

STARK AREA REGIONAL TRANSIT AUTHORITY

Policy: Charter Service

Issued: September 30, 2009

1. PURPOSE

This policy has been developed to guide the employees of SARTA in the day to day operating requirements as they relate to Charter Services.

2. LEGAL AUTHORITY

49 FR Part 604 Charter Service

3. AUTHORITY/RESPONSIBILITY

The Director of Transportation shall have the authority, subject to review by the Executive Director/CEO, to determine whether or not any service permitted in Section 5.0 shall in fact be provided. Factors to be considered in the exercise of this discretion include, but are not limited to, the availability of SARTA resources, the financial condition of SARTA (as to the provision of free of charge services and the benefits to the community (Stark County or the various communities within Stark County).)

4. GENERAL

The following provisions shall establish the circumstances under which SARTA shall and shall not provide charter services.

5. PROHIBITED SERVICE

5.1. SARTA shall not provide any services which are defined in 49 CFR Part 604 as "Charter Services."

5.2. Section 604.3(c), Definitions, defines "Charter service" as follows:

(c) "Charter Service" means, but does not include demand response service to individuals:

5.2.1 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 the 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

5.2.2 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 or customary fixed route fare; or
- (ii) The service is paid for in whole or in part by a third party.

6. PERMITTED SERVICE

- 6.1** SARTA may provide services which are excluded from coverage of 49 CFR Part 604, SubPart A, as defined in paragraphs (b) through (g) of Section 604.2.
- 6.2** SARTA may provide community-based charter services under the limited exceptions set forth in 49 CFR Part 604, Subpart B, sections 604.6 through 604.12, provided that reporting requirements contained in Section 604.12 are met.
- 6.3** SARTA may provide services that are irregular or on a limited basis for an exclusive group of individuals, free of charge (See Appendix C to Part 604- Charter Service Questions and Answers.)
- 6.4** SARTA may provide services for community-wide special events, which are open to the general public, as long as a regular fare (and not premium fare) is charged for the service and a third party does not pay for the service in whole or in part or alternatively, the service is provided free of charge. (See Appendix C to Part 604-- Charter Service Questions and Answers.)