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(Original Signature of Member)

116TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To amend title 23, United States Code, to increase accessible transportation for individuals with disabilities.

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IN THE HOUSE OF REPRESENTATIVES

Mr. LANGEVIN introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To amend title 23, United States Code, to increase accessible transportation for individuals with disabilities.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Disability Access to  
5 Transportation Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1           (1) According to the Centers for Disease Con-  
2           trol and Prevention, 1 in 4 U.S. adults has a dis-  
3           ability.

4           (2) Section 2(b) of the Americans with Disabil-  
5           ities Act (42 U.S.C. 12101) recognized that individ-  
6           uals with disabilities face discrimination when using  
7           transportation services and sought to provide “a  
8           clear and comprehensive national mandate for the  
9           elimination of discrimination against individuals with  
10          disabilities”.

11          (3) 30 years after the enactment of the Ameri-  
12          cans with Disabilities Act, individuals with disabili-  
13          ties continue to face systemic discrimination and a  
14          lack of accessible transportation options.

15          (4) Transportation is a core component of inde-  
16          pendent living; without the ability to easily move  
17          from one location to another, especially to drop a  
18          child off at day care, arrive at work on time, or run  
19          basic errands, true community living is impossible.

20          (5) Technology is changing the way the trans-  
21          portation industry provides services.

22          (6) As technology continues to change the way  
23          people move from one place to another, the transpor-  
24          tation sector, including Federal agencies, local tran-  
25          sit systems, and private entities must innovate and

1 provide services in a way that empowers individuals  
2 with disabilities to travel independently in their com-  
3 munities.

4 **SEC. 3. ONE-STOP PARATRANSIT PILOT PROGRAM.**

5 (a) IN GENERAL.—Not later than 6 months after the  
6 date of enactment of this Act, the Secretary of Transpor-  
7 tation shall establish a one-stop paratransit pilot program.

8 (b) PURPOSE.—The purpose of the pilot program  
9 under this section is to develop or expand paratransit pro-  
10 grams carried out pursuant to the ADA to provide for 1  
11 stop of at least 15 minutes outside of the vehicle during  
12 a paratransit trip to prevent long wait times between mul-  
13 tiple trips that unduly limit an individual’s ability to com-  
14 plete essential tasks.

15 (c) ELIGIBLE ENTITIES.—

16 (1) IN GENERAL.—An entity eligible to partici-  
17 pate in the pilot program is a transit agency that  
18 agrees to track and share information as the Sec-  
19 retary requires, including—

20 (A) number of ADA paratransit trips con-  
21 ducted each year;

22 (B) requested time of each paratransit trip

23 (C) scheduled time of each paratransit  
24 trip;

1 (D) actual pickup time for each para-  
2 transit trip;

3 (E) average length of a stop in the middle  
4 of a ride as allowed by this section;

5 (F) any complaints received by a para-  
6 transit rider;

7 (G) rider satisfaction with paratransit  
8 services; and

9 (H) after the completion of the pilot pro-  
10 gram, an assessment by the eligible entity of its  
11 capacity to continue a one-stop program inde-  
12 pendently.

13 (2) PREFERENCE.—The Secretary shall give  
14 preference to entities that—

15 (A) have comparable data for the year  
16 prior to implementation of the pilot program  
17 that can be used by the Secretary and other or-  
18 ganizations, such as nonprofit organizations  
19 and advocacy organizations, for research pur-  
20 poses; and

21 (B) plan to use agency personnel to imple-  
22 ment the pilot program.

23 (d) APPLICATION.—To be eligible to participate in  
24 the pilot program, an eligible entity shall submit to the  
25 Secretary an application at such time, in such manner,

1 and containing such information as the Secretary may re-  
2 quire, including information on—

3 (1) locations the eligible entity intends to allow  
4 a stop at, if stops are limited, including—

5 (A) childcare or education facilities;

6 (B) pharmacies;

7 (C) grocery stores; and

8 (D) bank or ATM locations;

9 (2) methodology for informing the public of the  
10 pilot program;

11 (3) vehicles, personnel, and other resources that  
12 will be used to implement the pilot program; and

13 (4) if the applicant does not intend the pilot  
14 program to apply to the full area under the jurisdic-  
15 tion of the applicant, a description of the geographic  
16 area in which the applicant intends the pilot pro-  
17 gram to apply.

18 (e) SELECTION.—The Secretary shall seek to achieve  
19 diversity of participants in the pilot program by selecting  
20 a range of eligible entities that includes at least 5 of each  
21 of the following:

22 (1) An eligible entity that serves an area with  
23 a population of 200,000 people or fewer.

24 (2) An eligible entity that serves an area with  
25 a population of over 200,000 people.

1           (3) An eligible entity that provides transpor-  
2           tation for rural communities.

3           (f) REPORT.—Not later than 3 months after the con-  
4           clusion of the first 15 pilot projects carried out under this  
5           section, the Secretary shall submit to Congress a report  
6           on the results of the program, including the feasibility of  
7           developing and implementing one-stop programs for all  
8           ADA paratransit services.

9           (g) FUNDING.—

10           (1) FEDERAL SHARE.—The Federal share of  
11           the total cost of a project carried out under this sec-  
12           tion may not exceed 80 percent.

13           (2) AUTHORIZATION OF APPROPRIATIONS.—  
14           There are authorized to be appropriated to carry out  
15           this section \$75,000,000 for each of fiscal years  
16           2021 through 2025.

17 **SEC. 4. PEDESTRIAN RIGHT-OF-WAY.**

18           (a) IN GENERAL.—Not later than 6 months after the  
19           date of enactment of this Act, the Access Board estab-  
20           lished under section 502(a)(1) of the Rehabilitation Act  
21           of 1973 (29 U.S.C. 792) shall, in consultation with the  
22           Secretary of Transportation, prescribe guidelines setting  
23           forth minimum standards for pedestrian facilities in the  
24           public right-of-way.

1 (b) CONTENT OF GUIDELINES.—Such guidelines  
2 shall be substantially similar to the Proposed Accessibility  
3 Guidelines for Pedestrian Facilities in the Public Right-  
4 of-Way published in the Federal Register on July 26,  
5 2011, and the supplemental notice of proposed rulemaking  
6 for shared use paths as published on February 13, 2013.

7 (c) ADOPTION OF REGULATIONS.—The Secretary  
8 shall issue such regulations as are necessary to adopt such  
9 guidelines not later than 90 days after the date of issuance  
10 of such guidelines.

11 **SEC. 5. REPORTING ACCESSIBILITY COMPLAINTS.**

12 (a) IN GENERAL.—The Secretary of Transportation  
13 shall ensure that an individual who believes that he or she  
14 or a specific class of individuals has been subjected to dis-  
15 crimination on the basis of disability by a public entity  
16 may, by himself or herself or by an authorized representa-  
17 tive, easily file a complaint with the Department of Trans-  
18 portation. Not later than 1 year after the date of enact-  
19 ment of this Act, the Secretary shall implement procedures  
20 that allow an individual to submit a complaint described  
21 in the previous sentence by phone, by mail-in form, and  
22 online through the website of the Office of Civil Rights  
23 of the Federal Transit Administration.

24 (b) NOTICE TO INDIVIDUALS WITH DISABILITIES.—  
25 Not later than 18 months after the date of enactment of

1 this Act, the Secretary shall require that each public tran-  
2 sit provider and contractor providing paratransit services  
3 shall include on a publicly available website of the service  
4 provider, any related mobile device application, and online  
5 service—

6 (1) the telephone number, or a comparable elec-  
7 tronic means of communication, for the disability as-  
8 sistance hotline of the Office of Civil Rights of the  
9 Federal Transit Administration;

10 (2) notice that a consumer can file a disability-  
11 related complaint with the Office of Civil Rights of  
12 the Federal Transit Administration;

13 (3) an active link to the website of the Office  
14 of Civil Rights of the Federal Transit Administra-  
15 tion for an individual to file a disability-related com-  
16 plaint; and

17 (4) notice that an individual can file a dis-  
18 ability-related complaint with the local transit agen-  
19 cy and the process and any timelines for filing such  
20 a complaint.

21 (c) INVESTIGATION OF COMPLAINTS.—Not later than  
22 60 days after the last day of each fiscal year the Secretary  
23 shall publish a report that lists the disposition of com-  
24 plaints described in subsection (a), including—

1           (1) the number and type of complaints filed  
2 with Department of Transportation;

3           (2) the number of complaints investigated by  
4 the Department;

5           (3) the result of the complaints that were inves-  
6 tigated by the Department including whether the  
7 complaint was resolved—

8                 (A) informally;

9                 (B) by issuing a violation through a non-  
10 compliance Letter of Findings; or

11                (C) by other means, which shall be de-  
12 scribed in detail; and

13           (4) if a violation was issued for a complaint,  
14 whether the Department resolved the noncompliance  
15 by—

16                 (A) reaching a voluntary compliance agree-  
17 ment with the entity;

18                 (B) referring the matter to the Attorney  
19 General; or

20                 (C) by other means, which shall be de-  
21 scribed in detail.

22           (d) REPORT.—Upon implementation of this section,  
23 the Secretary shall, to the extent practicable, issue a re-  
24 port composed of the information collected under this sec-  
25 tion for the preceding 5 years.

1 **SEC. 6. ACCESSIBILITY DATA PILOT PROGRAM.**

2 (a) IN GENERAL.—Not later than 1 year after the  
3 date of enactment of this Act, the Secretary shall establish  
4 an accessibility data pilot program.

5 (b) PURPOSE.—In carrying out the pilot program,  
6 the Secretary shall develop or procure an accessibility data  
7 set and make that data set available to each eligible entity  
8 selected to participate in the pilot program to improve the  
9 transportation planning of such eligible entities by—

10 (1) measuring the level of access by multiple  
11 transportation modes, including transportation net-  
12 work companies, to important destinations, which  
13 may include—

14 (A) jobs, including areas with a concentra-  
15 tion of available jobs;

16 (B) health care facilities;

17 (C) child care services;

18 (D) educational and workforce training fa-  
19 cilities;

20 (E) affordable housing;

21 (F) food sources; and

22 (G) connections between modes, including  
23 connections to—

24 (i) high-quality transit or rail service;

25 (ii) safe bicycling corridors; and

1 (iii) safe sidewalks that achieve com-  
2 pliance with applicable requirements of the  
3 ADA;

4 (2) disaggregating the level of access by mul-  
5 tiple transportation modes by a variety of population  
6 categories, which shall include—

7 (A) low-income populations;

8 (B) minority populations;

9 (C) age;

10 (D) disability such as sensory, cognitive,  
11 and physical, including wheelchair users; and

12 (E) geographical location; and

13 (3) assessing the change in accessibility that  
14 would result from new transportation investments.

15 (c) ELIGIBLE ENTITIES.—An entity eligible to par-  
16 ticipate in the pilot program is—

17 (1) a State;

18 (2) a metropolitan planning organization; or

19 (3) a rural transportation planning organiza-  
20 tion.

21 (d) APPLICATION.—To be eligible to participate in  
22 the pilot program, an entity shall submit to the Secretary  
23 an application at such time, in such manner, and con-  
24 taining such information as the Secretary may require, in-  
25 cluding information relating to—

1 (1) previous experience of the eligible entity  
2 measuring transportation access or other perform-  
3 ance management experience;

4 (2) the types of important destinations to which  
5 the eligible entity intends to measure access;

6 (3) the types of data disaggregation the eligible  
7 entity intends to pursue;

8 (4) a general description of the methodology the  
9 eligible entity intends to apply; and

10 (5) if the applicant does not intend the pilot  
11 program to apply to the full area under the jurisdic-  
12 tion of the applicant, a description of the geographic  
13 area in which the applicant intends the pilot pro-  
14 gram to apply.

15 (e) SELECTION.—

16 (1) IN GENERAL.—The Secretary shall seek to  
17 achieve diversity of participants in the pilot program  
18 by selecting a range of eligible entities that shall in-  
19 clude—

20 (A) States;

21 (B) metropolitan planning organizations  
22 that serve an area with a population of 200,000  
23 people or fewer;

1 (C) metropolitan planning organizations  
2 that serve an area with a population of over  
3 200,000 people; and

4 (D) rural transportation planning organi-  
5 zations.

6 (2) INCLUSIONS.—The Secretary shall seek to  
7 ensure that, among the eligible entities selected  
8 under paragraph (1) program participants rep-  
9 resent—

10 (A) a range of capacity and previous expe-  
11 rience with measuring transportation access;  
12 and

13 (B) a variety of proposed methodologies  
14 and focus areas for measuring level of access.

15 (f) DUTIES.—For each eligible entity participating in  
16 the pilot program, the Secretary shall—

17 (1) develop or acquire an accessibility data set  
18 described in subsection (b); and

19 (2) submit the data set to the eligible entity.

20 (g) METHODOLOGY.—In calculating the measures for  
21 the data set under the pilot program, the Secretary shall  
22 ensure that methodology is open source.

23 (h) AVAILABILITY.—The Secretary shall make an ac-  
24 cessibility data set under the pilot program available to—



1 \$421,327,872 for fiscal year 2024, and \$433,967,708 for  
2 fiscal year 2025”.

3 **SEC. 8. DEFINITIONS.**

4 In this Act:

5 (1) ADA.—The term “ADA” means the Ameri-  
6 cans with Disabilities Act of 1990 (42 U.S.C. 12101  
7 et seq.).

8 (2) STATE.—The term “State” means each of  
9 the several States, the District of Columbia, and any  
10 commonwealth, territory, or possession of the United  
11 States.

12 (3) TRANSPORTATION NETWORK COMPANY.—  
13 The term “transportation network company”—

14 (A) means a corporation, partnership, sole  
15 proprietorship, or other entity, that uses an on-  
16 line-enabled application or digital network to  
17 connect riders to drivers affiliated with the enti-  
18 ty in order for the driver to transport the rider  
19 using a vehicle owned, leased, or otherwise au-  
20 thorized for use by the driver to a point chosen  
21 by the rider; and

22 (B) does not include a shared-expense car-  
23 pool or vanpool arrangement that is not in-  
24 tended to generate profit for the driver.