

**Federal Transit Admin., DOT**

**§ 609.23**

As requested, the correspondence enclosed with your letter is returned herewith.

Sincerely yours,

FRANK H. WEITZEL,  
*Assistant Comptroller General  
of the United States.*

Enclosures:  
The Honorable Bob Wilson, House of Representatives.

MARCH 29, 1976.

INFLATIONARY IMPACT STATEMENT  
FINAL REGULATIONS ON SCHOOL BUS OPERATIONS

I certify that, in accordance with Executive Order 11821, dated November 27, 1974, and Departmental implementing instructions, an Inflationary Impact Statement is not required for final regulations on School Bus Operations.

ROBERT E. PATRICELLI,  
*Federal Mass Transit  
Administrator.*

**PART 609—TRANSPORTATION FOR ELDERLY AND HANDICAPPED PERSONS**

- Sec.
- 609.1 Purpose.
- 609.3 Definitions.
- 609.5 Applicability.
- 609.23 Reduced fare.

APPENDIX A TO PART 609—ELDERLY AND HANDICAPPED

AUTHORITY: 49 U.S.C. 5307(d) and 5308(b); 23 U.S.C. 134, 135 and 142; 29 U.S.C. 794; 49 CFR 1.51.

SOURCE: 41 FR 18239, Apr. 30, 1976, unless otherwise noted.

**§ 609.1 Purpose.**

The purpose of this part is to establish formally the requirements of the Federal Transit Administration (FTA) on transportation for elderly and handicapped persons.

**§ 609.3 Definitions.**

As used herein:  
*Elderly and handicapped persons* means those individuals who, by reason of illness, injury, age, congenital malfunction, or other permanent or temporary incapacity or disability, including those who are nonambulatory wheelchair-bound and those with semi-ambulatory capabilities, are unable without special facilities or special

planning or design to utilize mass transportation facilities and services as effectively as persons who are not so affected.

**§ 609.5 Applicability.**

This part, which applies to projects approved by the Federal Transit Administrator on or after May 31, 1976, applies to all planning, capital, and operating assistance projects receiving Federal financial assistance under sections 5307 or 5308 of the Federal transit laws (49 U.S.C. Chapter 53), and non-highway public mass transportation projects receiving Federal financial assistance under: (1) Subsection (a) or (c) of section 142 of title 23, United States Code; and (2) paragraph (4) of subsection (e) of section 103, title 23, United States Code. However, under certain circumstances evident in §§ 609.13 through 609.21, the latter sections apply to fixed facilities and vehicles included in projects approved before May 31, 1976. Sections in this part on capital assistance applications, fixed facilities, and vehicles apply expressly to capital assistance projects receiving Federal financial assistance under any of the above statutes.

[41 FR 18239, Apr. 30, 1976, as amended at 61 FR 19562, May 2, 1996]

**§ 609.23 Reduced fare.**

Applicants for financial assistance under section 5307 of the Federal transit laws (49 U.S.C. Chapter 53), must, as a condition to receiving such assistance, give satisfactory assurances, in such manner and form as may be required by the Federal Transit Administrator and in accordance with such terms and conditions as the Federal Transit Administrator may prescribe, that the rates charged elderly and handicapped persons during non-peak hours for transportation utilizing or involving the facilities and equipment of the project financed with assistance under this section will not exceed one-half of the rates generally applicable to other persons at peak hours, whether the operation of such facilities and equipment is by the applicant or is by