

**ADMINISTRATIVE RULE 8
CHARTER SERVICE**

EFFECTIVE DATE: May 24, 2018

SCOPE:

This Administrative Rule shall apply to all officers, managers, employees, or agents of the Authority and Members of the Governing Board.

AUTHORITY:

Authority for the establishment of this Administrative Rule is as follows:

Part III, Chapter 343, Florida Statutes

RULE 8: CHARTER SERVICE

8.1 Charter Service. Subject to certain limited exceptions, the Federal Transit Act, 49 U.S.C. 5323(d) (the “**Act**”), and the regulations of the FTA implementing the Act (49 CFR 604) (the “**Regulations**”) prohibit the use of federally funded equipment and facilities to provide charter service outside the urban area in which the Authority provides regularly scheduled public transportation services. Failure to comply with these requirements may result in the loss of federal funding.

A. Charter Service Defined. The Regulations define “charter service” to mean, but not include demand response service to individuals: (1) Transportation provided by a recipient at the request of a third party for the exclusive use of a bus or van for a negotiated price. The following features may be characteristic of charter service: (i) A third party pays the transit provider a negotiated price for the group; (ii) Any fares charged to individual members of the group are collected by a third party; (iii) The service is not part of transit provider’s regularly scheduled service, or is offered for a limited period of time; or (iv) A third party determines the origin and destination of the trip as well as scheduling; or (2) Transportation provided by a recipient to the public for events or functions that occur on an irregular basis or for a limited duration and: (i) A premium fare is charged that is greater than the usual and customary fixed route fare; or (ii) The service is paid for in whole or in part by a third party.

B. Demand Response Defined. The Regulations define “demand response” as any non-fixed route system of transporting individuals that requires advanced scheduling by the

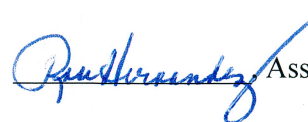
customer, including services provided by public entities, nonprofits, and private providers.

8.2 Compliance with Federal Requirements. The Authority shall provide no charter service (within the meaning of the Regulations) except as permitted under the Act and the Regulations.

8.3 Procedures. The Chief Executive Officer or such Senior Officer as may be delegated by the Chief Executive Officer shall establish procedures identifying how the Authority will comply with the Act and the Regulations, including under what circumstances the Authority should consider providing charter service, the service levels to apply to such charter service, and such other matters as necessary or appropriate.

8.4 Requirements Subject to Change. The U.S. Congress and the FTA may, from time to time, amend the Federal Restrictions. Additionally, the Federal Restrictions are subject to interpretation and varying application by the FTA and the courts. Accordingly, the Chief Executive Officer is authorized to modify the process for responding to requests to provide charter service to accommodate such changes, provided that (i) any such modification shall be consistent with the requirements of this Section 8.1, and (ii) any such modification that results in a material increase or decrease in the provision of charter service shall be subject to the review and approval of the Governing Board.

I hereby certify that the foregoing Administrative Rule 8 was adopted by the Governing Board of the Authority at its duly called meeting on January 19, 2006, and May 24, 2018.

 Assistant Secretary