

Rule No.: 941 - 6101 – 53007

Agency: Mississippi Department of Transportation

Agency Effective Date: May 15, 2005

Agency Issued Date: March 8, 2005

Secretary of State Authority Date: May 15, 2005 Supercedes Rule:

Division: Public Transit

Rule Title: Distribution of Transportation Program Funds

The person to be contacted regarding the proposed rule is: Facility and Records Management Director

Name of person originating the proposed rule: Charles Carr

Name of supervisor or person who approved the proposed rule: Charles Carr

Purpose:

Describes options for transfers among programs and method for distribution of funds to subrecipients and contractors.

Summary:

Describes options available for transfer of federal funds among Federal Transit Administration programs along with MDOT's methods used to ensure that federal grant funds and state assistance are distributed equitably among eligible subrecipient and contractors.

The full text of the proposed rule is:

All cites herein refer to the most current version of the cited document.

1. MDOT is committed to ensuring the equitable distribution of transportation resources in rural and small urban areas. To the greatest extent practical MDOT will make use of competitive application process and procedures, as well as data from available plans, needs assessments or studies to assist in the distribution of federal funds. Chapter V, Part B-D of the most recent version of the approved State Management Plan (SMP) for Federal Transit Administration funded transportation programs describes the considerations, methods and procedures for annual distribution of funds. (The SMP is available through the Public Transit Division.)
2. The transfer of apportioned or carryover funds may impact resources that are available for local transit providers and municipalities. The MDOT, in accordance with the Surface Transportation Program (STP) provisions, may periodically review the need to transfer and/or allocate STP funds, Congestion Management and Air Quality Improvement Program funds (CMAQ) as well as certain other federal funds that are considered flexible funds by the provisions of federal legislation and/or guidance, to support public transit projects. It is the MDOT's policy that in accordance with FTA guidance, with the exception of the following projects, rural projects that may be funded with these transfer funds will be selected by the MDOT after consultation with affected local officials:
 - a. projects on the National Highway System and
 - b. bridge and Interstate maintenance funds.
3. The MDOT shall consider all transferred funds, e.g. STP, CMAQ or other flexible funds, under the program requirements as apportioned Section 5311 funds, with one exception. These transfer

funds are limited to funding non-operating costs. Non-operating costs include capital and project administration

4. The request for transfer of STP, CMAQ or other flexible federal funds to the Section 5311 program shall be approved by formal action of the Transportation Commission.
5. After reviewing the requests for Section 5310 funds, annually the MDOT may transfer Section 5310 funds to the Section 5311 or to a Section 5307 urbanized area (under 200,000 population) program/project. These transferred funds may be used for non-operating expenses only. .
6. Notification of Transfers
All transfers of Section 5311, Section 5307 and Section 5310 funds will be done in accordance with the appropriate FTA program circulars or regional office guidance. Requests for transfer will generally originate within the Public Transit Division and be done after consultation with affiliated recipients.