

ORDER

U.S. DEPARTMENT OF TRANSPORTATION
FEDERAL AVIATION ADMINISTRATION

NE 1500.21

New England Region

1/25/96

SUBJ: New England Region Model Plan - Mass Transit Benefit Program (MTBP)

1. **PURPOSE.** This order establishes responsibilities and procedures for the operation of the Mass Transit Benefit Program (MTBP) in the New England Region.
2. **DISTRIBUTION.** This Order is distributed to supervisor level and above in the Regional Office in the New England Region and to all its field offices and facilities.

3. **BACKGROUND.**

a. **Under the Energy Act, P.L. 102-486**, dated October 24, 1992, Federal agencies may participate in any program established by a State or local government that encourages employees to use public mass transportation. In addition, the Federal Employees Clean Air Incentives Act, P.L. 103-172, dated December 2, 1993, provides for the establishment of programs to encourage Federal employees to commute by means other than single occupancy motor vehicles. Order DOT 1750.1 implements P.L. 103-172 by providing policy and assigning responsibilities for the management of employee commuter transportation program in the DOT.

b. **General Services Administration (GSA) guidance** allows appropriated funds to be used for transit benefits. The Internal Revenue Service (IRS) currently permits an exclusion from fringe benefit taxation for public mass transit passes provided to employees who commute via public mass transportation.

c. **The Federal Aviation Administration (FAA) Administrator has directed that** the FAA shall participate fully in the program. Funding for the program will be from available appropriations.

d. **Employees are encouraged to use** mass transit for commuting to and/or from work through subsidizing monthly costs, where suitable and authorized transportation exists.

4. **COVERAGE.** This program covers all permanent and temporary employees who utilize public mass transit for commuting to and/or from work on a daily basis and are not listed in any Federally sponsored worksite parking arrangements. The order is designed primarily for FAA employee participation in metropolitan areas. Since each participating metropolitan area is different, specific direction will be provided locally for each metropolitan area. Local coordinators are free to utilize this order to the extent feasible, supplemented by a local directive, after obtaining the approval of the program coordinator, Manager, Acquisition Management Branch, ANE-55.

5. **RESPONSIBILITIES.**

a. **Manager, Acquisition Management Branch, ANE-55, shall:**

(1) Serve as program coordinator to develop regional policy and coordinate with unions, employee participation groups and management, as necessary, to administer the Transit Benefit Program.

Distribution: A-X-5, FOF (SUPVR), ANE-10 (3), ANE-40 (4), ANE-50 (5). Initiated By: ANE-50

(2) Ensure all locally developed programs meet the requirements of Departmental and Agency directives or to approval.

(3) Review and evaluate local programs at least annually to ensure continued compliance with Departmental and Agency directives.

(4) Review, coordinate, and approve filed documentation necessary to operate the MTBP.

(5) Serve as the control point for collection of completed Form DOT F 1700.18A, Application for the Transit Benefit, maintain an authorized employee data file, and serve as the contact point for employee inquiries.

(6) Serve as the control point for collection of any and all worksite parking permits issued to program participants prior to their participation in the program.

b. Manager, Accounting Division, AEA-20, and Manager, Acquisition Management Branch, ANE-55, shall serve as the fare media control point for those duties necessary to effectively obtain, distribute, and control the fare media.

c. Division Managers, Staff Officers and Field Facility Managers shall:

(1) Ensure all metropolitan area employees are aware of the program and budget sufficient operating funds for program operation.

(2) Ensure employees receiving mass transit benefits are not commuting by car or car pool or participating a federally sponsored worksite parking program.

(3) Designate local coordinators to review the local mass public transit situation for a given metropolitan area, to assess interest and to develop local programs where appropriate. This authority may be redelegated as needed.

d. Local Coordinators shall:

(1) Review the local mass transit situation for their metropolitan areas and determine whether there is sufficient interest (usually 10 or more riders) to merit development of a local program. Local coordinators shall solicit the input of local unions to develop a program which strives to meet the needs of all participating employees.

(2) Submit all locally developed programs to the program coordinator, ANE-55, for review and approval.

(3) Submit completed transit benefit application forms and certification forms to the program coordinator, ANE-55.

6. MASS TRANSIT BENEFIT. The total federal benefit shall be the actual cost of the fare media or the maximum nontaxable benefit, whichever is less. The benefit, within the maximum amount prescribed by law, may be limited by the availability of funds for such purposes.

7. PROGRAM PARTICIPANTS.

a. MTBP Application Instructions. Employees desiring to participate in the program must complete DOT Form F 1700.18A, Application for Transit Benefit, and forward it to the program coordinator, ANE-55, through the local coordinator. The application must be approved by the program coordinator prior to obtaining fare media. This is a one-time application which remains in effect for as long as the employee is in the program. No responses will be made to the form unless there is some reason for disapproval in which case the applicant will be contacted directly by the designated program coordinator.

b. MTBP Recertification Procedures. Approved program participants must recertify their eligibility on a monthly basis utilizing the Transit Benefit Certification Form (Appendix 2). The completed form shall be submitted to the local coordinator within the first week of each month.

c. Non-Payment Penalty and Other Penalties. Employees are cautioned, certain actions may seriously jeopardize their entitlement to the benefits of this program as explained below:

(1) Employees not utilizing the benefits to pay for fare media on a timely basis, or who have rendered a bad check in payment, shall be removed from further participation in the program.

(2) Employees who attempt to participate in a federally sponsored worksite parking program while receiving transit benefits, or who utilize fare media for purposes other than commuting to and/or from work shall be removed from further participation in the program.

(3) Disciplinary action shall be taken against employees who violate the terms of this program.

d. Termination of Program Utilization. Employees leaving the metropolitan area, leaving agency employment, or electing to utilize some other form of transportation, must contact the appropriate local program coordinator or ANE-55 immediately and return any unused fare media.

8. APPENDIXES.

a. Appendix 1 - Form DOT F 1700.18A, Application for Transit Benefit.

b. Appendix 2 - Transit Benefit Certification Form.

9. AVAILABILITY OF FORMS. A supply of the transit benefit application and certification form is being furnished to distributees with this order and may be reproduced as needed.


Robert S. Bartanowicz
Acting Regional Administrator

