

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, through November 2008, 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 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.

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, through November 2008, 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).

PRESENTED AND ADOPTED:

SUBJECT: POLICY REGARDING USE OF METRO'S 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 Metro bus facilities at Metrorail stations with priority given first to Metrobus, second to transit service operated by or for Metro 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 Metro Compact member jurisdictions, and to the extent that adequate capacity exists, as determined by the Board of Directors, no fees would be charged to other non-Metro Compact transportation providers or private carriers; and

WHEREAS, Board Resolution #86-02 further requires that all carriers enter into formal agreements for use of Metro 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 Metro from providing shuttle bus service on behalf of third parties; and

WHEREAS, As a result, Metro 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 Metro 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 overcrowded 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 Metro 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:

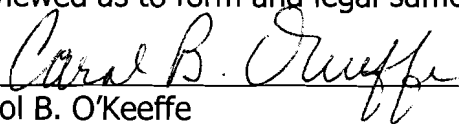
- (1) the priority of access will remain the same – first, Metrobus; second, transit services operated by or for Metro Compact member jurisdictions; third, transit services operated by or for other public agencies; and fourth, private carriers;
- (2) Metro will continue to provide free access to transit services operated by and for Metro Compact member jurisdictions and other public agencies;
- (3) Metro 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, through November 2008, the authority to regulate the use of Metro's bus facilities at Metrorail stations, including the authority to adopt a policy to govern the use by all carriers of Metro's bus facilities at Metrorail stations that provides guidelines to maintain pedestrian safety and prevent congestion and overcrowding 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 to return to the Board of Directors for approval of the policy in November 2008; and be it finally

RESOLVED, That this Resolution shall be effective immediately.

Reviewed as to form and legal sufficiency,



Carol B. O'Keeffe
General Counsel