



Finance, Administration and Oversight Committee

Action Item III-A

July 10, 2008

**Use of Bus Bays at Metrorail Stations
by Non-WMATA Operators**

Washington Metropolitan Area Transit Authority
Board Action/Information Summary

<input checked="" type="radio"/> Action <input type="radio"/> Information	MEAD Number: 100073	Resolution: <input checked="" type="radio"/> Yes <input type="radio"/> No
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TITLE:

Bus Bay Policy

PURPOSE:

To obtain committee concurrence and Board approval to revise WMATA's policy on Use of Bus Bays at Metrorail Stations by Non-WMATA Operators to temporarily delegate to the General Manager the authority to regulate the use of WMATA bus bays by private transportation providers including: 1. Establishing a fee schedule and appropriate insurance requirements 2. Maintaining the priority list from Resolution 86-02 (1st Metrobus, 2nd compact jurisdictions, 3rd public agencies, 4th private) 3. Restricting bus bays due to safety, congestion and size (reference Appendix)

DESCRIPTION:

Resolution #86-02, approved by the Board January 9, 1986, allowed use of WMATA bus facilities at Metrorail stations by non-WMATA users at no fee to compact members, but does not address a fee schedule to private carriers.

Since Wednesday, April 30, 2008, WMATA is no longer allowed to provide charter service due to new Federal Transit Administration (FTA) regulations governing bus charter service.

This new FTA regulation will significantly increase the number of private carriers seeking access to WMATA bus bay facilities and requires development and implementation of a new policy by WMATA.

FUNDING IMPACT:

No impact on funding

RECOMMENDATION:

Committee concur and Board approve revision of the policy on Use of Bus Bays at Metrorail Stations by Non-WMATA Operators - including temporary delegation of authority to the General Manager the authority to regulate the use of WMATA bus bays by private transportation providers including:

1. Establishing a fee schedule and appropriate insurance requirements
2. Maintaining the priority list from Resolution 86-02 (1st Metrobus, 2nd compact jurisdictions, 3rd public agencies, 4th private)
3. Restricting bus bays due to safety, congestion and size (reference Appendix).

Use of Bus Bays at Metrorail Stations by Non-WMATA Operators

Presented to the Board of Directors:

**Finance, Administration and Oversight
Committee**

July 10, 2008





PURPOSE

- To obtain committee concurrence and Board approval to revise WMATA's policy on "Use of Bus Bays at Metrorail Stations by Non-WMATA Operators" to temporarily delegate for a period of up to one year to the General Manager the authority to regulate the use of WMATA bus bays by private transportation providers including:
 - Establishing a fee schedule and appropriate insurance requirements
 - Maintaining the priority list from Resolution 86-02 (1st Metrobus, 2nd compact jurisdictions, 3rd public agencies, 4th private)
 - Restricting bus bays due to safety, congestion and size (reference Appendix)



BACKGROUND

- Resolution #86-02, approved by the Board January 9, 1986, allowed use of WMATA bus facilities at Metrorail stations by non-WMATA users at no fee to compact members, but does not address a fee schedule for private carriers.
- Since Wednesday, April 30, 2008, WMATA is severely restricted from providing charter service due to revised Federal Transit Administration (FTA) regulations governing bus charter service
- This revised FTA regulation will significantly increase the number of private carriers seeking access to WMATA bus bay facilities and requires development and implementation of a new policy by WMATA.





RECOMMENDATIONS

- Committee concur and Board approve revision of the policy on “Use of Bus Bays at Metrorail Stations by Non-WMATA Operators” including temporary delegation, for a period of up to one year, to the General Manager the authority to regulate the use of WMATA bus bays by private transportation providers including:
 - Establishing a fee schedule and appropriate insurance requirements
 - Maintaining the priority list from Resolution 86-02 (1st Metrobus, 2nd compact jurisdictions, 3rd public agencies, 4th private)
 - Restricting bus bays due to safety, congestion and size (reference Appendix)



Next Steps

- Evaluation of existing bus bay policy
- Recommendations for a new bus bay policy before the end of FY09.



Appendix

DISTRICT 1

PROBLEM TERMINALS	ACCESSIBLE TERMINALS
Anacostia - TOO CONGESTED ALREADY WITH OUR BUSES	New Carrollton / 50 Side Only would be available.
Minnesota - We don't have enough room even for our own buses	Greenbelt - Large Station
P. G. Station - Too much construction and congestion even for our buses - TOO BUSY	Morgan Blvd (perfect - we have no service in this station)
Fort Totten - All bays are used already.	Largo Town Center - ONLY IF THEY USE THE "KISS & RIDE" section
College Park Station - One Lane and we use every bus bay. We already share this station with Maryland University buses.	Suitland - Should be large enough to accommodate service, has two lanes.
Congress Hts. (Too Small)	West Hyattsville
Naylor Rd (Too Small)	Capitol Hghts
Branch Avenue (This is too congested even for us, when we use it for events)	
Landover Any private carriers are not going to be disciplined enough not to impede our buses and with the amount of pedestrian traffic - ONE WAY IN AND ONE WAY OUT. We will be blocked.	
Stadium Armory - Nowhere to park	
Cheverly - Too small and too tight - used by Metro and The Bus	
Rhode Island - Too small - no space	
Brookland - Too small - no space	
Addison - Too small - one way in and out shared w/The Bus - almost too small for us	
Southern Avenue - Any extra parking is used by RAIL and other Metro employees on the sides.	

Any stations not mentioned are either too small, no service is provided within, or there is no parking (for instance, Capitol South, New York Avenue, Eastern Market, Potomac Avenue, NavyYard, etc.).

DISTRICT II

PROBLEM TERMINALS	ACCESSIBLE TERMINALS
White Flint - No terminal	Shady Grove - East Side Only
Medical Center - Too small. High security	Rockville - East Side Only
Bethesda - Too many other buses	Twinbrook - East Side Only
Friendship Heights - Maximum usage	Grosvenor - Not many Metrobuses or Ride On buses
Tenleytown - No terminal	Forest Glenn - Most bus bays not used . No Metrobus service in the station
Van Ness - Too small	
Woodley Park - No Terminal	
Glenmont - Not enough room. Heavily used by Ride On	
Wheaton - Maximum usage	
Silver Spring - Maximum usage. Schedule to be demolished.	
Takoma - Too small. Construction due to start.	
Cleveland Park - No terminal	

Any stations not mentioned are either too small, no service is provided within, or there is no parking (for instance, Capitol South, New York Avenue, Eastern Market, Potomac Avenue, Navy Yard, etc.).

DISRICT III

PROBLEM TERMINALS	ACCESSIBLE TERMINALS
Dunn Loring - Too Small	Vienna Station / Limited # of buses
East Falls - Too Small	West Falls - 2 sides to Station
Ballston Station - We operate on the street.	Franconia -Springfield Large Station
Virginia Square -Too Small	Pentagon City - Large Loop but with restrictions from DOD/Pentagon Police
Clarendon Station - Commercial District	Arlington Cemetery - Large enough to accommodate limited # of buses.
Court House - Commercial District	
Rosslyn - Under Construction	
Van Dorn Station - Too Small	
King Street - Too Small	
Huntington - Too Small	
Eisenhower Avenue - Too Small	
Braddock Road - Too small - no space	
RRW National Airport - No	
Crystal City - Commercial District	
Pentagon Station - Security and Highly congested already.	

This covers all the stations located in Virginia.

Adopted: January 9, 1986
SUBJECT: POLICY FOR USE OF WMATA BUS FACILITIES AT
METRORAIL STATIONS BY NON-WMATA USERS

#86-02
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

WHEREAS, Board Resolution #84-75 authorized the conduct of the Regional/Local Bus Study to address the issue of use of WMATA bus facilities at Metrorail stations by non-WMATA providers; and

WHEREAS, the study has been completed and the Board of Directors of the Washington Metropolitan Area Transit Authority has ninety (90) days, as stipulated in Resolution #84-75, to adopt a policy on the use of WMATA bus facilities at Metrorail stations by non-WMATA providers; and

WHEREAS, increasing Metrorail ridership will benefit WMATA, the region, and the public; and

WHEREAS, the results of the Regional/Local Bus Study indicated that it is in the best interest of the region to encourage access to Metrorail stations to all providers of service; and

WHEREAS, there appears to be only limited financial impact on WMATA through the increased utilization of its bus facilities at Metrorail stations;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the Washington Metropolitan Area Transit Authority adopts a policy to direct the General Manager to provide access to WMATA bus facilities at Metrorail stations, on a priority basis, first to Metrobus, second to transit service operated by or for WMATA Compact member jurisdictions, third to transit services operated by or for other public agencies, and fourth to private carriers; and

BE IT FURTHER RESOLVED that no fees shall be charged to services operated by or under contract to WMATA Compact member jurisdictions, and, to the extent that adequate capacity exists, as determined by the Board, no fees shall be charged to other non-WMATA Compact transportation providers; and

BE IT FURTHER RESOLVED that, for the protection of all parties involved, formal agreements for use of WMATA bus facilities at Metrorail stations should be negotiated between WMATA and each provider seeking access to WMATA bus facilities at Metrorail stations and that such agreements should include, but not be limited to, such areas as functional responsibility, public safety, emergencies, liability, and termination; and

BE IT FURTHER RESOLVED that the Board of Directors seek the formal comments of the member jurisdictions before adopting the specific elements which should be identified in such agreements.

Motion by Mrs. Mason, seconded by Mr. Castaldi, and unanimously approved, as amended.

Ayes: 6 - Mrs. Mack, Mr. Barnett, Mr. Alexander, Mrs. Mason, Mr. Castaldi, and Mrs. Whipple

PRESENTED & ADOPTED:

SUBJECT: Policy Regarding Use of WMATA Bus Facilities at Metrorail Stations.

PROPOSED
RESOLUTION
OF THE
BOARD OF DIRECTORS
OF THE
WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY

WHEREAS, On January 9, 1986, the Board of Directors adopted Board Resolution #86-02, directing the General Manager to provide access to WMATA bus facilities at Metrorail stations with priority given first to Metrobus, second to transit service operated by or for WMATA Compact member jurisdictions, third to transit services operated by or for other public agencies, and fourth to private carriers; and

WHEREAS, Board Resolution #86-02 also provided that no fees would be charged to services operated by or under contract to WMATA Compact member jurisdictions, and to the extent that adequate capacity exists, as determined by the Board, no fees would be charged to other non-WMATA Compact transportation providers or private carriers; and

WHEREAS, Board Resolution #86-02 further requires that all carriers enter into formal agreements for use of WMATA bus facilities at Metrorail stations that include, but are not limited to, provisions on functional responsibility, public safety, emergencies, liability and termination; and

WHEREAS, The recently revised bus charter regulations, 49 CFR § 604.3(c), severely restricts WMATA from providing shuttle bus service on behalf of third parties; and

WHEREAS, As a result, WMATA projects a significant increase in privately-operated carriers accessing our bus facilities at Metrorail stations; and

WHEREAS, In order to maintain safety, staff proposes that WMATA adopt a policy to govern carriers' access to bus facilities at Metrorail stations that, among other things, provides guidelines for authorizing access to maintain pedestrian safety, prevent congestion and over-crowded parking, and that requires an executed, written agreement that contains provisions on each party's functional responsibility, liability, public safety, termination, emergencies, and that establishes a fee schedule for private carriers; and

WHEREAS, Staff further proposes that WMATA establish a fee schedule and appropriate insurance requirements for private carriers accessing bus facilities at Metrorail stations; now, therefore, be it

RESOLVED, That the Board of Directors hereby amends and restates Resolution #86-02 to provide that:

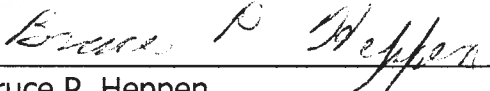
- (1) the priority of access will remain the same – first, Metrobus; second, transit services operated by or for WMATA Compact member jurisdictions; third, transit services operated by or for other public agencies; and fourth, private carriers;
- (2) WMATA will continue to provide free access to transit services operated by and for WMATA Compact member jurisdictions and other public agencies;
- (3) WMATA will continue to require all carriers to execute formal agreements that include, but are not limited to, provisions on each party's functional responsibilities, liability, emergencies, public safety and termination; and be it further

RESOLVED, That the Board of Directors temporarily delegates to the General Manager, for a period of one year, the authority to regulate the use of WMATA's bus facilities at Metrorail stations, including the authority to adopt a policy to govern the use by all carriers of WMATA bus facilities at Metrorail stations that provides guidelines to maintain pedestrian safety and prevent congestion and over-crowding and that requires all carriers to execute written agreements; and be it further

RESOLVED, That the Board of Directors authorizes the General Manager to establish fee schedules and appropriate insurance requirements for private carriers that use bus facilities at Metrorail stations; and be it finally

RESOLVED, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



Bruce P. Heppen
Acting General Counsel