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SECRETARY OF STATE
ADMINISTRATIVE RULES

**Title 7—DEPARTMENT OF TRANSPORTATION
Division 10—Missouri Highways and Transportation Commission
Chapter 7—Transportation**

PROPOSED AMENDMENT

7 CSR 10-7.030 Distribution of Funds Appropriated to the Missouri State Transit Assistance Program. The Missouri Highways and Transportation Commission is deleting section (1), renumbering sections (2) through (4), and amending new subsection (2)(D) and new section (3).

PURPOSE: This amendment removes the application paragraph to remain consistent with 7 CSR 10-7.010 and removes the monthly disbursement requirement to reduce regulatory burden.

[(1) Applicants shall complete and submit to the commission a Missouri State Transit Assistance Application for the commission to make its determination of eligibility for the distribution of state financial assistance under the Missouri State Transit Assistance Program. The Missouri State Transit Assistance Application is available on the department's website at <http://www.modot.org/othertransportation/transit/transitapplicationsreportsprograms.htm>.]

[2]1) Criteria. The following criteria will be used to distribute state financial assistance to eligible public mass transportation service providers under section 226.195, RSMo:

(A) Eligibility.

1. Applicant shall be a mass transportation service provider and shall be one (1) of the following:

- A. A city;
- B. A city transit authority;
- C. A city utilities board;
- D. An interstate transportation authority as such term is defined in section 94.600, RSMo;
- E. An intrastate transportation authority; or
- F. An agency receiving funding, either directly or as a sub-recipient, from either the Federal Transit Administration urbanized or nonurbanized formula transit programs.

2. Applicant shall show that it will incur operating or capital costs to provide public mass transportation service in Missouri; and

(B) Distribution of state financial assistance shall be made on the basis of population, ridership, cost and efficiency of the public mass transportation service provider's program, availability of alternative public transportation in the service area, and local effort or tax support. The commission will determine the allocation of state transit assistance funding to urbanized areas and the allocation to other than urbanized areas.

1. For applicants providing public mass transportation services in U.S. Census urbanized areas with a population of fifty thousand (50,000) persons or greater, the distribution of state financial assistance will be made on the basis of relative point scores determined by the following factors: three- (3-) year average of Missouri ridership (maximum twenty-four and one-half (24.5) points); public mass transportation service area population in Missouri (maximum twenty-four and one-half (24.5) points); annual operating cost of the Missouri portion of the program (maximum twenty-four and one-half (24.5) points); efficiency of the program (maximum one (1) point); availability of alternative public transportation in the public mass transportation service area (maximum one (1) point); and local effort or tax support (maximum twenty-four and one-half (24.5) points); and

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By JCAR at 11:00 am, Dec 09, 2022

2. For applicants providing public mass transportation in areas other than U.S. Census urbanized areas, the distribution of state financial assistance will be made on the following basis of relative point scores determined by the following factors: public mass transportation service area population in Missouri (maximum forty-nine (49) points); three- (3-) year average of Missouri ridership (maximum ten (10) points); annual operating cost of the Missouri portion of the program (maximum twenty-nine (29) points); efficiency of the program (maximum one (1) point); availability of alternative public transportation in the public mass transportation service area (maximum one (1) point); and local effort or tax support (maximum ten (10) points).

(/3/2) Applications, Awards, and Disbursements.

(A) Applications will be accepted each year.

(B) Applications will be processed each year. The commission will review the applications. The commission will use the information in the application as well as the other documentation required by this rule to determine if the application is approved. The commission reserves the right to request additional information. The commission may deny funding as a result of applicant's failure to fully and accurately complete the application.

(C) Announcements of financial assistance to applicants will be made each year.

(D) Awards will be made for a period of twelve (12) months. Disbursements will be made [monthly] on a reimbursable basis. The commission will review and approve the expenditures on the invoices.

(E) All commission determinations under this rule including, but not limited to, approval or disapproval of applications, the amount of distributed state assistance, and all other determinations are final and not subject to appeal.

(/4/3) Information. Information regarding the Missouri State Transit Assistance Program may be obtained from the transit section in the Multimodal Operations Division, 105 West Capitol Avenue, PO Box 270, Jefferson City, MO 65102[, (573) 751-2523].

*AUTHORITY: section 226.195, RSMo Supp. 2012. * Original rule filed Jan. 18, 2013, effective Aug. 30, 2013. Amended: Filed December 9, 2022.*

**Original authority: 226.195, RSMo 2011.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Highways and Transportation Commission, Pamela J. Harlan, Secretary to the Commission, PO Box 270, Jefferson City, MO 65102 or Pamela.Harlan@modot.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*