element will add the option of identifying autonomous vehicles to the A-30 (revenue vehicle inventory) form. AASHTO supports the addition of this new data element. While it would add a new reporting requirement to the form that our sub-recipients use, the overall burden would be relatively minor. We believe most rural systems would likely ignore this new element for the near future since autonomous vehicles are expected in UZAs and not in rural communities, at least in the foreseeable future.

G. Changes to Safety Event Reporting

(C) Add information on Drug and Alcohol Post-Accident Testing

In this notice, FTA believes that the “estimated burden to report this information to the NTD is minimal as agencies already have obligations regarding documenting post-accident testing and providing records to FTA upon request.” For state DOT sub-recipients, especially those small, rural transit agencies, minimal burdens are measured by duplicative reporting requirements.

While we agree that FTA and/or State Safety Oversight Agencies should track this information at the incident level, FTA’s belief that the new requirement is a minimal burden for transit agencies is of concern. Prior notices seem to indicate that FTA is trying to better streamline its regulatory oversight processes, including reporting requirements. Unfortunately, this new requirement fails to achieve this goal.

The newly added questions, as related to Drug and Alcohol Post-Accident Testing, are already reported annually to the Drug & Alcohol Testing Management Information System (DAMIS). Small, rural agencies already struggle with multiple reporting requirements, including DAMIS, NTD, Charter, etc. This "minimal" burden to the FTA is compounded and AASHTO encourages FTA to better streamline this approach to reporting. This data should be collected in one place and the process should not overburden sub-recipients with duplicative reporting requirements.
I. Clarification of Incidental Use for Transit Asset Reporting

AASHTO is generally supportive of the clarification of the term “incidental use” as it applies to transit asset reporting, including the establishment of a space threshold for the purposes of assigning capital responsibility for a facility. For some members, the example situation provided in the notice where a transportation agency is housed in a county-government office is definitely applicable and the 50-percent occupancy of the facility is a fair and accurate characterization of full usage and capital responsibility for an asset. However, this specific regulation would not significantly change any data reported on facilities this year. Many sub-recipients tend to have no capital responsibility for their facilities (e.g., lease, have small offices within larger facilities), while larger rural agencies have full capital responsibility for their facilities.

K. Clarification on Commuter Service Survey Standards

This provision seems to clarify a component of FTA’s new policy adopted for the 2018 National Transit Database reporting year. According to that new reporting policy, it redefined commuter bus, rail, and ferry services of more than 90-minutes in duration as intercity service. AASHTO does not support this policy change and believes the 90-minute trip duration is arbitrary and unnecessary. The 90-minute trip duration change does not take into account the effects of traffic/related congestion; availability of or proximity to affordable housing; and/or other economic factors impacting commute times for individuals that choose to use public transportation services.

The new reporting policies, according to members, require the sponsor of such services to conduct extensive and expensive statistical analysis to qualify for commuter eligibility/meet NTD reporting thresholds. It is this requirement - Commuter Service Survey Standards - for which you are seeking clarification.

Again, AASHTO does not support the new policy adopted for the 2018 National Transit Database reporting year. The new policy has caused widespread confusion within the transit industry and members have received conflicting interpretations from FTA as to whether this new policy applies to new entrants or existing services.

Overall, AASHTO encourages FTA to eliminate implementing National Transit Database (NTD) policy changes and the reporting clarifications associated with the new policy adopted for the 2018 NTD reporting year pertaining to commuter vs. intercity services.