



**Washington State
Department of Transportation**

Public Transportation Grant Guidebook

Chapter 2: Requirements for federal grants

DRAFT

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Public Transportation Division

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Chapter 2: Requirements for federal grants

This chapter covers requirements for all federal grant funding. Regardless of funding type, you must also follow the requirements for all projects in **Chapter 1** and the requirements specific to your project type in this guidebook (capital construction, capital vehicle and equipment, operating, mobility management, planning, and transportation demand management/commute trip reduction).

The following sections are covered in this chapter:

- 2.1 [Considerations for federal matching funds](#)
- 2.2 [Indirect costs](#)
- 2.3 [Disadvantaged business enterprises](#)
- 2.4 [Equal employment opportunity requirements](#)
- 2.5 [Title VI](#)
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- 2.16 [Other required reporting](#)
- 2.17 [Third-party contracts under federally funded grant agreements](#)

2.1 Considerations for federal matching funds

You may use federal funds from most sources to meet match requirements for state-funded grant projects.

You may use non-U.S. Department of Transportation federal funds (including funds passed through a state social service agency) to meet match requirements for federal FTA-funded grant projects.

Source: [2 CFR B 2205.306](#)

2.2 Indirect costs

Indirect costs are eligible only if you share them between all of your programs or projects. There are two allowable approaches for charging indirect costs to a grant: using an approved indirect cost rate or directly allocating indirect costs to the program, as documented in a cost allocation plan.

- **Negotiated indirect cost rate plan:** Indirect costs are typically charged to federal awards using an indirect cost rate. An indirect cost rate is expressed as a percentage of the indirect costs to a direct cost base. To use an indirect cost rate, your organization must submit an indirect cost rate proposal to a cognizant agency (the agency you receive the most federal grant funding from) that is responsible for reviewing and approving the organization's indirect cost rate on behalf of the federal or state government. Your cognizant agency must approve the indirect cost rate plan prior to charging it to your grant. Additionally, you must update your indirect cost plan annually, using your organization's most current financial records.
- **Cost allocation plan:** Your organization may choose to develop a cost allocation plan to distribute indirect costs to the grant-funded program. In such cases, the cost allocation methodology should be developed, maintained for audit purposes, and submitted to WSDOT for approval before any indirect costs are charged. WSDOT staff will verify that your organization is following its approved cost allocation plan methodology when reviewing claims.

Source: [FTA C 9040.1H](#); [2 CFR 200](#); [OFM State Administrative and Accounting Manual \(SAAM\)](#)

2.2.1 *De minimis* rate

Recipients may elect to use the 15 percent *de minimis* indirect cost rate for any contract executed on or after Oct. 1, 2024.

Recipients may request to amend existing grants to apply the 15 percent *de minimis* rate to an existing award if FTA determines that there are sufficient funds to support the 15 percent *de minimis* rate. In these instances, the recipient must charge the 15 percent *de minimis* rate only to costs incurred after the effective date of the amendment to implement the *de minimis* rate. Recipients may not retroactively apply the *de minimis* rate to costs incurred before the effective date of the amendment.

2.3 Disadvantaged business enterprises

FTA requires organizations that receive federal funds to make efforts to purchase items from disadvantaged business enterprises (DBE) or use DBE services for all activities funded under their grant.

A DBE is a for-profit small business that's:

- At least 51 percent owned and operated by one or more individuals who are socially and economically disadvantaged.
- Certified as a DBE (not only as a BIPOC- or women-owned business).

Source: [49 CFR Part 26](#)

2.3.1 Disadvantaged business enterprises goal

As a recipient of federal funds, WSDOT must establish a three-year DBE goal based on its own contracting opportunities and those of its grantees.

WSDOT's DBE goal is 5.58 percent.

Your organization may set its own DBE goal; however, you must justify how you arrived at the goal and provide an explanation if it is not met.

You're not required to purchase from a DBE if the price of the product or service is significantly higher than that of other vendors. However, federal procurement rules allow you to break up your procurement into smaller increments to boost your DBE participation rate. For transit vehicle purchases, FTA addresses DBE requirements at the manufacturer level by maintaining a [list of eligible transit vehicle manufacturers](#). These manufacturers report DBE performance directly to FTA. WSDOT submits a monthly transit vehicle manufacturer report to FTA, detailing the number of vehicles grantees have purchased and the locations of these purchases.

WSDOT staff are available to work with you to ensure you're taking the proper measures needed to meet your obligations under federal DBE regulations and provide technical assistance in your community to potential DBEs. Reach out to your assigned WSDOT contact listed on your grant agreement for more information.

Source: [49 CFR Part 26](#); [H.R.2950 - 102nd Congress \(1991-1992\)](#); [H.R.2400 - Transportation Equity Act for the 21st Century](#)

2.3.2 Disadvantaged business enterprises plan requirements

When establishing a DBE plan you may either adopt WSDOT's DBE plan or create your own.

If you plan to adopt WSDOT's DBE plan, you must:

- Notify WSDOT of your intentions.

- Submit a copy of your organization's board acceptance of WSDOT's DBE plan annually in GMS.
- Report to WSDOT on DBE purchases and good faith efforts made.

If you plan to establish your own DBE plan, you must:

- Develop and establish DBE purchasing goals.
- Send a copy in GMS annually of your board's acceptance of your organization's DBE plan.
- Report to WSDOT on DBE purchases and good faith efforts you've made.

WSDOT expects you to support and look for DBE opportunities even when a DBE plan isn't required. You can report this as a good faith effort. For more information, see [Section 2.3.3: Disadvantaged business enterprises reporting](#) and [Section 2.3.4: Good effort for non-construction projects](#) below.

Source: [49 CFR Part 26](#)

2.3.3 Disadvantaged business enterprises reporting

WSDOT reports to FTA on WSDOT's DBE goal, in part, by using the information provided in the DBE section of the quarterly status reports submitted by your organization.

Regardless of whether you must develop a DBE plan, you must report on all federally funded purchases, list DBEs used, and explain good faith efforts you made.

If you adopted WSDOT's plan:

- Report to WSDOT quarterly (using status reports) on your DBE goals, payments, overall performance, and/or good faith efforts.

If you adopt your own DBE plan and have a direct grant relationship with FTA (see [Section 2.3.5: Other considerations for disadvantaged business enterprises](#)):

- Submit reports directly to FTA using the Transit Award Management System.
- Send a copy of the report to your assigned WSDOT contact listed on your grant agreement.
- Report to WSDOT quarterly (using status reports) on your DBE goals, payments, overall performance, and/or good faith efforts.

Source: [49 CFR Part 26, Section 26.11](#)

2.3.4 Good faith effort for non-construction projects

You must make a good faith effort to use DBEs when purchasing or contracting with federal grant funds.

A good faith effort is the process of taking appropriate measures toward using DBE vendors in your federally funded purchasing and procurement activities.

For non-construction projects, your good faith effort should document the outreach and activities you undertook to engage DBE vendors. Examples of good faith efforts include:

- Researching DBE vendors for your projected contracted work and purchases.
- Encouraging DBE vendors to submit bids or quotes when advertising for contracted goods or services.
- Placing advertisements in any local BIPOC newspapers.
- Actively seeking DBE vendors using the [Washington Office of Minority and Women's Business Enterprise \(OMWBE\)-certified directory](#) or contacting equivalent agencies in neighboring states.
- Encouraging eligible businesses to pursue DBE certification.
- Participating in local DBE outreach forums.
- Documenting your procedures for identifying DBE vendors and/or explaining why DBE vendors were not selected.

Note: DBE certification is distinct from other certifications by the Washington Office of Minority and Women's Business Enterprise. An organization may be certified by OMWBE and not be a DBE. Organizations certified as women owned or minority BIPOC owned aren't necessarily DBEs.

Source: [FTA Best Practices Procurement and Lessons Learned Manual Appendix A-28; FTA Master Agreement](#)

2.3.5 Other considerations for disadvantaged business enterprises

On certain projects that meet specific criteria and dollar thresholds, you may need to work with FTA directly to set up a DBE goal. These are usually projects with high dollar values and significant FTA participation. If this applies, you must keep WSDOT informed of all decisions and communications with FTA.

For FTA-funded construction projects where funding is coming through WSDOT, your organization must work with WSDOT to obtain a DBE goal. You are also responsible for administering construction contracts in accordance with [49 CFR Part 26](#) and the state's approved DBE program plan. For additional information, see Section [4.XXX:XXX](#).

Source: [FTA Best Practices Procurement and Lessons Learned Manual Appendix A-28; FTA Master Agreement](#)

2.4 Equal employment opportunity requirements

If your WSDOT Public Transportation Division grant includes federal funding, you must follow the requirements contained within the [FTA Circular 4704.1A, Equal Employment](#)

[Opportunity \(EEO\) Requirements and Guidelines for Federal Transit Administration Recipients.](#)

Equal employment opportunity statutes prohibit discrimination in employment practices involving employees, applicants, subrecipients, or subcontractors because of their:

- Race, color, religion, or national origin.
- Sex, including gender identity, sexual orientation, and pregnancy.
- Marital status or family status (including households with children).
- Age, disability, genetic information, or HIV/AIDS and Hepatitis C status.
- Veteran or military status.
- Any other protected class under applicable law.

2.4.1 Equal employment opportunity written program and abbreviated program applicability

In addition to complying with the non-discriminatory employment requirements outlined in Chapter 1 of this guidebook, you must develop an equal employment opportunity program, or abbreviated program, if your organization meets the following criteria.

You must establish a written equal employment opportunity program if your organization:

- Employs 100 or more transit-related employees.

AND

- Requests or receives more than \$1,000,000 in federal capital or operating assistance or \$250,000 in federal planning assistance in the previous federal fiscal year.

You must establish a written abbreviated equal employment opportunity program if your organization:

- Employs 50-99 transit-related employees.

AND

- Requests or receives more than \$1,000,000 in federal capital or operating assistance or \$250,000 in federal planning assistance in the previous federal fiscal year.

If your organization employs less than 50 transit-related employees and requests or receives any amount of federal funding, you're not required to have a written equal employment opportunity program. However, you're still required to comply with all applicable federal and state laws, rules, and regulations. For more information, [see Chapter 1, Section 1.11.2: Non-discriminatory employment requirements.](#)

Source: [FTA Circular 4704.1A](#); [FTA EEO Circular FAQs](#)

2.4.2 Equal employment opportunity written program and abbreviated program requirements

If you are required to have a written equal employment opportunity program or abbreviated program, refer to [FTA Circular 4704.1A](#) for the required elements of your program. Your written program should use employment data collected over the program's four-year period.

Contact your community transportation planner for a checklist of program requirements and technical assistance.

Source: [FTA Circular 4704.1A](#); [FTA EEO Circular FAQs](#)

2.4.3 Equal employment opportunity program and abbreviated program submission

If you receive federal funding through WSDOT's Public Transportation Division and don't complete a triennial review directly with FTA, you must submit an updated equal employment opportunity program plan every four years in our Grant Management System (GMS) 90 days after the expiration of the previous equal employment opportunity program.

If you update your program between expiration dates because of a change to the organization's general manager/CEO or equal employment opportunity officer, you must notify your community transportation planner.

If your organization grows to meet the 50 transit-related employees and monetary thresholds, you must notify your community transportation planner and submit an abbreviated program within 90 days of meeting these thresholds.

If your organization grows to meet the 100 transit-related employees and monetary thresholds, you must notify your community transportation planner. You may use your abbreviated plan until your next program update, at which time your organization must submit a full equal employment opportunity program as outlined in [Section 2.4.2: Equal employment opportunity written full and abbreviated programs requirements](#).

Source: [FTA Circular 4704.1A](#); [FTA EEO Circular FAQs](#)

2.4.4 Equal employment opportunity program and abbreviated program compliance

Your equal employment opportunity program compliance includes, but is not limited to:

- Conducting periodic equal employment opportunity training for all employees and managers, particularly for all new supervisors and managers, within 90 days of appointment.
- Sharing training and professional development opportunities with staff.

- Conducting and documenting semi-annual meetings between top management officials to discuss the equal employment opportunity program plan, its implementation, and progress toward goals (if applicable).
- Obtaining input from employees and affinity groups on your equal employment opportunity program plan.
- Periodically reviewing policies, procedures, union agreements, job descriptions, and other documentation to ensure that employment practices are free from discrimination.
- Monitoring subrecipients or subcontractors for equal employment opportunity compliance.

Source: [FTA Circular 4704.1A](#); [FTA EEO Circular FAQs](#)

2.5 Title VI

Title VI of the Civil Rights Act of 1964 and related statutes prohibit federal subrecipients from discriminating based on race, color, or national origin. This includes the denial of meaningful access to people with limited English proficiency in the provision of your services.

If your organization receives federal funding, you must comply with all Title VI laws, rules, and regulations. These include:

- [Title VI of the Civil Rights Act of 1964](#) (42 USC § 2000d)
- 49 USC 53
- 49 CFR § 1.51
- [49 CFR part 21](#)
- [28 CFR § 42.401](#)
- [FTA Circular 4702.1B](#)

Source: [FTA Circular 4702.1B](#); [USDOT's Limited English Proficiency Guidance](#)

2.5.1 Title VI plan

If you receive federal funding through WSDOT's Public Transportation Division and don't complete a triennial review directly with FTA, you must submit an updated Title VI plan every three years to your community transportation planner at least 90 days prior to the expiration of your previous Title VI plan.

Your community transportation planner will review the draft plan and provide feedback to ensure it meets FTA requirements before your organization board's approves the plan. After your community transportation planner determines your plan is compliant

with FTA requirements and issues you a concurrence letter, upload the final board-approved plan in GMS.

If you are a new subrecipient receiving federal funding, you must submit your Title VI plan in GMS within 90 days of the contract period's start date.

Your Title VI plan must contain all elements required in [FTA Circular 4702.1B](#) and [49 CFR part 21](#).

Contact your community transportation planner for a checklist of Title VI plan requirements and technical assistance.

Note: If your organization receives FHWA and FTA funding, you must ensure your Title VI plan is compliant with both FHWA and FTA requirements.

Source: [FTA Circular 4702.1B](#); [49 CFR part 21](#)

2.5.2 Ensuring meaningful access to programs for limited English proficiency populations

Title VI requires organizations receiving federal funding to provide meaningful access to programs and activities for people with limited English proficiency, based upon your community's needs.

Your Title VI language assistance plan includes a four-factor analysis to guide your organization in determining what language assistance is necessary for persons with limited English proficiency.

If your organization's four-factor analysis reveals a need for translation of vital documents, you must translate the following documents at a minimum:

- Title VI notice.
- Title VI complaint form and procedures.
- ADA complementary paratransit eligibility application (if your organization offers this service).
- Notices of denials, losses, or decreases in benefits or services.
- Notices advising limited English proficiency individuals of free language assistance services.

As a best practice, WSDOT encourages you to also consider translating the following:

- Schedules and rider guides.
- Fare/pass information and discounted fare applications.
- Code of conduct and other public-facing policies.

- Advertisements and social media posts.
- Notices of service disruptions.
- Rider surveys.

More information about the required elements of a Title VI language assistance plan and how to conduct a four-factor analysis is in [Chapter III of FTA Circular 4702.1B](#) and the [U.S. Department of Justice limited English proficiency website](#).

Demographic data is available through the [U.S. Census Bureau](#). Please note that the language maps on the U.S. Department of Justice website were last updated in 2014. It is recommended you use the most recent American Community Survey data located on the U.S. Census Bureau website to complete your planning process.

The Washington State Department of Enterprise Services (DES) offers language access resources and contracts to assist with written and oral translation needs. These include the [DES Language Access Guide](#) and a [language access statewide contract training video](#). You can also [contact the DES language access team](#).

Contact your community transportation planner for assistance and resources, including:

- Information about Title VI training.
- Vital document decision tree.
- WSDOT's language identification and emergency services card.

Source: [FTA Circular 4702.1B](#); [USDOT's Limited English Proficiency Guidance](#)

2.5.3 Title VI public outreach requirements

Title VI requires organizations to document their public outreach efforts to BIPOC and limited English proficiency populations.

Your Title VI plan must include a summary of your organization's outreach efforts to BIPOC and limited English proficiency populations from the previous three years. You must also report these activities to WSDOT in your quarterly status reports.

Examples of locations where you may conduct outreach and marketing, gather input, and share information with BIPOC and limited English proficiency populations include:

- Drivers/operators, dispatchers, and customer service representatives.
- Social media outlets.
- Newspapers, newsletters, radio ads, podcasts, and television ads.
- Local/regional social services and nonprofit agencies.
- Schools, libraries, and community and senior centers.

- Health care facilities.
- Ethnic, immigrant, and refugee community groups.
- Religious gathering places.
- Stores, markets, and restaurants (particularly those that cater to BIPOC and limited English proficiency populations).
- Culturally specific events/festivals (e.g., Lunar New Year).

Visit the [U.S. Department of Justice limited English proficiency website](#) and review the [USDOT Policy Guidance Concerning Recipients' Responsibilities to Limited English Proficient Persons](#) for additional guidance about conducting outreach to limited English proficiency populations.

Source: [FTA Circular 4702.1B](#)

2.5.4 Complying with Title VI and monitored issues

The WSDOT Public Transportation Division continuously monitors your compliance with Title VI. Title VI compliance includes, but isn't limited to:

- Providing a level and quality of transportation service without regard to race, color, or national origin.
- Ensuring that your programs and activities don't have a disproportionate impact on Title VI populations.
- Enabling all affected populations full and fair participation in decision-making.
- Preventing denial, reduction, or delay of benefits to activities benefiting Title VI populations.
- Posting your organization's Title VI notice in areas where customers will encounter it, such as your organization's website, administrative offices, transit stops or stations, and inside vehicles.
- Reporting Title VI complaints, investigations, and lawsuits to WSDOT in your quarterly status reports.
- Ensuring that your subcontractors comply with your organization's Title VI plan.

Note: You must display Title VI notices in specific locations and languages, as determined by your organization's Title VI language assistance plan. You may use QR codes to supplement the required Title VI notice display, but you can't replace a Title VI notice with QR codes in locations where they are required.

You may combine your posted Title VI notice with your organization's nondiscrimination notice if the combined content:

- Clearly attributes only race, color, and national origin protections under Title VI.
- Is titled “Nondiscrimination notice.”

Policies or practices that appear neutral but result in discrimination or have a disparate impact may still violate Title VI unless your organization can demonstrate that the policies or practices are justified and no less discriminatory alternative is available.

Source: [FTA Circular 4702.1B](#); [USDOT's Limited English Proficiency Guidance](#)

2.6 Federal environmental justice considerations

USDOT’s objective is to integrate environmental justice principles into projects supported by FTA funds. These principles include:

- Avoiding, minimizing, or mitigating disproportionately high and adverse human health and environmental effects, including social and economic effects, on BIPOC and low-income populations.
- Ensuring the full and fair participation of all potentially affected communities in the transportation decision-making process.
- Prevent the denial, reduction, or significant delay in the receipt of benefits by BIPOC and low-income populations.

You should consider these environmental justice principles throughout transportation planning, project development, and public outreach and participation efforts.

Additional information about environmental justice principles may be found in [FTA Circular 4703.1](#), *Environmental Justice Policy Guidance for Federal Transit Administration Recipients*.

Source: [FTA Circular 4703.1](#)

2.7 Charter service

FTA’s charter bus service regulations protect private charter operators from unauthorized competition from FTA grant recipients.

Charter service is:

- Transportation provided at the request of a third party for the exclusive use of a bus or van for a negotiated price. Characteristics of charter service may include:
 - A third party pays a negotiated price for the group.
 - A third party collects any fares charged to individual members of the group.

- The service is not part of the regularly scheduled service or is offered for a limited time.
- A third party determines the origin and destination of the trip as well as scheduling.
- Transportation provided to the public for events or functions that occur irregularly or for a limited duration and:
 - A premium fare is charged that is greater than the usual or customary fixed-route fare.

OR

- A third party pays for the service in whole or in part.

Under FTA's regulations, public transportation providers that receive federal funds generally are prohibited from operating charter services, with limited exceptions and exemptions.

If your organization receives federal funds for any projects, you must follow specific procedures to operate charter services, including submitting regular reports on these services.

If you are engaged in charter activities recognized under the FTA-approved exceptions, you must upload an FTA Charter Exceptions Quarterly Reporting Form in GMS within 30 days after the end of each quarter.

See **Appendix C** for examples of services that don't meet the definition of charter service, as well as additional information on regulation exemptions, exceptions, and sample scenarios.

Before proceeding with any charter operations, consult with the assigned WSDOT contact listed on your grant agreement.

Source: [49 CFR Part 604](#)

2.8 School bus provisions

If your organization is awarded FTA funds, you may not provide school bus service nor use federally funded equipment for school bus service in competition with private school bus operators, unless:

- FTA approves the service under an allowable exemption.

OR

- All service and equipment are funded solely with local funds.

FTA approval requires evidence of an unsuccessful search for privately owned operators in the area, including a public hearing before starting school bus service.

FTA defines “school bus operations” as service that a reasonable person would conclude is primarily designed to accommodate students and school personnel. Such operations are provided exclusively for school students, personnel, and equipment and aren’t open to the general public. If the service’s fare, location, or schedule are determined by the school or altered to provide exclusive student transportation, it’s considered school bus operations.

This doesn’t preclude you from providing service to students, as long as the service is open to the general public and not specifically designed to meet the needs of the school(s). “Tripper service” is allowed under FTA regulations. It includes modifications to fare collection or subsidy systems, changes in service frequency, and *de minimis* route deviations from regular paths in the immediate vicinity of schools to stops located at or near schools. Tripper service must remain open to the public and continue to use regular bus stops.

Contact the assigned WSDOT project manager listed on your agreement to determine how to provide services without violating school bus provisions.

Source: [49 CFR Part 605](#)

2.9 Private sector participation

Your organization may not use FTA funds to operate in direct competition with existing private transportation providers.

You must allow private transportation providers to participate in your FTA-funded project to the maximum extent feasible.

While FTA doesn’t prescribe a specific process for private sector participation, your organization must have an established process to ensure that private providers in the area are aware of your plans. You can accomplish this through coordinating efforts or by holding a public hearing prior to:

- Submitting a grant application for the project.
- Publishing a legal notice or an advertisement.
- Sending a written notice directly to private transportation providers.

In each case, you should request a response from private providers.

If you’re expanding service and this results in a decline in business for a private sector provider, you, WSDOT, FTA, or the U.S. Department of Labor may receive a complaint alleging unfair competition or a claim under the Fair Labor Standards Act. See [Labor Standards](#) for more information.

Source: [49 USC 5323\(d\)](#); [49 USC Section 5333\(b\)](#).

2.9.1 Complaints of unfair competition

Your organization must have a written policy and procedures in place to track, investigate, and respond to any complaints related to unfair competition. These procedures must include:

- Identification of the person(s) responsible for receiving, investigating, and responding to such complaints.
- Description of an appeals process for complainants who are not satisfied with the initial response.
- Information on a mediator or mediation panel involved in the appeals process that is independent of your organization – specifically excluding employees and board members.

If either party is unsatisfied with the mediator's decision, they may appeal to WSDOT. The appellant must file their appeal with the WSDOT director of public transportation, or designee, within 30 days of the mediator's decision and must include the following:

- The original signature of the chief executive officer of the entity filing the appeal.
- A statement of the grounds for the appeal.
- A copy of the mediator's decision.

The appellant must send a copy of their appeal to the other party involved.

WSDOT will review the mediator's decision and evaluate the procedures followed from the initial receipt of the complaint through to the final decision. After completing its review, WSDOT will issue an appeal determination.

Source: [RCW 19.86.020](#)

2.10 Ethics policies

If your organization receives FTA funding for any projects, you must develop and implement written policies and procedures specific to the ethical conduct of your employees, officers, board members, or agents involved in your FTA-funded project. These policies must include provisions related to:

- Standards of conduct.
- Bonus or commission.
- Lobbying restrictions.
- Political activity.
- False or fraudulent statements and claims.
- Trafficking in persons.

- Federal tax liability and recent felony convictions.
- Debarment and suspension.

While this section specifically applies to organizations receiving FTA funds, WSDOT considers the policies outlined in this section to be best practices for all grantees.

Source: [FTA Master Agreement](#)

2.10.1 Standards of conduct

Your organization's standards of conduct policy must cover the following:

2.10.1.1 *Gifts and gratuities*

Employees, officers, board members, or agents of your organization may not solicit or accept gifts, gratuities, favors, or anything having monetary value from current or potential subcontractors. However, your organization may establish minimal rules allowing the acceptance of unsolicited gifts of nominal value.

Source: [RCW 42.52.140](#); [RCW 42.52.150](#)

2.10.1.2 *Personal conflict of interest*

Employees, officers, board members, or agents of your organization may not participate in the selection, award, or administration of a contract if there is a real or perceived conflict of interest.

A conflict of interest occurs when an employee, officer, board member, or agent of your organization has a financial or other interest in an entity submitting a bid or quote or an entity that your organization selects for an award. A conflict of interest also exists when there are circumstances that give rise to an organizational conflict of interest, or when the entity is owned or operated by the employee, officer, board member, agent, or:

- Any member of their immediate family.
- Their business partners.
- Any organization that employs or will soon employ them.

Organizational conflicts of interest arise when the nature of the work to be performed under a proposed contract, without some restrictions on future activities, may provide a specific contractor with an unfair competitive advantage or impair their objectivity in managing the subcontract. Examples of organizational conflicts of interest include:

- Failing to disclose information about an upcoming call for projects to all potential bidders at the same time.
- Seeking or accepting assistance from a potential subcontractor in developing specifications or a request for proposals.

Source: *WSDOT public transportation grant agreement - Ethics section*; [RCW 42.52.160](#)

2.10.1.3 Identification and prevention of conflicts of interest

All employees, officers, board members, or agents of your organization must take steps to avoid both real and perceived conflicts of interest and report any potential conflict immediately.

Source: [RCW 43.160.040](#)

2.10.1.4 Penalties for violations of the code of ethics

Your organization's standard of conduct policy must include provisions for penalties, sanctions, or other disciplinary actions for violations committed by employees, officers, board members, or agents.

Source: [FTA Master Agreement](#); [RCW 43.160.041](#)

2.10.2 Bonus or commission

Your organization must establish policies and procedures to ensure that you don't pay bonuses or commissions to anyone for securing the award of a grant-funded project.

Source: [FTA Master Agreement](#)

2.10.3 Lobbying restrictions

You must have policies in place to ensure that no one in your organization uses federal funds for lobbying activities related to the award of an FTA-funded project.

Additionally, if your organization uses any of its own non-federal funds for lobbying purposes, you must report these lobbying activities to the FTA using the General Service Administration's Standard Form [SFLLL](#).

Source: [FTA Master Agreement](#)

2.10.4 Political activity

Your organization must have policies in place to ensure that employees and representatives don't use grant-funded resources for political purposes. This includes, but isn't limited to:

- Posting personal campaign posters on grant-funded equipment or within grant-funded facilities.
- Charging copying or printing costs of political materials to a grant project.
- Using grant-funded resources to support or oppose any current ballot measure.

Source: [FTA Master Agreement](#)

2.10.5 False or fraudulent statements and claims

You must ensure the truthfulness and accuracy of any claims, statements, submissions, certifications, assurances, affirmations, or representations provided to the federal government.

2.10.6 Trafficking in persons

You must ensure your organization and any of its contractors or subrecipients do not engage in severe forms of trafficking in person, procure a commercial sex act, or use forced labor at any time during the period of performance of the award.

Source: [2 CFR 200 Appendix A to Part 175](#); [Chapter 19.320 RCW](#)

2.10.7 Federal tax liability and recent felony convictions

You must certify that, prior to entering into any third-party agreement, the entity has no unpaid federal tax liabilities that are not being properly addressed. Additionally, you must certify that the entity has not been convicted of a felony criminal violation under any federal law within the past 24 months.

2.10.8 Debarment and suspension

If you're using FTA funds for a third-party contract, you must not award contracts to debarred or suspended contractors or subcontractors. You must retain documentation verifying the selected contractor's eligibility to participate.

You can verify whether a contractor or subcontractor is debarred or suspended by using the [Federal Contractor Registry](#). To document your determination, take a screenshot of your search results. You don't have to register or log in to access the system.

Source: [FTA Circular 4220.1G, Chapter IV](#); [FTA Master Agreement](#)

2.11 Drug and alcohol program

If your organization receives Section 5311, Section 5339, or Surface Transportation Program funds, you must implement a drug and alcohol program that complies with FTA requirements.

If your organization doesn't receive FTA funding but operates vehicles requiring a commercial driver's license, you must comply with the drug and alcohol program requirements set forth by the Federal Motor Carrier Services Administration. For more information, visit the [Federal Motor Carrier Services Administration website](#).

For detailed guidance on drug and alcohol program compliance, the FTA publishes [comprehensive implementation guidelines and a best-practices guide](#) that includes sample policies and forms.

Additionally, WSDOT's Public Transportation Division maintains [a drug and alcohol compliance website](#) featuring links to useful compliance tools and resources.

WSDOT staff will provide technical assistance for your drug and alcohol program through oversight visits and training sessions. When the FTA updates drug and alcohol regulations, WSDOT will offer guidance on any necessary changes your organization must make to maintain compliance. WSDOT is also available for technical assistance upon your request.

Source: [49 CFR Part 40](#); [49 CFR Part 655](#); [49 CFR Part 382](#)

2.11.1 Drug and alcohol testing policy

A drug and alcohol testing policy must serve as the foundation of your drug and alcohol program.

If your organization receives FTA funding for any projects, you must develop and implement a drug and alcohol testing policy that applies to all safety-sensitive employees and their immediate supervisors. This policy must be formally adopted by your organization's board and subsequently submitted to WSDOT for approval.

FTA regulations specify the minimum required contents of the drug and alcohol testing policy. Your policy must clearly distinguish between the sections governed by FTA regulations and those established under your organization's own authority. You may do this by underlining or italicizing the portions that fall under your organization's authority.

To assist you in this process, the FTA has developed a [Drug and Alcohol Policy Builder](#). This tool helps you to develop a customized drug and alcohol misuse policy compliant with FTA regulations.

Source: [49 CFR Part 655.15](#)

2.11.2 Employees subject to drug and alcohol testing

Your organization must conduct drug and alcohol testing for all employees performing safety-sensitive duties.

The FTA defines safety-sensitive duties as:

- Operating a passenger service vehicle, whether or not the vehicle is currently in service.
- Operating a vehicle that requires a commercial driver's license.
- Controlling the dispatch or movement of a vehicle.
- Performing maintenance on a passenger service vehicle.
- Carrying a firearm for security purposes.
- Volunteering, if the work requires a commercial driver's license or if the individual receives payment exceeding the amount of expenses.

Source: [49 CFR Part 655.4](#)

2.11.3 Prohibited substances included in testing

Your organization's testing program must test for the following drugs:

- Marijuana.
- Cocaine.
- Opioids (including Hydrocodone, Hydromorphone, Oxycodone, and Oxycodone).
- Amphetamines (including Methylenedioxymethamphetamine, commonly referred to as MDMA or Ecstasy).
- Phencyclidine.
- Alcohol.

Note: Even though the medical and recreational use of marijuana is legal in Washington state, FTA and the United States Department of Transportation regulations strictly prohibit any use of marijuana.

Source: [49 CFR Part 655.21](#)

2.11.4 Prescriptions and over-the-counter medications

The FTA doesn't currently require you to include over-the-counter medicines and prescription medications in your organization's drug and alcohol program.

However, some medicines and prescriptions can cause side effects that pose safety risks. For this reason, the FTA strongly recommends including guidance on the use of prescription and over-the-counter medications in your drug and alcohol testing policy.

To support this effort, the FTA has developed a [Prescription/Over-the-Counter Medication Tool Kit](#) to help organizations develop policies, implement best practices, and educate employees on the safe use of these medications.

Source:

2.11.5 Conducting drug and alcohol tests

The FTA requires your organization to conduct the following types of drug and alcohol tests:

- Pre-employment (only drug testing is required; FTA allows but doesn't require pre-employment alcohol tests).
- Random.
- Reasonable suspicion.
- Post-accident.

- Return to duty.
- Follow-up.

If your organization has a zero-tolerance policy, you are not required to conduct return-to-duty or follow-up testing. However, if you hire someone who violated any U.S. Department of Transportation drug and alcohol regulations while working for a previous employer, you must ensure the individual has successfully completed the treatment program recommended by the previous employer's substance abuse professional and arrange for required follow-up testing.

Note: If an applicant is compliant with the return-to-duty process, you can't exclude the applicant from employment eligibility solely based on the prior violation.

Source:

2.11.6 Pre-employment testing requirements

Pre-employment testing requirements apply to all applicants for safety-sensitive positions, including:

- New applicants.
- Current employees transferring into a safety-sensitive position.
- Employees that have been on leave for 90 or more days and removed from your random testing pool.

During the hiring process, you must perform the following actions:

- Ask the applicants if they've ever tested positive or refused to take a pre-employment drug or alcohol test administered under U.S. Department of Transportation drug and alcohol regulations. If the applicants answer "yes," you must ensure they have successfully completed the federal return-to-duty requirements before proceeding.
- Obtain written consent from the applicant to request drug and alcohol testing information from all U.S. Department of Transportation-regulated employers that employed the individual in the last two years. If the applicant worked for an organization covered by U.S. Department of Transportation drug and alcohol regulations, you must attempt to obtain all drug and alcohol testing information from the prior employer.
- Receive a verified negative drug test result prior to placing the applicant on safety-sensitive duty.

Note: You may also conduct pre-employment alcohol testing, provided it is clearly stated in your organization's policy and applied consistently to all applicants.

Source: [49 CFR Part 40, Subpart O](#); [49 CFR Part 40.25](#)

2.11.7 If an employee tests positive

If a safety-sensitive employee receives a confirmed positive drug test or tests positive for alcohol with a concentration of 0.04 or higher, you must immediately remove them from safety-sensitive duty and refer them to a qualified substance abuse professional.

You can't allow an employee to return to a safety-sensitive duty until they receive a confirmed negative return-to-duty test result and the substance abuse professional has approved them to return to duty.

Additionally, if an employee tests positive for alcohol with a concentration of between 0.02 – 0.039, you must remove them from safety-sensitive duty until they either test below 0.02 or their next scheduled duty shift—whichever occurs later—but not sooner than eight hours after the test.

Source: [49 CFR Part 40, Subpart O](#)

2.11.8 Drug and alcohol training

All safety-sensitive employees must receive 60 minutes of training on the effects of drug and alcohol use in the workplace. This training must also include information about your organization's drug and alcohol testing program and policies. The FTA has produced a [new employee training video](#) to assist with this requirement.

Additionally, supervisors and other employees in your organization authorized to make reasonable suspicion determinations (such as dispatchers) must receive:

- 60 minutes of training on the physical, behavioral, and performance indicators of probable drug use.
- 60 minutes of training on the physical, behavioral, and performance indicators of probable alcohol misuse.

Finally, drug and alcohol program managers in your organization should also receive training on FTA drug and alcohol program requirements. This training is available through the [Transportation Safety Institute website](#).

2.11.9 Service agent oversight

To comply with FTA drug and alcohol requirements, you'll engage a variety of service agents, including medical review officers, substance abuse professionals, and personnel at collection sites. You must periodically review the practices of your service agents to ensure that they comply with federal regulations.

Source: [49 CFR Part 40](#)

2.11.10 Drug and alcohol testing results reporting

You must submit an annual report on drug and alcohol testing results to the [Drug and Alcohol Management Information System](#). Your organization's report is due to WSDOT

by March 1 each year. This allows WSDOT to review and accept your report before the federal deadline of March 15.

WSDOT Drug and Alcohol Program staff will email your login information and reporting instructions by January of each year.

Note: If you receive funding directly from FTA, contact WSDOT Drug and Alcohol Program staff for instructions.

2.11.10.1 Drug and alcohol reporting to the Washington State Department of Licensing

Regardless of whether your organization receives federal funds, if your drivers are required to hold a commercial driver's license, you must report any positive test results for these employees to the Washington State Department of Licensing. This must be done using the [Positive/Refused Drug/Alcohol Test Report by Employer form](#).

For employees covered under federal requirements, you must report positive drug or alcohol test results to the Department of Licensing only under the following circumstances:

- The positive result is from a pre-employment test.
- The driver is terminated or resigns.
- Any grievance processes are completed, up to but not including union arbitration.
- At the time of termination or resignation, the driver hasn't been cleared to return to safety-sensitive functions.

You must submit the form to the Department of Licensing within three days of any of the circumstances described above. For the purposes of state law, test refusals are treated as positive test results.

Additionally, state law requires that you include specific language regarding these requirements in both your drug and alcohol policy and in your contract with your medical review officer.

Note: The medical review officer must report positive test results and other violations for employees covered under Federal Motor Carrier Services Administration requirements within three days of receiving the test result.

Source: [49 CFR Part 655](#); [49 CFR Part 382](#); [Chapter 46.25 RCW](#)

2.12 Labor compliance

You must comply with federal labor regulations, including:

- [29 USC Chapter 8](#) – Fair Labor Standards Act.
- [40 USC Chapter 37](#) – Contract Work Hours and Safety Standards Act.

- [49 USC Section 5333\(b\)](#) – Labor Standards (Section 5310 and 5311 grantees only).

2.12.1 Fair Labor Standards, Contract Work Hours, and Safety Standards acts

The Fair Labor Standards, Contract Work Hours, and Safety Standards acts establish basic wage standards for employees.

The following section outlines the requirements from the acts that apply to your organization.

Source: [29 USC Chapter 8](#); [40 USC Chapter 37](#)

2.12.1.1 Minimum wage

At a minimum, your organization must pay all employees the current federal minimum wage or the applicable state minimum wage, whichever is higher.

Current federal minimum wage information is available from the [United States Department of Labor](#).

Current state minimum wage information is available from the [Washington State Department of Labor and Industries](#).

You must pay nonprofessional employees overtime at a rate of 1.5 times their regular pay for all hours worked beyond 40 hours in a workweek. Some employee categories may be exempt from overtime requirements. However, you should not assume exemptions apply without verifying. It is always best to consult the Fair Labor Standards Act directly to determine the appropriate course of action.

Source:

2.12.1.2 Health and safety

Your organization must not place employees in work environments that are unsanitary, unnecessarily hazardous, or dangerous to their health or safety.

Source:

2.12.2 Labor Standards

Labor Standards require your organization to make fair and equitable arrangements to protect the rights of public transportation employees when federal funds are used to acquire, improve, or operate a general public transportation service.

Labor Standards ensure that no transportation worker is terminated or subjected to worsened working conditions as a result of an FTA-funded project. While these protections primarily apply to your organization's employees, they also extend to employees of other transportation providers operating within your service area.

These Labor Standards apply only to organizations awarded projects under Sections 5310 and 5311.

For more information about Labor Standards, visit the [U.S. Department of Labor webpage](#).

Source: [49 USC Section 5333\(b\)](#); [Section 13\(c\) Special Warranty, Labor Protections](#); [29 CFR Part 215](#)

2.12.2.1 *Labor Standards claims filed against your organization*

If a transportation employee believes they were terminated or that their position was negatively affected due to your organization's FTA-funded project, the employee – or a union representing the employee – has the right to file a claim with the U.S. Department of Labor. If the Department rules in favor of the employee, your organization is responsible for providing any necessary financial compensation, employment reinstatement, training, or retraining accommodations. The Department may also impose fines as part of its enforcement action.

Below are examples of circumstances where an employee may file a claim:

- **Your organization's employees**

- Example: FTA awards your organization funding to purchase a new dispatch system. As a result of the improved efficiency, your organization requires only two dispatchers instead of three. Consequently, one dispatcher is laid off.
- Example: FTA awards your organization funding to purchase a minibus to replace a large bus. However, your organization pays minibus drivers less than it pays drivers of large buses. As a result, you reduce one driver's pay.

- **Employees of other transportation providers**

- Example: FTA awards your organization funding to provide transportation service into a new area. As a result, another transportation provider in that area experiences a decline in ridership and subsequently terminates an employee.

Source:

2.12.3 *Labor law posters in the workplace*

Labor law posters are important because they inform both employees and employers of their rights and responsibilities under federal and state law.

You must post labor law posters visibly in a common area of the workplace where all employees can easily see them. WSDOT employees will verify your compliance with labor law posters during routine site visits.

You must post the following labor law posters:

- **Federal posters**

- “Employee Rights Under the Fair Labor Standards Act” poster.
- “Job Safety and Health: It’s the Law” poster.
- “Employees Rights and Responsibilities Under the Family Medical Leave Act” poster (required for private employers with 50 or more employees and all transits agencies regardless of size).
- “Equal Employment Opportunity is the Law” poster.
- “Employee Polygraph Protection Act Notice” poster.
- “Your Rights under the Uniformed Services Employment and Reemployment Rights Act (with minimum wage announcement)” notice/poster.
- “New Health Insurance Marketplace Coverage Options and Your Health Coverage” notice.
- **State posters**
 - “Job Safety and Health Law” poster.
 - “Your Rights as a Worker” poster.
 - “Notice to Employees – If a Job Injury Occurs” poster.
 - “State Unemployment Benefits” poster.
 - “State Minimum Wage” poster.

You can order most required posters at no charge from their issuing agencies, such as the Washington Department of Labor and Industries, the Equal Employment Opportunity Commission, and the U.S. Department of Labor.

2.13 Public transportation agency safety plans

Note: Rural transit, nonprofit, and for-profit providers are exempt from the FTA’s agency safety plan requirements. However, WSDOT considers the development and maintenance of your organization’s safety plan as a best practice. Additionally, your insurance provider may require you to have a safety plan in place.

The public expects you to provide safe and reliable public transportation. A public transportation agency safety plan helps document how your organization intends to meet that expectation. Developing a safety plan can also help identify and reduce safety risks and, subsequently, lead to lower insurance rates for your organization.

The FTA requires urban and small urban transit providers to develop and implement agency safety plans. The plan must contain the following elements:

- Safety management policy.

- Safety risk management.
- Safety assurance.
- Safety promotion.
- Safety performance targets.

The FTA provides an [agency safety plan template for bus transit](#) that includes all required elements.

WSDOT doesn't currently oversee FTA-required agency safety plans for the bus mode, nor does the state offer a template different from the FTA's version. However, [WSDOT State Safety Oversight Program](#) offers technical assistance to bus transits seeking to review of their updated or new agency safety plans.

For additional resources, contact the [Washington State Transit Insurance Pool](#) for best practice guides on bus operations and vanpool safety. You can also review the FTA's [agency safety plan guidance](#) for further information.

Source: [49 CFR Part 673](#)

2.13.1 Emergency management plan

An integral portion of your agency safety plan is your emergency management plan. Public transportation providers receiving 5307 funding must include this plan in their agency safety plan or as a referenced document that is readily available upon request.

Managing and responding to emergencies is a multifaceted issue. The roles your employees take during an emergency will vary depending on the type of emergency and whether it originates inside or outside your organization. For this reason, it's essential to have an emergency management plan in place and to train your employees on the appropriate actions should an emergency occur. Your plan should include the elements outlined in the following sections.

Source: [49 CFR Part 673](#)

2.13.1.1 Internal emergencies

No matter how many safety precautions you take, your organization may still face an emergency situation.

You should develop procedures for the following internal emergencies:

- Fire or smoke.
- Collisions.
- Loss of power.
- Evacuations.

- Disabled or stalled fleet vehicles.
- Disruption of service.
- Infrastructure damage.
- Hazardous materials.
- Serious vandalism, criminal acts, and terrorism.
- Medical emergencies.
- Extreme weather, earthquakes, and other natural disasters.

2.13.1.2 *State and regional emergencies*

Public transportation providers can play a vital role in emergency response, especially during evacuations or the transportation of emergency response personnel. The role of public transportation providers will vary depending on the nature of the emergency

WSDOT encourages you to develop strong relationships with local emergency response agencies. In rural areas, these agencies are typically part of county government, while in urban areas they are often part of municipal government. In some communities, emergency response managers may not be fully aware of the services, resources, and assistance your organization can offer. It's important to invite local emergency response agencies to participate in drills and exercises. This helps familiarize them with your transit assets, access points, and emergency plans, enhancing coordination during actual emergencies.

You should also collaborate with local hospitals and skilled nursing facilities to ensure a mutual understanding of your role in their emergency response plans.

For your organization to effectively assist in emergencies, it's vital to encourage your employees to take steps that ensure to prepare their families for all types of emergencies. The Washington State Military Department's [Emergency Management Division](#) offers tools and resources to help you support employee preparedness.

Many public transit systems participate in the [WSDOT Emergency Response Mutual Aid Agreement](#). This agreement facilitates coordinated aid between transit agencies covered by the agreement and WSDOT during emergencies.

2.13.2 *System security plan*

Security is a critical concern in the public transportation industry. While you are not required to have a formal system security plan, WSDOT encourages you to develop one that addresses the following considerations to protect both your organization and the passengers you serve. Collaborating with local, state, and federal law enforcement agencies can strengthen your security plan by providing thorough threat and vulnerability assessments that address internal and external risks specific to your system.

Note: While WSDOT recommends developing a system security plan, it is not a mandatory requirement.

2.13.2.1 *Crime prevention*

Public transportation providers face risks from various types of crime (e.g., theft, terrorism, vandalism, assault, other illegal activities). These crimes can occur on or near your premises or vehicles, posing significant challenges for your organization. However, implementing precautionary measures can greatly reduce the likelihood of such crimes occurring.

WSDOT recommends that you develop and implement crime-prevention policies and procedures to enhance safety and reduce risk. These policies should address, at a minimum, the following areas:

- Violence in the workplace.
- Vehicle and facility security.
- Counter-terrorism strategies.
- Threat and vulnerability assessment.
- Reporting crimes to the proper authorities.
- Restricting access to your organization's facility.
- Parking vehicles in locked or secured areas.
- Data security procedures.
- Providing timely communication and annual training to employees on crime prevention policies and procedures.

2.13.2.2 *Passenger code of conduct*

WSDOT highly recommends that you develop and implement a written passenger code of conduct. You should share the code of conduct with both employees and passengers to promote a safe, respectful, and consistent transit environment.

When creating your code of conduct, be sure to establish reasonable and non-discriminatory expectations for passenger behavior.

At a minimum, your passenger code of conduct should include behaviors that are considered illegal under Washington State law. These include, but are not limited to:

- Smoking, except in designated smoking areas.
- Littering.
- Dumping (e.g., hazardous substances, automotive fluids).

- Playing sound-producing equipment without headphones.
- Spitting, urinating, or defecating outside of restrooms.
- Carrying flammable liquid, explosive, acid, or other material likely to cause harm to others.
- Consuming alcohol or possessing open alcohol containers.
- Obstructing the flow of transit vehicles or passenger traffic, or preventing access to transit vehicles or stations.
- Engaging in loud, raucous, unruly, harmful, or harassing behavior.
- Destroying, defacing, or damaging property.
- Throwing objects with intent to harm.
- Possessing or trying to use unauthorized fare media or transfers.
- Impersonating a transit operator or employee.
- Gambling.
- Skating on transit property.
- Misusing transit agency property.

Source: [RCW 9.91.025](#)

2.13.2.3 *Protecting your organization from acts of terrorism*

Public transportation providers should take proactive steps to protect themselves and their communities from the threat of terrorism. While public transit systems may not be primary terrorist targets at the national level, they can be used as a means to carry out terrorist acts. This vulnerability exists because public transit services are generally open to the public and operate in or near highly populated areas. Unlike the airline industry, transit agencies typically do not have the ability to screen passengers and baggage. As a result, other preventive and responsive measures must be taken.

The following sections contain information about how to protect your organization, employees, and the public from potential terrorist threats.

2.13.2.3.1 Vulnerability assessments

The first step in protecting your organization from acts of terrorism is to identify your critical assets by conducting a vulnerability assessment. Critical assets are facilities, equipment, or systems essential to the safe and efficient operation of your services, without which our organization may be unable to operate or may experience significant disruptions.

Typically, vulnerability assessments involve assigning point values to evaluate risk across several key elements:

- Critical-asset factors (determining how essential the asset is to your operations).
- Deter-and-defend factors (determining how easily the asset can be protected).
- Loss-and-damage consequences (the potential impact of asset loss or damage).
- Consequences to public service.
- Consequences to the public.

The [National Transportation Safety Institute](#) offers training on conducting vulnerability assessments and provides additional guidance on developing comprehensive safety and security plans.

Note: The contents of your vulnerability assessment aren't subject to public disclosure under state law.

2.13.2.3.2 Measures to enhance security

Once you have completed a vulnerability assessment, you should develop and implement a plan to reduce identified risks. The specific strategies you choose will depend on the nature and type of assets you manage. Common risk reduction methods include:

- Restricting access to nonpublic areas of facilities, such as operations centers and maintenance areas.
- Conducting a cyber security hazard assessment to identify current cyber risks and opportunities to improve data security.
- Performing regular vehicle and facility inspections throughout the day or along service routes to identify suspicious activity or items.
- Providing awareness training for employees and supervisors to recognize and respond to potential threats.

2.14 Single audit

If your organization expends \$750,000 or more in federal funds in a single fiscal year (regardless of the federal funding source), you must perform a single audit that meets the requirements of the Office of Management and Budget and [2 CFR Part 200.501](#).

Note: Beginning Oct. 1, 2024, OMB (Office of Management & Budget) raised the audit threshold from \$750,000 to \$1,000,000 and is effective for grantees whose fiscal year begins after Oct. 1, 2024.

Your organization type may determine which entity is responsible for performing your audit. The State Auditor's Office audits public agencies. All other organizations must

engage a private audit firm or certified public accountant (CPA) to perform their audits. The audit firm or certified public accountant that provides your general accounting services can't perform your organization's audit.

You must complete and upload your audit report to WSDOT within 30 days of receiving it from your auditor and no later than nine months after the end of your organization's fiscal year. At least 30 days prior to the due date, Public Transportation Division staff will assign you a compliance item in the GMS. You should follow the GMS protocol to upload your single audit by the due date or request an extension.

If your organization received a federal subaward but didn't expend \$1 million or more during the fiscal year, you must submit a "Certification of not exceeding single audit threshold" no later than nine months after the end of your organization's fiscal year. You can find the certification form in the GMS repository.

Note: The Office of Management and Budget (OMB) no longer grants extensions for Single Audit submissions. If the auditee or auditor wishes to inform the Federal agency that they will be late, they can do so by contacting their Community Transportation Planner (CTP) at WSDOT and uploading an explanation of delay in one of the attachment fields in the single audit compliance item in GMS. All organizations that do not file within the standard nine-month timeframe should maintain internal documentation on why.

Source: [2 CFR 200.501 \(prior to Oct. 1, 2024\)](#); [2 CFR 200.501 \(after Oct. 1, 2024\)](#); [OMB Guidance for Federal Financial Assistance, Section 200.501](#).

2.15 Risk assessment

Every two years, WSDOT conducts risk assessments to evaluate each grantee's risk of noncompliance with grant requirements. We use the risk assessment results to determine the level of technical assistance and oversight needed to support organizations in meeting grant obligations.

WSDOT will designate organizations with a strong record of grant compliance and project delivery as low risk. Benefits of low-risk status can include fewer site visits.

Conversely, high-risk status may result in more frequent site visits and increased monitoring between site visits.

Source: [2 CFR 200.332\(b\)\(1-4\)](#); [2 CFR 200.332\(e\)\(1-3\)](#); POL-553

2.16 Other required reporting

In addition to the required submittals mentioned in previous sections of this chapter, other reporting requirements include the following:

2.16.1 Certifications and assurances

If you receive federal funds, you must submit federal certifications and assurances in GMS annually on the date listed in the forms and instructions provided by WSDOT.

If you receive Sections 5339 or 5311 funds through WSDOT, you must also complete the 5333(b) Labor Letter.

2.16.2 National Transit Database data

If you receive Section 5311 funds to operate a service, purchase a vehicle, or operate vehicles purchased with Section 5311 funds that WSDOT holds title to, you must report to the National Transit Database.

Your National Transit Database data is due to WSDOT in late March annually. WSDOT will contact you in early February annually with information about the data reporting process.

Source: [49 USC 5335](#)

2.17 Third-party contracts under federally funded grant agreements

In addition to the requirements for third-party contracts described in Chapter 1, federally funded third-party contracts must comply with the following specific federal requirements in [FTA Circular 4220.1G](#):

- Not using geographic preference in third-party contract awards.
- Including all federal clauses required by the federal statute governing your procurement in your third-party contracts (including appending up-to-date federal clauses to purchase orders and other purchasing documents when purchasing from previously awarded master contracts) - WSDOT will assist with ensuring that all federal clauses are included during concurrence reviews.
- Making good faith efforts to purchase from Disadvantaged Business Enterprises (see Section XX below)
- Limiting third-party contracts to a five-year period of performance.
- Complying with Buy America provisions.

Source: [FTA Circular 4220.1G](#)

English

Title VI Notice to Public

It is the Washington State Department of Transportation's (WSDOT) policy to assure that no person shall, on the grounds of race, color, national origin, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with WSDOT's Office of Equity and Civil Rights (OECR). For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact OECR's Title VI Coordinator at (360) 705-7090.

Americans with Disabilities Act (ADA) Information

This material can be made available in an alternate format by emailing the Office of Equity and Civil Rights at wsdotada@wsdot.wa.gov or by calling toll free, 855-362-4ADA(4232). Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.

Español

Notificación de Título VI al Público

La política del Departamento de Transporte del Estado de Washington (Washington State Department of Transportation, WSDOT) es garantizar que ninguna persona, por motivos de raza, color u origen nacional, según lo dispuesto en el Título VI de la Ley de Derechos Civiles de 1964, sea excluida de la participación, se le nieguen los beneficios o se le discrimine de otro modo en cualquiera de sus programas y actividades. Cualquier persona que considere que se ha violado su protección del Título VI puede presentar una queja ante la Oficina de Equidad y Derechos Civiles (Office of Equity and Civil Rights, OECR) del WSDOT. Para obtener más información sobre los procedimientos de queja del Título VI o información sobre nuestras obligaciones contra la discriminación, comuníquese con el coordinador del Título VI de la OECR al (360) 705-7090.

Información de la Ley sobre Estadounidenses con Discapacidades (ADA, por sus siglas en inglés)

Este material puede estar disponible en un formato alternativo al enviar un correo electrónico a la Oficina de Equidad y Derechos Civiles a wsdotada@wsdot.wa.gov o llamando a la línea sin cargo 855-362-4ADA(4232). Personas sordas o con discapacidad auditiva pueden solicitar la misma información llamando al Washington State Relay al 711.

한국어-Korean

제 6 조 관련 공지사항

워싱턴 주 교통부(WSDOT)는 1964 년 민권법 타이틀 VI 규정에 따라, 누구도 인종, 피부색 또는 출신 국가를 근거로 본 부서의 모든 프로그램 및 활동에 대한 참여가 배제되거나 혜택이 거부되거나, 또는 달리 차별받지 않도록 하는 것을 정책으로 하고 있습니다. 타이틀 VI 에 따른 그/그녀에 대한 보호 조항이 위반되었다고 생각된다면 누구든지 WSDOT 의 평등 및 민권 사무국(OECR)에 민원을 제기할 수 있습니다. 타이틀 VI 에 따른 민원 처리 절차에 관한 보다 자세한 정보 및/또는 본 부서의 차별금지 의무에 관한 정보를 원하신다면, (360) 705-7090 으로 OECR 의 타이틀 VI 담당자에게 연락해주시요.

미국 장애인법(ADA) 정보

본 자료는 또한 평등 및 민권 사무국에 이메일 wsdotada@wsdot.wa.gov 을 보내시거나 무료 전화 855-362-4ADA(4232)로 연락하셔서 대체 형식으로 받아보실 수 있습니다. 청각장애인은 워싱턴주 중계 711 로 전화하여 요청하실 수 있습니다.

русский-Russian

Раздел VI Общественное заявление

Политика Департамента транспорта штата Вашингтон (WSDOT) заключается в том, чтобы исключить любые случаи дискриминации по признаку расы, цвета кожи или национального происхождения, как это предусмотрено Разделом VI Закона о гражданских правах 1964 года, а также случаи недопущения участия, лишения льгот или другие формы дискриминации в рамках любой из своих программ и мероприятий. Любое лицо, которое считает, что его

средства защиты в рамках раздела VI были нарушены, может подать жалобу в Ведомство по вопросам равенства и гражданских прав WSDOT (OECR). Для дополнительной информации о процедуре подачи жалобы на несоблюдение требований раздела VI, а также получения информации о наших обязательствах по борьбе с дискриминацией, пожалуйста, свяжитесь с координатором OECR по разделу VI по телефону (360) 705-7090.

Закон США о защите прав граждан с ограниченными возможностями (ADA)

Эту информацию можно получить в альтернативном формате, отправив электронное письмо в Ведомство по вопросам равенства и гражданских прав по адресу wsdotada@wsdot.wa.gov или позвонив по бесплатному телефону 855-362-4ADA(4232). Глухие и слабослышащие лица могут сделать запрос, позвонив в специальную диспетчерскую службу штата Вашингтон по номеру 711.

tiếng Việt-Vietnamese

Thông báo Khoản VI dành cho công chúng

Chính sách của Sở Giao Thông Vận Tải Tiểu Bang Washington (WSDOT) là bảo đảm không để cho ai bị loại khỏi sự tham gia, bị từ khước quyền lợi, hoặc bị kỳ thị trong bất cứ chương trình hay hoạt động nào vì lý do chủng tộc, màu da, hoặc nguồn gốc quốc gia, theo như quy định trong Mục VI của Đạo Luật Dân Quyền năm 1964. Bất cứ ai tin rằng quyền bảo vệ trong Mục VI của họ bị vi phạm, đều có thể nộp đơn khiếu nại cho Văn Phòng Bảo Vệ Dân Quyền và Bình Đẳng (OECR) của WSDOT. Muốn biết thêm chi tiết liên quan đến thủ tục khiếu nại Mục VI và/hoặc chi tiết liên quan đến trách nhiệm không kỳ thị của chúng tôi, xin liên lạc với Phái Trí Viên Mục VI của OECR số (360) 705-7090.

Thông tin về Đạo luật Người Mỹ tàn tật (Americans with Disabilities Act, ADA)

Tài liệu này có thể thực hiện bằng một hình thức khác bằng cách email cho Văn Phòng Bảo Vệ Dân Quyền và Bình Đẳng wsdotada@wsdot.wa.gov hoặc gọi điện thoại miễn phí số, 855-362- 4ADA(4232). Người điếc hoặc khiếm thính có thể yêu cầu bằng cách gọi cho Dịch vụ Tiếp âm Tiểu bang Washington theo số 711.

العربية - Arabic

في ضمان عدم استبعاد أي شخص، على أساس العرق أو اللون أو الأصل القومي من المشاركة في أي من (WSDOT) إشعار للجمهور تتمثل سياسة وزارة النقل في الولاية واشنطن 6 العنوان ويمكن إلى شخص 1964. برامجها وأنشطتها أو الحرمان من الفوائد المتاحة بموجبها أو التعرض للتمييز فيها بخلاف ذلك، كما هو منصوص عليه في الباب السادس من قانون الحقوق المدنية لعام للحصول على معلومات إضافية بشأن إجراءات. التابع لوزارة النقل في الولاية واشنطن (OECR) يعتقد أنه تم انتهاك حقوقه التي يكفلها الباب السادس تقديم شكوى إلى مكتب المساواة والحقوق المدنية أو بشأن التزاماتنا بعدم التمييز بموجب الباب السادس، يرجى الاتصال بمندوب الباب/الشكاوى و السادس في مكتب المساواة والحقوق المدنية على الرقم (360) 705-7090.

معلومات قانون الأمريكيين ذوي الإعاقة (ADA)

أو عن طريق الاتصال بالرقم المجاني wsdotada@wsdot.wa.gov يمكن توفير هذه المواد في تنسيق بديل عن طريق إرسال رسالة بريد إلكتروني إلى مكتب المساواة والحقوق المدنية على يمكن للأشخاص (4232) 855-362-4ADA. على الرقم Washington State Relay الصم أو ضعاف السمع تقديم طلب عن طريق الاتصال بخدمة 711.

中文 – Chinese

《权利法案》Title VI 公告

<華盛頓州交通部(WSDOT)政策規定，按照《1964 年民權法案》第六篇規定，確保無人因種族、膚色或國籍而被排除在 WSDOT 任何計畫和活動之外，被剝奪相關權益或以其他方式遭到歧視。如任何人認為其第六篇保護權益遭到侵犯，則可向 WSDOT 的公平和民權辦公室 (OECR)提交投訴。如需關於第六篇投訴程式的更多資訊和/或關於我們非歧視義務的資訊，請聯絡 OECR 的第六篇協調員，電話 (360) 705-7090。

《美国残疾人法案》(ADA)信息

可向公平和民權辦公室發送電子郵件 wsdotada@wsdot.wa.gov 或撥打免費電話

855-362-4ADA(4232)，以其他格式獲取此資料。听力丧失或听觉障碍人士可拨打 711 联系 Washington 州转接站。

Af-soomaaliga – Somali

Ciwaanka VI Ogeysiiska Dadweynaha

Waa siyaasada Waaxda Gaadiidka Gobolka Washington (WSDOT) in la xaqiijiyo in aan qofna, ayadoo la cuskanaayo sababo la xariira isir, midab, ama wadanku kasoo jeedo, sida ku qoran Title VI (Qodobka VI) ee Sharciga Xaquuqda Madaniga ah oo soo baxay 1964, laga saarin ka qaybgalka, loo diidin faa'iidooyinka, ama si kale loogu takoorin barnaamijyadeeda iyo shaqooyinkeeda. Qof kasta oo aaminsan in difaaciisa Title VI la jebiyay, ayaa cabasho u gudbin kara Xafiiska Sinaanta iyo Xaquuqda Madaniga ah (OECR) ee WSDOT. Si aad u hesho xog dheeraad ah oo ku saabsan hanaannada cabashada Title VI iyo/ama xogta la xariirta waajibbaadkeena ka caagan takoorka, fadlan la xariir Iskuduwaha Title VI ee OECR oo aad ka wacayso (360) 705-7090.

Macluumaadka Xeerka Naafada Marykanka (ADA)

Agabkaan ayaad ku heli kartaa qaab kale adoo iimeel u diraya Xafiiska Sinaanta iyo Xaquuqda Madaniga ah oo aad ka helayso wsdotada@wsdot.wa.gov ama adoo wacaaya laynka bilaashka ah, 855-362-4ADA(4232). Dadka naafada maqalka ama maqalku ku adag yahay waxay ku codsan karaan wicitaanka Adeega Gudbinta Gobolka Washington 711.

Translation Services

If you have difficulty understanding English, you may, free of charge, request language assistance services by calling 360-705-7921 or email us at: PubTrans@wsdot.wa.gov

Español - Spanish

Servicios de traducción

Aviso a personas con dominio limitado del idioma inglés: Si usted tiene alguna dificultad en entender el idioma inglés, puede, sin costo alguno, solicitar asistencia lingüística con respecto a esta información llamando al 360-705-7921, o envíe un mensaje de correo electrónico a: PubTrans@wsdot.wa.gov

tiếng Việt-Vietnamese

các dịch vụ dịch thuật

Nếu quý vị không hiểu tiếng Anh, quý vị có thể yêu cầu dịch vụ trợ giúp ngôn ngữ, miễn phí, bằng cách gọi số 360-705-7921 hoặc email cho chúng tôi tại: PubTrans@wsdot.wa.gov

한국어-Korean

번역 서비스

영어로 소통하는 것이 불편하시다면, 360-705-7921 으로 전화하시거나 다음 이메일로 연락하셔서 무료 언어 지원 서비스를 요청하실 수 있습니다: PubTrans@wsdot.wa.gov

русский-Russian

Услуги перевода

Если вам трудно понимать английский язык, вы можете запросить бесплатные языковые услуги, позвонив по телефону 360-705-7921 или написав нам на электронную почту: PubTrans@wsdot.wa.gov

العربية - Arabic

الترجمة خدمات

عن اللغوية المساعدة خدمات طلباً ما فيمكنك، الإنجليزية اللغة فهم في صعوبة تجد كنت إذا

الإلكتروني البريد عبر مراسلتنا أو 7921-705-360 بالرقم الاتصال بق طر: PubTrans@wsdot.wa.gov

Af-soomaaliga - Somali

Adeegyada Turjumaada

Haddii ay kugu adag tahay inaad fahamtid Ingiriisida, waxaad, bilaash, ku codsan kartaa adeegyada caawimada luuqada adoo wacaaya 360-705-7921 ama iimayl noogu soo dir: PubTrans@wsdot.wa.gov

中文 – Chinese

翻译服务

如果您难以理解英文，则请致电：360-705-7921，或给我们发送电子邮件： PubTrans@wsdot.wa.gov，请求获取免费语言援助服务