

NATIONAL COOPERATIVE HIGHWAY RESEARCH PROGRAM
SYNTHESIS OF HIGHWAY PRACTICE

75

**TRANSIT BOARDS—
COMPOSITION, ROLES,
AND PROCEDURES**

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RESEARCH SPONSORED BY THE AMERICAN
ASSOCIATION OF STATE HIGHWAY AND
TRANSPORTATION OFFICIALS IN COOPERATION
WITH THE FEDERAL HIGHWAY ADMINISTRATION

SUBJECT AREA
ADMINISTRATION

MODE
PUBLIC TRANSIT

TRANSPORTATION RESEARCH BOARD
NATIONAL RESEARCH COUNCIL
WASHINGTON, D.C.

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NATIONAL COOPERATIVE HIGHWAY RESEARCH PROGRAM

Systematic, well-designed research provides the most effective approach to the solution of many problems facing highway administrators and engineers. Often, highway problems are of local interest and can best be studied by highway departments individually or in cooperation with their state universities and others. However, the accelerating growth of highway transportation develops increasingly complex problems of wide interest to highway authorities. These problems are best studied through a coordinated program of cooperative research.

In recognition of these needs, the highway administrators of the American Association of State Highway and Transportation Officials initiated in 1962 an objective national highway research program employing modern scientific techniques. This program is supported on a continuing basis by funds from participating member states of the Association and it receives the full cooperation and support of the Federal Highway Administration, United States Department of Transportation.

The Transportation Research Board of the National Research Council was requested by the Association to administer the research program because of the Board's recognized objectivity and understanding of modern research practices. The Board is uniquely suited for this purpose as: it maintains an extensive committee structure from which authorities on any highway transportation subject may be drawn; it possesses avenues of communications and cooperation with federal, state, and local governmental agencies, universities, and industry; its relationship to its parent organization, the National Academy of Sciences, a private, nonprofit institution, is an insurance of objectivity; it maintains a full-time research correlation staff of specialists in highway transportation matters to bring the findings of research directly to those who are in a position to use them.

The program is developed on the basis of research needs identified by chief administrators of the highway and transportation departments and by committees of AASHTO. Each year, specific areas of research needs to be included in the program are proposed to the Academy and the Board by the American Association of State Highway and Transportation Officials. Research projects to fulfill these needs are defined by the Board, and qualified research agencies are selected from those that have submitted proposals. Administration and surveillance of research contracts are the responsibilities of the Academy and its Transportation Research Board.

The needs for highway research are many, and the National Cooperative Highway Research Program can make significant contributions to the solution of highway transportation problems of mutual concern to many responsible groups. The program, however, is intended to complement rather than to substitute for or duplicate other highway research programs.

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The members of the technical committee selected to monitor this project and to review this report were chosen for recognized scholarly competence and with due consideration for the balance of disciplines appropriate to the project. The opinions and conclusions expressed or implied are those of the research agency that performed the research, and, while they have been accepted as appropriate by the technical committee, they are not necessarily those of the Transportation Research Board, the National Research Council, the National Academy of Sciences, or the program sponsors.

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The Transportation Research Board evolved from the 54-year-old Highway Research Board. The TRB incorporates all former HRB activities and also performs additional functions under a broader scope involving all modes of transportation and the interactions of transportation with society.

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PREFACE

There exists a vast storehouse of information relating to nearly every subject of concern to highway administrators and engineers. Much of it resulted from research and much from successful application of the engineering ideas of men faced with problems in their day-to-day work. Because there has been a lack of systematic means for bringing such useful information together and making it available to the entire highway fraternity, the American Association of State Highway and Transportation Officials has, through the mechanism of the National Cooperative Highway Research Program, authorized the Transportation Research Board to undertake a continuing project to search out and synthesize the useful knowledge from all possible sources and to prepare documented reports on current practices in the subject areas of concern.

This synthesis series attempts to report on the various practices, making specific recommendations where appropriate but without the detailed directions usually found in handbooks or design manuals. Nonetheless, these documents can serve similar purposes, for each is a compendium of the best knowledge available on those measures found to be the most successful in resolving specific problems. The extent to which they are utilized in this fashion will quite logically be tempered by the breadth of the user's knowledge in the particular problem area.

FOREWORD

*By Staff
Transportation
Research Board*

This synthesis will be of special interest and usefulness to transportation administrators and others concerned with transit boards and their composition, roles, and procedures.

Administrators, engineers, and researchers are faced continually with many highway problems on which much information already exists either in documented form or in terms of undocumented experience and practice. Unfortunately, this information often is fragmented, scattered, and unevaluated. As a consequence, full information on what has been learned about a problem frequently is not assembled in seeking a solution. Costly research findings may go unused, valuable experience may be overlooked, and due consideration may not be given to recommended practices for solving or alleviating the problem. In an effort to correct this situation, a continuing NCHRP project, carried out by the Transportation Research Board as the research agency, has the objective of synthesizing and reporting on common highway problems. Syntheses from this endeavor constitute an NCHRP report series that collects and assembles the various forms of information into single concise documents pertaining to specific highway problems or sets of closely related problems.

Publicly owned transit systems are frequently governed by a transit board. The usual role of the board is to determine goals and objectives; most transit agencies also employ a manager to deal with daily operational problems. The composition, roles, and procedures of transit boards vary from agency to agency and are discussed in this report of the Transportation Research Board. It is recommended that the role of the board be clearly defined to avoid conflicts. Topics suggested for continuing study are identified.

To develop this synthesis in a comprehensive manner and to ensure inclusion of significant knowledge, the Board analyzed available information assembled from numerous sources, including a large number of state highway and transportation departments. A topic panel of experts in the subject area was established to guide the researcher in organizing and evaluating the collected data, and to review the final synthesis report.

This synthesis is an immediately useful document that records practices that were acceptable within the limitations of the knowledge available at the time of its preparation. As the processes of advancement continue, new knowledge can be expected to be added to that now at hand.

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Special appreciation is expressed to Dr. Robert G. Smith, Arnold, Maryland, who was responsible for the collection of data and the preparation of the report.

Valuable assistance in the preparation of this synthesis was provided by the Topic Panel, consisting of Ronald J. Hartman, Senior Transportation Planner, American Public Transit Association; Mary Sherwood Holt, Chairperson, Peninsula Transportation District Commission; Robert A. Keith, Assistant Commissioner, Public Transportation, New Jersey Department of Transportation; Dr. Bruce D. McDowell, Senior Analyst, Advisory Commission on Intergovernmental Relations; Donald A. Morin, Chief, Public Transportation Management Division, Federal Highway Administration; Joanne Short, Director of Public Transit Division, Iowa Department of Transportation; and Warren Somerfeld, Director, Department of Transportation, City of Madison.

Kenneth E. Cook, Transportation Economist; David Ewing, Public Transportation Specialist; and W. Campbell Graeb, Engineer of Public Transportation, Transportation Research Board, assisted the Special Projects Staff and the Topic Panel.

Information on current practice was provided by many highway and transportation agencies. Their cooperation and assistance were most helpful.

TRANSIT BOARDS— COMPOSITION, ROLES, AND PROCEDURES

SUMMARY

As transit systems operations are shifting from private to public ownership, special-purpose units of government, such as public authorities or transit districts, are being established to operate outside the normal framework of municipal or county governments. The governing body of these authorities or districts is the transit board. Board members are usually appointed from the public by elected officials. At the present time, selection of board members is most often based on constituent representation.

Legally, the board *is* the transit authority. Transit agencies also usually have a manager and/or executive director. The roles of both the board and the manager must be well-defined in order to avoid conflicts. The boards of some agencies are concerned with details of day-to-day operations; in other agencies the manager has more autonomy. Generally, however, the boards have a large role in setting fares and purchasing or leasing of vehicles and operating rights, and are less concerned with hours of operation, new routes and services, and employment of personnel reporting to the manager.

The majority of the agencies interviewed for this synthesis suggested that the board should have responsibility for determining goals and objectives, but should not be involved in daily problems of operating the system. This recommendation should be modified to take into consideration that (a) policies and planning are influenced by those who have daily contact with the riding public, and (b) the complexity of bus operation and maintenance and the dependence on federal and state grants demand considerable technical knowledge of system operations.

Approximately 43 percent of the agencies surveyed for this synthesis use some form of contract management for operation of bus or paratransit systems. One of the benefits of this arrangement is that it relieves the agency of labor negotiations. Responses to the survey also indicated that (a) there is a need for reliable funding sources, (b) there are both advantages and disadvantages to each type of agency organizational structure (authority or district), and (c) there are various methods for selecting board members.

Among the topics that require continuing study are the variety of regional taxes that may be used to support transit; the use of areawide representation for transit boards or continuation of the widely used constituent representation; delineation of the role of the transit board; and the roles of federal, state, and local governments in the financing of transit.

INTRODUCTION

PURPOSE OF SYNTHESIS

Transit operations in the United States have been gradually shifting from private to public ownership. In 1964 there were only 60 publicly owned or operated transit systems in the country. By 1978, there were 463 public systems. Although these systems represent only 48 percent of the transit industry, they account for 90 percent of operating revenue, handle 91 percent of the linked passenger trips, and operate 90 percent of the vehicle-miles (1, p. 45; 2).

The objectives of this synthesis are: (a) to present current practices relating to the composition and role of transit boards; and (b) to suggest features of organization and interrelationships that may affect the activities of the board. These features include the intergovernmental relationships of the transit authorities (as special-purpose governments) with the general-purpose governments in the area; and the intragovernmental relationships of the board (as a citizen-oriented body) with the technical management personnel of the transit authority.

ORGANIZATION OF TRANSIT AGENCIES

In the shift from private to public control, transit operations generally are not being transferred to city or county government departments, as had been the case when some transit operations were assumed by government in the past. Instead, at the present time most transit systems are being transferred to newly created, special-purpose government agencies, usually referred to as "public authorities," or "transit districts." (See Appendix A, *columns A-G*.)

Special-purpose units are established to provide one specific function (e.g., bus service) or several closely related functions (e.g., bus service and paratransit). These units operate outside the normal framework of the general-purpose municipal and county governments. Insofar as possible, these agencies are financed by property taxes, as are local governments, but by less common sources of revenue, such as user charges and fares. When income from these sources is insufficient, particularly for capital expenditures, supplements in the form of grants from the federal and state governments become necessary.

The ability of the transit agencies to finance themselves, without excessive administrative controls by the general-purpose governments, determines whether they are classified officially as "independent" or "dependent" special-purpose governments. The two categories, designated by the Bureau of the Census, are used in the count of governments conducted every 5 yr.

Independent Transit Agencies

The Bureau of the Census report for 1977 (3) listed 96 special utilities districts for transit as meeting the requirements to be independent special units of government. These districts have "an organized entity, governmental character, and substantial autonomy." Just 10 years earlier, the 1967 Census report had included only 14 such agencies; and in 1962, no transit units were listed.

Dependent Transit Agencies

The Census Bureau makes no count of dependent transit agencies. However, these public authorities, or transit districts, constitute by far the largest category among the newly formed public transit agencies. Because they lack both sufficient administrative autonomy apart from general-purpose governments and dedicated revenue sources, these agencies are classified as dependent.

Transit Boards

The governing body of both the independent and dependent transit authorities is the transit board. The authority is a public corporation, usually chartered by the state, and, as in the case of a private corporation, its board of directors legally is the authority. The state enabling acts refer to the public authority as "a public body politic and corporate constituting a political subdivision of the state established as an instrumentality exercising public and essential governmental functions to provide for the public convenience, benefit and welfare, and shall have perpetual succession. . . ." This definition assumes that the board of directors is a legal person and therefore capable of having "perpetual succession."

The trust agreement for the Oklahoma Transportation and Parking Authority (*Trust Indenture*, February 1, 1966) defines this role of the board, stating that certain board obligations are to be treated "in the same manner and to the same extent as a natural person might or could do." The Municipality Authorities Act of Pennsylvania is clear on this point: "[The] Municipality Authority shall mean the body or board authorized by law to enact ordinances or adopt resolutions for the particular [authority]."

Assigned this significant role within the transit authority, the board is considered a citizens' body, and its members are not expected to be experienced in either government or transit. Extensive studies of the occupations of transit board members conducted by Horn (4, 5) reveal that the

"occupations of almost 40 percent of the participating board members were in business management or banking-finance." This high percentage may well be the result of concerns of the authority in these areas since the authority, insofar as possible, must be self-financing. Horn lists the occupations of transit board members as follows: business management (29.6 percent), attorneys (12.0 percent), banking/finance (9.6 percent), engineering (6.4 percent), real estate/insurance (5.6 percent), educators (4.8 percent), government administration (4.0 percent), professional consultants (3.2 percent), elected officials (3.2 percent), advertising/public relations (1.6 percent), appointed officials (0.8 percent), planners (0.8 percent), retired (6.4 percent), and other (12.0 percent).

It is of interest to note that only 8 percent of board members have any relationship to other governments (3.2 percent serve as elected officials, 4 percent are in government administration, and 0.8 percent are appointed officials of other government agencies). In the Salem (Oregon) Transit District, four of the nine appointed members also hold elected positions in city or county governments. In general, transit board members do not form a link between the somewhat autonomous transit authority and the general-purpose governments; there is no "interlocking directorate." However, the members are usually appointed to the transit board by elected officials. Horn (5) found that the "predominant method of selecting directors . . . was appointment by elected officials. . . . Where board members were appointed, they were chosen by local elected officials at 27 of the 35 boards. . . . Board members at five other authorities were selected by the governor."

The Metro Regional Transit Authority of Akron, Ohio, reports: "Board members are each appointed by the mayor of the city they represent and must be confirmed by the respective city council. The various members do not carry tags as representing certain interests, although the members come from areas of labor, business, industry, minorities, education, commerce, finance, and legal expertise."

The average number of members on a board is 9, with a range of 5 on the smallest board to 21 on the largest. Horn's data indicate that "91.3 percent of the board members participating [in his study] . . . had some formal education beyond high school," and that of those with a college degree, there was a heavy concentration in business administration. According to Horn's study, the total minority representation on the boards was 29.1 percent, and female representation totaled 16.5 percent.

PREVIOUS STUDIES

Several studies on transit boards have been published. The most pertinent study on the characteristics and working procedures of transit boards was reported by Horn (4, 5). Detailed studies of the boards of the large, metropolitan, multimodal transportation authorities in this country and in Great Britain have been reported by Smith (6-8).

Walsh (9), in a study on public authorities in general, refers to the country's first public authority as the proto-

type of authorities, stating that "[one of the] reasons for the consistencies [among authorities] that do exist is that many authorities have been patterned after the Port Authority of New York and New Jersey."

Transit authorities and their boards are described in a report by the Advisory Commission on Intergovernmental Relations (10). More recent proposals for legislation have been suggested by the commission (e.g., the *State Legislative Program. 7. Transportation*. Washington, D.C., M-98, October 1975).

COLLECTION OF DATA

Information for this synthesis was gathered by the following methods:

1. An extensive study of the literature on transit planning and operations, with emphasis on transit administration, was conducted.
2. Thirty transit agencies were selected to be surveyed on the basis of type of organization, population, population density, and geographic location.
3. A questionnaire was prepared and sent to each of the 30 transit agencies. The 21 transit agencies that responded are listed in Table 1, and their responses are summarized in Appendix A.
4. In a follow-up to the questionnaire, 15 of the 30 agencies were contacted by telephone.
5. Four of the transit agencies were visited: the Cumberland-Dauphin-Harrisburg Transit Authority (Capitol Transit), Harrisburg, Pennsylvania; the Southeastern Regional Transit Authority, New Bedford, Massachusetts; the Rhode Island Public Transit Authority, Providence, Rhode Island; and the Westport Transit District, Westport, Connecticut.
6. Letters describing the project were sent to three management contract companies. The American Transit Corporation, which serves 14 urban transit systems (none of which participated in this study), furnished a sample contract, dated January 1980, and a full description of the corporation's work with transit systems. The ATE Management and Service Company, one of the largest contract management companies (serving 39 transit systems), two of which are among the 21 chosen for this study, also furnished explanations of the company's work.
7. The Duke Power Company, which owns and operates private transit systems in Durham and Greensboro, North Carolina, and in Anderson and Spartanburg, South Carolina, was contacted. Information received from the company provides evidence that there are some private systems that have not yet converted to public ownership and continue to function effectively in the private sphere.
8. The letter accompanying the questionnaire sent to the transit agencies requested that copies of state laws or local ordinances and resolutions concerning the establishment of the transit agencies be forwarded with the replies. This information received from the transit systems, together with that assembled from various other sources, was analyzed along with the responses to the questionnaires.

TABLE 1
THE 21 TRANSIT AGENCIES PARTICIPATING IN THIS STUDY

Agency	Population	Principal City or County	Type of Organization
Metro Regional Transit Authority	500,000	Akron, Ohio	Regional authority; includes the cities of Akron, Barberton, and Cuyahoga Falls.
Brockton Area Transit Authority	130,000	Brockton, Mass.	Regional authority near the city of Boston; includes the towns of Brockton, Avon, and Stoughton.
Charlotte Transit System	350,000	Charlotte, North Carolina	City department.
Cumberland-Dauphin-Harrisburg Transit Authority	382,944	Harrisburg, Pa.	Combination of the capital city of the state and 2 counties.
Des Moines Metropolitan Transit Authority	256,827	Des Moines, Iowa	Metropolitan authority; includes the cities of Des Moines, West Des Moines, Urbandale, Windsor Heights, and Clive.
Grand Rapids Area Transit Authority	411,044	Grand Rapids, Michigan	Combination of 6 cities (East Grand Rapids, Grand Rapids, Kentwood, Grandville, Wyoming, and Walker) and the county of Kent.
Luzerne County Transportation Authority	225,000	Kingston, Pa.	County transit authority.
Mercer County Improvement Authority	304,116	Trenton, N.J.	Use of an improvement authority for transit (the only such use in the state).
Meridian Transit System	46,086	Meridian, Miss.	City system under city commission.
Milwaukee County Transit System	945,000	Milwaukee, Wisc.	County system, which reports to a county committee instead of to a board.
Southeastern Regional Transit Authority	250,000	New Bedford, Mass.	Regional authority in a manufacturing area; includes the cities of New Bedford and Fall River and the towns of Westport, Acushnet, Dartmouth, Fairhaven, Freetown, Somerset, and Swansea.

TABLE 1 (continued)

Agency	Population	Principal City or County	Type of Organization
Oklahoma Transportation and Parking Authority (MASSTRANS)	500,000	Oklahoma City, Oklahoma	Combined transportation and parking authority, created as a trust under a trust indenture.
Orange County Transit District	1,800,000	Orange County, California	County transit district.
Rhode Island Public Transit Authority	947,000	Providence, R.I.	State-appointed authority with 3 board members appointed by the governor, 1 member appointed by the lieutenant governor, and 1 member appointed by the speaker of the house.
Rochester-Genesee Transportation Authority	750,000	Rochester, N.Y.	One of 5 metropolitan transportation authorities of New York State; includes 4 counties (Monroe, Wayne, Genesee, and Livingston) and the city of Rochester.
Via Metropolitan Transit	851,118	San Antonio, Tex.	Regional authority covering most of Bexar County; includes unincorporated precincts.
North San Diego County Transit District	406,000	San Diego County Calif.	Cities of Carlsbad, Escondido, Oceanside, San Marcos, and Vista; unincorporated areas within designated census tracts; and other cities as chartered.
Springfield, Missouri City Utilities Transportation Department	152,151	Springfield, Mo.	City utilities board, with transit operations dependent on revenue from gas and electricity.
Tidewater Transportation District Commission	750,000	Norfolk, Va.	Regional transit district, without powers of taxation but with broad authority for planning and operations; includes cities of Chesapeake, Portsmouth, Suffolk, Virginia Beach, and Norfolk.
Westport Transit District	28,000	Westport, Conn.	Transit district, known for its brokerage system in an affluent community.
Utah Transit Authority	800,000	Salt Lake City, Utah	Authority of 3 counties (Salt Lake, Davis, and Weber).

THE ROLE OF THE BOARD

EXTENT OF POWERS

As previously discussed, for legal purposes, the board is the transit authority. For example, state enabling legislation in Ohio (Ohio Revised Code, Chapter 306, Sections 306.30 ff) states: "All the power and authority granted to a regional transit authority shall be vested in and exercised by its board of trustees which shall manage and conduct its affairs." These powers are extensive, involving the planning and operation of a transit system.

The enabling laws usually stipulate that the board, as one of its first duties, appoint a manager. The Michigan legislation (Public and Local Acts of the Legislature of the State of Michigan, 1967) reads:

Before engaging in transportation operations, or at such time as the board deems appropriate and necessary, the board shall appoint a general manager who shall be the chief executive and operating officer of the authority. The general manager shall have management of the properties and business of the authority and the employees thereof. He shall direct the enforcement of all resolutions, rules and regulations of the board, and shall enter into contracts as necessary under the general control of the board. The general manager shall serve at the pleasure of the board.

Both the structure of the board and the position of manager are normally mandated by law. In addition, a number of transit authorities have an executive director. Seven of the 21 agencies included in this report have both executive directors and transportation managers. Horn (5) described the relationship between the executive director and the transportation manager:

At 29 locations only the chief operating officer reported to the board of directors. Eight other locations had an executive director or secretary reporting directly to the board in addition to the general manager. In addition to administrative managerial personnel, several policy-making bodies had a comptroller and/or legal counsel retained by and reporting to the board. Where two administrative employees reported directly to the policy-making body, the board staff employee in four instances informally reported to the chief executive officer. At four other locations, both the executive director and the resident manager reported separately to the board. This has been indicated to have resulted in some confusion or conflict because of the ambiguity between the two positions. Attempts to resolve the potential difficulties inherent in such an arrangement have focused on prescribing the exact nature of each incumbent's position and reporting responsibilities.

The Board and the Manager

It does not come as a surprise, considering this type of organization, to discover that conflicts between the board and the management are common. A transit board, chosen

to represent the public instead of for its expertise in either government or transit, and a transportation manager, who is technically trained, may well be incompatible unless the roles of both are defined. Attaining a good relationship between board and manager takes time and depends on the interrelationships within the community and the personalities concerned.

Horn, in his study of transit boards (5), found the conflicts between board and management to be a two-way problem: "A range of situations and examples abounded at both extremes from board members and/or chairmen who excessively preoccupied themselves with operational affairs to strong-willed chief operating officers who were at times, uncooperative and unyielding to board requests for information and more exposure to the executive managerial staff."

An article in *Business Week* (August 13, 1979) indicated that the shortage of transit managers trained for the position had reached epidemic proportions. "Along with their low pay, transit managers get more than their share of troubles. Besides being barraged with the gripes of the commuters, they often must negotiate with tough labor unions and work with an elected or politically appointed board, usually representing several jurisdictions. A general manager's job has an exceedingly high profile. 'You get crucified for making a mistake.'"

An editorial in *Passenger Transport* (September 14, 1979) reflected the concern: "We need Managers—public transit is facing a shortage of managers that could cripple the industry. Over 70% of transit managers will be out of the industry within seven years."

Although one of the questions listed on the questionnaire was designed to ascertain the magnitude of the problem of a lack of trained managers, the responses did not reflect as much concern for this problem as for some of the other issues. The agencies were asked: "In view of the shortage of transit managers today, and the suggestion that they are overburdened in their job, can you recommend functions that they now perform from which they might be relieved? If so, where might they be shifted?" The agencies that responded to this question did not indicate any deep concerns. The responses are given below (the number of each response is the number assigned to each transit board that replied to the questionnaire and corresponds to the numbers used in Appendix A.) It should be noted that only three of the responses mention a shift of duties to the transit board.

No. 2. "A very complex subject. I do not believe it is so much a problem of shifting responsibilities to a board as it is a matter of recognizing the bureaucracy we are creating with reporting requirements, assurance, vehicle stan-

ardization, which favors large transit districts and large cities, and application requirements for capital and operating assistance. To have a volunteer board understand the complexities of the regulations, and in our particular circumstance to deal then with a regional planning agency, the State, and the Tri-State is overwhelming. This is necessary because the basis for allocations of funds has shifted from technical considerations to political gamesmanship at each of these levels."

No. 4. "None. We have an assistant general manager and a relatively small but capable staff. The general manager is responsible for the day-to-day operations—but he is also charged with delegating authority and responsibilities to the various staff departments."

No. 6. "None came to mind with current general manager and staff. However, the trustees review organizational and functional charts annually to keep pace with responsibilities and staffing patterns."

No. 9. "Some planning and administration. We would have to employ another person."

No. 11. "State legislative lobbying and coordination, [which could be shifted to] administrative staff and board; local handicapped citizens group coordination, [which could be shifted to] administrative staff; and numerous local committee and task force meetings and coordination, [which could be shifted to] administrative staff and board."

No. 13. "Functions primarily related to board/press/public activities, which vary to extremes. The general manager should delegate as much of internal operations as possible."

No. 15. "Legislative review, etc., and financing, [at least some of which could be shifted to] the board."

No. 16. "Make the state transit bureaucracy smaller. Let board members handle intergovernmental relations."

No. 17. "We do not have much of a problem in this regard. A general manager is responsible for transit operations, and an executive director of the regional authority is responsible for central staff and parent organization functions."

No. 19. "Planning-marketing, [which could be shifted to] an additional staff person."

No. 20. "N/A. This public transit authority board sets policy only as it is recommended by management."

Theodore C. Lutz, former UMTA Administrator, in addressing a workshop session for transit governing board members in early 1980, assured the group that "somebody on the local level gives a damn about transportation for the first time in 20 years. Board room decisions are now instant headlines." He advised board members to concentrate on planning and long-range policy decisions instead of on the "grubby everyday details of running a transit system" (*Passenger Transport*, March 14, 1980). The problem for the board member is knowing when transit decisions cease to be "grubby."

Horn's studies (4) provide details on the decision-making role of the boards. As is shown in Table 2, boards make decisions on setting fare levels; changing fares; purchasing, leasing, or selling operating rights and other transit properties; and purchasing or leasing new vehicles for revenue

service. The table also reveals that the boards are the least involved in making decisions regarding the employment of executives reporting directly to the manager; changing hours of operation; adding new routes or new services; and submitting grant applications.

The handling of other functions reveal great differences among agencies regarding the division of responsibilities between board and manager. Labor negotiations and involvement in hearings, two functions that do not appear on Horn's list, were examined because both are significant in the formulation of policy and have become increasingly technical in nature.

Labor Negotiations

The replies of the agencies concerning the role of the board in labor negotiations can be summarized as follows (also see Appendix A, column L):

None	3
Determines settlement	1
Reviews	1
Approves contract	7
Sets guidelines	6
Monitors	1
No answer	2 (1 of which does not have a union)

Involvement in Hearings

Five of the agencies in this study stated that all hearings involved participation by board members; two said that attendance at the hearings was all that was required of the board, and seven indicated that all hearings were the sole responsibility of the manager. Other agencies specified certain hearings that are of concern to the board. For example, one agency concluded: "The manager has the only role in all the listed hearings, without any of the board, except for those hearings concerned with the evaluation of specific routes, new service initiation, and citizen input, at which both the board and the manager are present." Thus the manager participates in all the hearings, and the board only in selective ones. In practice, the executive director usually represents the board in all hearings; and the board appoints a hearing officer, usually from among its own members, to attend the public hearings. Transportation improvement program hearings were specifically mentioned by several agencies; two extremes of involvement were indicated—manager participation only and board participation only. No reference was made to hearings on transportation system management elements.

That transit systems are either in the midst of a change-over from long-range to short-range planning or are attempting to do both may well be reflected in the lack of replies to the query on hearings. Ten agencies stated that they are more concerned at present with short-term planning; five indicated involvement with long-term planning; and six suggested that they are attempting to accomplish both. One agency commented that "the pressure of solving immediate problems sometimes results in postponement of long-range plans."

TABLE 2 DECISION-MAKING ROLE OF TRANSIT AUTHORITY BOARDS (4)

Activity	Decide	Confirm	(Per Cent)		No. Role
			Counsel	Review	
Employing general manager or resident manager	79.7	13.8	3.3	0.8	2.4
Compensation of general manager or resident manager	67.2	14.8	1.6	2.5	13.9
Setting fare levels	63.8	24.4	6.3	3.1	2.4
Changing fares	63.0	24.4	5.5	5.5	1.6
Selecting independent auditors	60.5	29.8	1.6	3.2	4.8
Purchasing, leasing or selling operating rights and other transit properties	54.9	30.3	4.9	3.3	6.6
Establishing standards for executive management to follow in deciding whether to submit an issue for board review or approval	51.7	14.2	23.3	3.3	7.5
Purchasing or leasing of new vehicles for revenue service	50.4	44.1	3.1	2.4	0.0
Selecting sources of funds in financing expansion of operation or rehabilitation	47.5	25.4	10.7	9.8	6.6
Selecting consultants and other professional services	45.6	43.2	6.4	4.0	0.8
Establishing capital budgets and changes thereto	45.2	44.4	2.4	7.3	0.8
Establishing operating budgets and changes thereto	41.6	45.6	4.0	8.8	0.0
Selling bonds, notes or negotiable instruments of debt	35.7	31.3	3.5	8.7	20.9
Determining amount and sources of working capital	35.0	34.1	10.6	15.4	4.9
Establishing general wage levels and employee benefit plans	28.2	46.8	9.7	12.1	3.2
Compensation of executives reporting directly to general manager or resident manager	27.9	39.3	4.1	18.9	9.8
Submitting grant applications	27.0	49.2	7.1	13.5	3.2
Establishing basic organizational structure and reporting relationships	26.6	29.8	16.1	20.2	7.3
Changing the organizational structure and reporting relationship	25.0	33.9	17.7	15.3	8.1
Adding new routes or new services	23.8	46.7	11.5	16.4	1.6
Changing hours of operation	21.0	39.5	12.1	20.2	7.3
Employing executives reporting directly to general manager or resident manager	18.9	38.5	11.5	15.6	15.6

DETERMINING GOALS AND OBJECTIVES

In regard to the relative roles of the board and the manager, most agencies participating in this study suggested that the board be responsible for determining goals and objectives, but not be involved in the daily problems of running the system. This recommendation must be considered only as a starting point in defining the two roles of board and manager. It must be adjusted to the actual methods by which goals and objectives are determined. For instance, policy and planning are not developed in isolation, but are markedly influenced by personnel who have direct daily contact with the riding public. Thus public opinion plays a significant role in board decisions on goals and objectives. In addition, the increasingly complex technology of bus operations and maintenance and the dependence of the system on what has been called grantsmanship (the solicitation of grants from federal and state governments) demand considerable knowledge of the working of the system, even though, in practice, operations are the responsibility of management.

NEED FOR TRAINING OF BOARD MEMBERS AND MANAGERS

The qualifications for board members, as previously discussed, suggest the need for training courses in the overall

planning and operation of the transit system. Recently, such courses have been sponsored by the Urban Mass Transportation Administration (UMTA), the American Public Transit Association (APTA), and the Federal Highway Administration (FHWA). Managers could also profit from the overview provided in these courses, and, in addition, both board and manager might benefit from the mutual exchange of ideas within the classroom.

Training for transit board members should emphasize an understanding of the unique role of the board of a special-purpose government, especially if the transit agency is a public authority or a transit district. This emphasis on the special-purpose aspect of the agency will force consideration of the role of special-purpose government in fulfilling the requirement that, insofar as possible, the transit authority or district be self-financing.

Instruction for board members must include both (a) the traditional financial reliance of the public authority and the special district on revenue bonds and user charges, and (b) special forms of taxation for a regional district. The training should prepare transit board members to deal with the difficulties that agencies are likely to encounter with public transit finance (e.g., seeking approval, especially by nonusers, of various methods of finance), and to deal with such problems as the inability of agencies to float revenue bonds and to collect user charges in sufficient amounts to cover transit operating deficits.

Instruction in the laws and regulations designed for special-purpose agencies that are not under municipalities or counties would also be useful.

CHAPTER THREE

SUCCESSSES AND PROBLEMS**CASE STUDIES**

Some of the case studies prepared for this report illustrate the importance of organization and interrelationships for the successful operation of a transit board.

**The Tidewater Transportation District
Commission of Virginia (11)**

The Tidewater Transportation District Commission provides an example of a board selected to represent the constituent members of the transit district (the method of representation most commonly used for the new transit agencies).

This district was established in 1973 by provisions of the Transportation District Act, which was enacted in 1964. The act describes the procedure to establish a district by allowing any "two or more counties or cities, or combinations thereof . . . [to] constitute a transportation district" and requires that ordinances be adopted by the governing bodies of the participating counties and cities. These ordinances must show, among other requirements, "that the orderly growth and development of the county or city and the comfort, convenience and safety of its citizens require an improved transportation system, composed of transit facilities, public highways and other modes of transport, and that joint action through a transportation district . . . will facilitate the planning and development of the needed transportation system." The local ordinances are to be filed with the secretary of the commonwealth who will then notify each unit that has filed that it is a member of the transportation district.

The cities of Chesapeake, Portsmouth, Suffolk, Virginia Beach, and Norfolk followed the above procedure in establishing the Tidewater Transportation District. The act specifies that the term "commission" is to be added to the name of the district; thus the agency is called the Tidewater Transportation District Commission. The act defines the commission as a board created to "manage and control the functions, affairs and property of the corporation and to exercise all the rights, powers and authority and perform all of the duties conferred upon the commission," and to consist of constituent representatives "of such a number of members as the component governments shall from time to time agree upon, or as may otherwise be provided by law."

The Tidewater Transportation District Commission is composed of two members from each of the five cities, who are appointed by the governing body of each city. These appointed members have usually also been members of the city councils. By law, the state highway commissioner, or his designee, is a member (ex officio) of the commission.

The commission elects one member as chairman and one as vice chairman. The commission employs ATE Management and Service Company to handle transit operations and marketing.

The Transportation District Act specifies planning as one of the first duties of the commission: "[The commission] shall prepare the transportation plan for the transportation district and shall from time to time revise and amend said plan. . . ." The plans must be submitted for approval to the constituent units and the state highway commission. For this review and to obtain suggestions for the plan, the commission is to create "subject to their appointment [by the units] technical committees from the personnel of the agencies of the counties and cities and from the State Highway Commission concerned with planning, collection and analysis of data, relevant to decision-making in the transportation planning process."

After the acceptance of the plan, the commission is to carry it into effect by the power to "construct or acquire, by purchase or lease, the transit facilities specified in such transportation plan." In 1977, for example, the Tidewater Commission succeeded in transferring private bus companies, which had been regulated by city councils but owned privately, to the district by purchasing the Tidewater Metro Transit for \$2.3 million.

The state provides money from highway funds for capital and administrative expenses, and each member city appropriates funds for that city's services. The law describes the procedure:

When a transportation plan has been adopted . . . the commission shall make a determination of the equitable allocation among the component governments of the costs incurred by the district in providing the transportation facilities proposed in such transportation plan and the expenses and obligations, if any, from the operation thereof to be borne by each county and city. In making such determinations, the commission shall take into consideration the cost of the facilities located within each county and city, the population of each county and city, the benefits to be derived by each county and city from the transportation service to be rendered . . . and all other factors which the commission determines to be relevant.

The commission then enters into contracts or agreements with the counties and cities "to provide, or cause to be provided, transit facilities and service to such counties and cities. . . ."

The constituents are not locked into the district. The law allows that a "county or city may withdraw from the transportation district by resolution or ordinance, as may be appropriate, adopted by a majority vote of the governing body thereof. The withdrawal . . . shall not relieve such

county or city from any obligation or commitment made or incurred while a member of the district."

In addition to the Tidewater District, the Northern Virginia Transportation District and the Peninsula Transportation District have been established in Virginia in conformance with the legislation described above.

Cooperation Between the Tidewater and the Peninsula Transportation District Commissions (12)

The Tidewater and Peninsula Transportation District Commissions provide an example of cooperation between two boards of adjacent transit districts as brokers involving the private sector in transportation services. The two districts are separated by the James River (Hampton Roads): the Tidewater District lies to the south of the river, centering on Norfolk and Portsmouth, and the Peninsula District lies to the north of the river with its headquarters in Hampton. The districts are connected by bridge and tunnel.

As a number of transit boards throughout the country have done, the commissions for both districts have taken on the role of brokering. A transportation broker, according to the Peninsula Commission, "means three things: identifying all of the vehicles serving our area; identifying all the trips that need to be made into, out of, or within our area; and getting vehicles and trips together using the fewest vehicles to carry the most people" (13).

Because much of the transportation need is for service back and forth between the Peninsula District and the Tidewater District, the two commissions have drawn up an agreement that defines the roles of the two commissions in cooperative brokering for the provision and maintenance of vanpools. Under this agreement, the Peninsula Commission acts as the broker, providing computerized ride-sharing information for the two districts. The Tidewater Commission provides the van leases and/or bus leases for both districts. Fueling and minor maintenance facilities are provided by Peninsula, and fueling and major maintenance facilities are the responsibility of Tidewater. Jointly, the two commissions "work together to insure that the total costs of the van and bus leasing program are recovered through the monthly charges to the lessees [and to keep the] charges . . . comparable for lessee operators in each transportation district."

The Brockton Area Transit Authority of Massachusetts (14)

The Brockton Area Transit Authority provides an example of an authority in which both the role of the administrator and private management contracts are emphasized. The role of the board is considered "advisory." However, the board does establish budgets, service levels, and fares.

Enabling legislation for the Brockton Authority enacted by the state provides for the usual powers of the authority to be assigned to the board, such as holding and managing

mass transportation facilities, appointing officers, making and revising bylaws, and issuing bonds; the law also contains the provision that "in each case [these powers are] to be exercised by the administrator of the authority unless otherwise specifically provided. . . ." The law further states that the "affairs of an authority shall be managed by an administrator who shall be appointed by and serve at the pleasure of the advisory board. . . ."

The transit authority is not permitted to operate its own transit system, but is required to have the operations carried out by a private company on a contract basis. Then by contract between the authority and the state's transportation office, a method of partial repayment by the state is worked out.

The advisory board is composed of the top elected official of each member community. The vote of each board member is weighted by the amount of services required by the community and thus is proportional to local contributions; each member has one vote, with additional votes determined by a formula based on assessments made by the state treasurer to the city or town. The assessments are made primarily to pay for part of the cost of the private contract services required for operation of the system. In the case of the Brockton Authority, this procedure has resulted in the control by the city of Brockton of 80 percent of the votes on the board. However, all constituent cities and towns are protected in that each makes the final decisions on services within its boundaries. This is assured by the fact that the local governments have the right to control street licenses, and even to withdraw from the authority altogether. Brockton's deputy administrator noted: "It's a good arrangement that preserves local control. Each community determines how much service it receives (and how much it pays). The authority's role is to provide the most efficient service possible."

The New Jersey Transit Corporation

The New Jersey Transit Corporation represents one of the most recent developments in public transit: the creation by a state of a public corporation to function on a statewide basis, with a board for the corporation and advisory committees for each of its operating divisions (15).

New Jersey is not a typical state in that it (a) has two large metropolitan areas that center on cities outside the state (New York City and Philadelphia); (b) has had intense and dense development; and (c) has continued to emphasize decentralized government. The towns and counties have not been able to meet transportation needs. Until recently, the Mercer County Improvement Authority was the only county transit system in the state; the Atlantic County Transportation Authority was established within the past year.

As a new agency created by the state, the New Jersey Transit Corporation is "empowered to acquire, operate, and contract for the operation of public transportation services and facilities," and is to be concerned primarily with buses and the coordination of bus and rail operations. The corporation was established within the execu-

tive branch of the state government, "allocated within the Department of Transportation. . . [but] the corporation shall be independent of any supervision or control by the department or by any body or officer thereof." Agency employees are not to be part of the state civil service, for example, and, to a considerable extent, the corporation is to establish its own procurement practices. Therefore, the new agency is semi-independent, except for its funding; local money is obtained for the agency by the New Jersey Department of Transportation.

The board for the corporation is composed of the following members: the commissioner of transportation (ex officio member); the state treasurer (ex officio member); a state cabinet officer to be designated by the governor (ex officio member); and four public members to be appointed by the governor with the advice and consent of the state senate (at least one public member is to be a regular public transportation rider).

The corporation may establish one or more operating divisions as is deemed necessary, such as one for the northern portion of the state and one for the southern. Within each operating division, there is to be created "a geographically coincident advisory committee" to be appointed by the governor, with the advice and consent of the state senate. The law stipulates: "The committee shall consist of county and municipal government representatives and concerned citizens, in the number and for such terms as may be fixed by the corporation. . . . At least two members of each advisory committee shall be public transportation riders, including but not limited to urban transit users and suburban commuters as appropriate." One public member of the corporation board is to serve as liaison to this committee.

PRINCIPAL CONCERNS OF THE TRANSIT AGENCIES

Private Sector Involvement

The private sector is substantially involved in public transit operations (see Appendix A, *columns H-K*). Approximately 43 percent of the transit boards surveyed for this report indicated significant use of contract management by private companies for the operation of bus and/or paratransit systems. Enabling acts for transit usually contain a provision that the board of the transit agency may "make and perform contracts of every kind, including management contracts. . . ." As discussed in the case study of the Brockton Area Transit Authority in Massachusetts, contract management is *required* by the enabling legislation.

The contract often includes a provision specifying that the management company will relieve the transit agency of labor negotiations and will provide trained personnel for this task. The master contract of ATE Management and Service Company commits the company to the formation, within a transit system, of a "shell" corporation to act as the employer of the transit system employees. The ATE contract that specifies this particular service reads as follows:

ATE, subject to the laws of the State of _____, will form a separate corporation, to be named _____, hereinafter referred to as _____, which by assignment shall assume and perform all services, obligations and accept all rights which have been incurred or extended to ATE under the terms and conditions of this agreement. Said _____ shall be the employer of all employees necessary for the operation of the system. _____ will assume all contractual obligation incidental to the operation by ATE to the extent that _____ has agreed to be so obligated.

This surrogate arrangement for representation in the labor negotiations is attractive to the many transit boards in an industry that is labor-intensive.

The use of contract management in the area of labor negotiations is shown in Appendix A (*columns K-N*). Note that several transit systems with contract managers report that the board has no role in labor negotiations, except that of approving the final contract. As is indicated in Appendix A, transit boards normally do not participate to any great extent in labor matters. The manager, whether or not a contract manager, is the labor negotiator. In Iowa the state enabling act specifies that the manager is to be the "chief negotiator."

Horn's studies (4, 5) suggest that when contract management is utilized, the transit board actually has a greater role in the preparation of the capital budget.

The difference in decisionmaking roles between board members of contract and noncontract management transit authorities with respect to capital budgets was that a greater percentage of the former indicated a 'decide' role while a greater percentage of directors from authorities not utilizing contract management indicated a 'confirm' role. This tendency was also observed, although to a much lesser extent, for other decisions dealing with capital.

Along with the joint effort in performing brokerage functions (as described in the case study for two Virginia districts), the brokerage system of the Westport, Connecticut, Maxytaxi service has attracted nationwide attention. Although this system was developed in an affluent community, the U.S. Department of Transportation, in an evaluation for grant purposes, concluded that there is "considerable potential for expanded brokerage efforts with the major public and private interests in the community," including employers, merchants, and businesses; social service agencies; realtors; local planning and zoning boards; public service departments (public works, police, fire, parking, medical, library); education centers; and private providers (16, 17).

Restriction to Bus and Paratransit Services

The new transit boards are involved almost exclusively with the planning and operation of bus systems and closely related functions such as paratransit. Thirteen of the 21 transit agencies in this study are engaged in paratransit service (see Appendix A, *columns O-S*).

Most of the new agencies use the term "transit" in their titles. However, even those agencies designated as "transportation" units have been preoccupied with the need to provide bus and paratransit services as private bus systems have been gradually closing down operations.

The Central Oklahoma Transportation and Parking Authority is an exception to the almost exclusive involvement of transit authorities with the planning and operation of bus systems. Although the combined authority has complained that it does not have the assured funds to meet its needs, it states: “[When] budget ‘overruns’ are experienced we have generally obtained the funds from the excess parking revenues of the Parking Division of our Authority” (*Trust Indenture*, February 1, 1966).

Exemption of Transit Boards from the “One-to-One” Method of Representation

Transit boards are not compelled to follow the principle of representation mandated for almost all levels of government throughout the country: that each person’s vote within a governmental jurisdiction has the same force as any other person’s vote therein. As special units, transit authorities or districts are not included in the Supreme Court ruling, although a comment by Justice Rehnquist, in a ruling that exempts a water district from the “one-to-one” form of representation (18, 19), did not leave the transit authorities or districts completely immune to future decisions by the Supreme Court. Justice Rehnquist argued that one reason for his exclusion of the water district is that it has “relatively limited authority,” as evidenced that the district does not “provide other general public services such as schools, housing, transportation, utilities, roads or anything else of the type ordinarily financed by a municipal body. There are no towns, shops, hospitals or other facilities designed to improve the quality of life within the district boundaries and it does not have a fire department, police, buses, or trains” [emphasis added]. In a strong dissent, Justice Douglas asserted that the water district is performing “vital governmental functions,” and that to allow control of the voting process by large landowners within the district would produce “a corporate political kingdom undreamed of by those who wrote our Constitution.”

In Portland and Eugene, Oregon, transit board members are appointed by the governor from subdistricts based on population. However, most transit boards are free from the representation requirement and able to experiment with various methods of reflecting the desires and needs of both riders and nonriders.

Lack of Dedicated Revenues

A major concern of transit boards is the lack of dedicated revenues, particularly for meeting operation deficits (see Appendix A, columns T, U). One-third of the transit agencies surveyed emphasized the need for funding sources on which they can depend (see Appendix A, column F).

According to the replies to the question asking the transit boards to list their sources of revenue, there is a predominant reliance on federal funds. (At this time, there is some doubt as to the availability of future federal funds for operating assistance.)

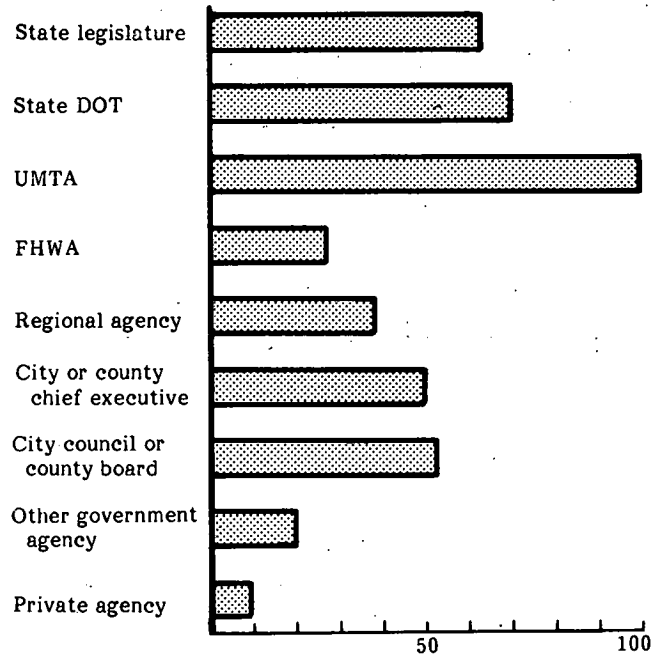


FIGURE 1 Relative influences on the 21 transit boards.

Influence of Other Agencies

The 21 boards were requested to rank the agencies with the most influence on their transit systems, and, therefore, on the actions of the boards themselves. Figure 1 shows the relative influence of various organizations. UMTA was rated as having the most influence by 14 of the transit agencies, and as second in influence by two other agencies.

Use of Public Authorities for Local Transit Units

In establishing public authorities as the principal units for the new transit agencies, the states, by enabling legislation, are using a form of special-purpose government designed to provide considerable autonomy and flexibility. A good part of this independence depends on the requirement that these authorities finance themselves by issuing revenue bonds to be amortized over a period of 40 yr by user charges paid by those who use the facilities of the authority.

This procedure has been effective for turnpike authorities and other such agencies; however, when applied to a deficit operation, such as public transit, this financing method appears to create problems for the transit boards. Only 3 of the 21 transit agencies queried for this synthesis have issued revenue bonds, and only 9 agencies list user charges (fares) as the major source of income (see Figure 2).

For larger areas, such as entire states or extensive regions, the public authority may still provide some autonomy for transit planning and operations. The authority is

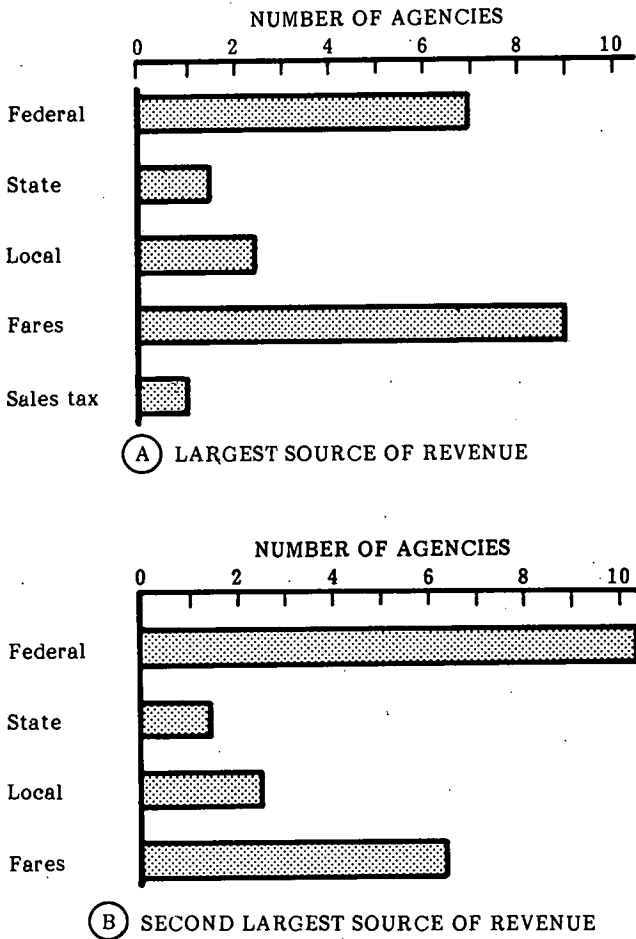


FIGURE 2 Sources of revenue for the 21 transit agencies.

able to disregard existing boundary lines for its specific function; this is significant when a number of jurisdictional lines are involved.

Selection of Transit Districts for the Local Transit Units

The new transit agencies that have been organized as transit *districts*, instead of public authorities, are also finding the traditional structure of the special-purpose government to be less effective than it has been for specific needs in the past.

The special district has always relied on a sense of community to meet a particular need or provide a function desired by the citizens of the community. To pay for this service, communities have been willing to tolerate special property taxes. For transit purposes, however, this method of finance has proved less acceptable (only 2 of the 21 transit agencies in this study depend on property taxes).

In the smaller regional communities now served by bus lines and paratransit vehicles, the transit district may find more public acceptance than the authority, especially if the concept of regional taxation for public transit becomes viable. A regional tax would be based on the assumption that a group of citizens are willing to organize and to pay for services within a district.

Lack of Areawide Representation on Transit Boards

According to the information provided by the transit boards surveyed for this study, it does not appear that members of transit boards are generally selected on an areawide basis, perhaps because transit boards are recently formed units that have not yet developed an identity apart from other governmental units. Instead, the predominant method for selection of board members is the appointment of a representative from each governmental unit within the transit area (constituent representation).

However, there are current indications that transit boards are heading in the direction of areawide representation and that the transit agencies are beginning to gain a separate identity (see Appendix B): (a) In some areas, the constituent units are appointing transit-minded citizens as board members in place of representatives of governmental units. (b) In several systems, the members of the board, who are selected by the constituencies, appoint other members to represent the general public. (c) The New Jersey Transit Corporation includes "public transportation regular riders" on both the board of the corporation and on the advisory boards for the divisions.

Regional Participation

A pronounced sense of regional participation is evident in almost all the new transit agencies. Various combinations of local units are used to form the regional transit agencies including: several cities with an authority; a capital city joined with two counties; a metropolitan authority; six cities and a county; a county; four counties and a major city within one of them; a region including unincorporated areas; several cities with areas of designated census tracts; and a rural region including three counties and outlying isolated communities.

Legislation for the North San Diego County Transit Development Board expresses the regional participation approach: "The Legislature recognizes that in order to achieve a unified, coordinated public transportation system within the San Diego region, it may be necessary to form a regionwide transit district at some future time. It is the intent of the Legislature that the North San Diego County Transit Development Board shall reserve the right to join and merge with such a district" (20).

CHAPTER FOUR

NEED FOR CONTINUING RESEARCH

Because most of the transit systems have been in existence as public agencies for less than 10 years, and because of the significant role assumed by the boards of these units in this short period, there is a need for continuing studies of all aspects of the functions of these transit agencies in the U.S. government system. The following issues, which have surfaced as strengths or weaknesses of the systems to date, serve to highlight the need for such studies.

1. The ingenious combinations of municipalities, counties, states, and even unincorporated areas that form transit agencies and the possibilities for other groupings, perhaps even under new types of agencies. President John F. Kennedy, in a message to Congress on April 5, 1962, entitled "The Transportation System of Our Nation," predicted that "time will be required by most metropolitan areas to organize effectively for the major planning efforts required. Even more time will be needed to create public agencies with adequate powers to develop, finance, and administer new or improved public transportation systems."
2. Experimentation with a variety of alternatives for regional taxes, other than those on real property, such as earnings and sales taxes, income tax surcharges, and others as yet unidentified.
3. Possible implementation of a form of areawide representation for transit boards to replace or supplement constituent representation, which predominates at the present time.
4. The reliance on constituent representation for the selection of board members. Consideration of this policy as an advantage necessary to the particular function of a transit agency, or as an aberration that should be brought into line with the requirements for almost all other levels of government.

5. The inclusion of other modes of transportation, in addition to bus and paratransit, under the authority of the present regional transit agencies (which should then be designated as transportation agencies). Increased coordination between highway planning and transit planning departments is recommended. At the present time, very little is being accomplished in this area (see Appendix A, column V). In the responses to the questionnaire, only three agencies referred to metropolitan planning organizations (MPO).

6. The assignment of other functions, beyond those of transportation, to the present regional transit agencies, when they apply to the same combinations of municipalities and/or counties.

7. The development of extensive involvement by the private sector in transit. Attention should be given to the use of contract management, especially to divest the authority and board of responsibility for labor negotiations.

8. The preservation of the "citizen" concept of the board of the transit authority despite the increasingly technical problems faced by the transit systems and the dependence of the authority on grantsmanship to attract federal and state funds. The board's role, apart from that of the executive director and/or the transportation manager, must be carefully defined.

9. The recognition of the need for a relationship between two or more transit authorities that may have geographically adjacent areas or, if physically separated, may have a common interest in the provision of transportation services.

10. The relationship of the federal government and the local transit board as the sense of "crisis government" in transportation subsidies. Questions still need to be answered concerning the role of the states in the matching of federal transit funds.

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APPENDIX A

SUMMARY OF THE RESPONSES OF 21 TRANSIT AGENCIES

The following table summarizes the responses of the 21 transit agencies that replied to the questionnaire prepared for this report. Numbers are used to indicate the participating agencies in order not to identify the person or the agency making the statements. Although no confiden-

tiality was assured, or requested, in regard to the answers to the questions, this method of not identifying the source of each reply should enhance the objectivity of the report. To aid those interested in correlating the answers, the same number is used for each agency throughout the summary.

	A	B	C	D	E	F
No.	Year Present System Established	Agency that Previously Handled Transit	Type of Present Transit System	Is Present System Better?	Does Present System Have Necessary Powers?	If "No," What Powers Should Be Added?
1	1974	Private company	City Department	Yes	Yes	
2	1968	Two private taxi companies	Public Authority	Yes	No	Need for local financial assistance and dedicated tax (previous levy of \$0.01 gas tax was rescinded).
3	1973	Private bus companies regulated by city	Public Authority	Yes	Yes	
4	1972	Private company	Regional Public Authority	Yes	Yes	
5	1974	Private carrier	Public Authority	Yes	Yes	
6	1973	Private	Public Authority	Yes	No	"Funding powers, such as taxation . . . to sustain ongoing service and capital improvements."
7	1966	Private bus company	Public Authority	No	No	Need for a regional structure; need ability to assure funding source.
8	1973	Private	Public Authority	Yes	Yes	
9	1973	Private company	City Commission	Yes (qualified)	Yes	Commission needs to be autonomous. Needs unrestricted power to make decisions on capital improvements.
10	1975	Two cities	Transit District	Yes	Yes	
11	1977	City	Regional Transit Authority	Yes	Yes	
12	1974	City by contract operation	Public Authority	Yes	Yes	
13	1970	Private operator with public subsidy	Transit District	Yes	Yes	
14	1978	County transit board	County Transit Committee	No	Yes	Need for regional form of organization.
15	1972	Two private companies	Public Authority	Yes	Yes	
16	1977	Transit Authority	Regional Transit Authority	Yes	No	Need for "taxing authority; board of 17 people too large."
17	1968	Private stockholder company	Public Authority	Yes	No	Need powers of taxation.
18	1969	Private company	Public Authority	No	Yes	
19	1945	Private utility company	Utility Board of the City	Yes	No	Need for regional authority; "rate structures are subject to political whims."
20	1964	Private company	Public Authority	Yes	Yes	
21	1970	Five private companies	Transit District	Yes	Yes	"Need power of condemnation for real and personal property."

	G	H	I	J
No.	Why Was This Type of Organization Chosen for the Transit System You Represent? ^a	Number of Regular Employees	Added Number Under Contract	Functions Performed by Contract Employees
1	"City limits . . . approximate urban area boundary due to aggressive annexation; council/manager form of government dictated city department organization."	18	220	Operations-driver training. Supervision, maintenance, scheduling, claims, etc. City staff performs administration, financial, planning/grants, and marketing functions.
2	"State legislation permitted the creation of a Transit District by a resolution of the Town Government."	50	55	Operation of paratransit services. Maxytaxi is operated by a private operator. Shared ride services are provided as well as commuter route service for certain routes and certain times of day.
3	"Only type authorized by state legislation."	425	2	Transit operations manager; transit marketing.
4	New region was established under state law for purpose of levying taxes for transit service.	225	0	
5	"Mandated by state law."	2	165	Bus service.
6	"To provide a public utility service funded by the member governments but run independently of other city functions."	190	0	
7	"Requirements of state statutes."	149	0	
8		140	0	
9	"Most efficient and economical."	21	0	
10		360	0	
11	"A regional transit authority with a publicly voted 0.5 percent sales tax was chosen because it provided for a structure to serve a growing metropolitan area with many different governmental jurisdictions and a mechanism for public financial support from all of the jurisdictions that voted to be served."	950	0	
12	"Required by law. . . . It's a good arrangement that preserves local control."	6	146	Contractor No. 1 (local private management company): operation of fixed route system, maintenance of entire fleet. Contractor No. 2 (nonprofit human service agency): operation of paratransit system.
13	"Statute at the time the enabling legislation was passed did not permit counties to provide transit services. Several [state] transit districts exist, each having its own act."	1228	178	Community level Dial-A-Ride; Dial-A-Life (wheelchair life-equipped minibuses and vans).
14	". . . . A private non-profit corporation hired by the county to operate the transit system. Originally reported to Transit Board, now to Transit Committee. Was chosen to avoid question of allowing transit workers into the County's civil service system and to guarantee experienced management."	20	1300	Management and administration of the transit system.
15	"In order to qualify for various city, state and federal funding. Most important is to qualify for a demonstration grant from UMTA."	113	3	Marketing and public relations; solicitor; certified public accountant (handles annual audits, etc.).
16	"Only politically feasible solution given existing state laws."	148		Operations.
17	"Authority was created to take over transit operations following virtual collapse of private system—labor disputes—long work stoppages."	565	12	Lift Line service Dial-A-Ride for elderly and disabled—fleet of 8 small, lift-equipped buses.
18	"Because improvement authority had the power to operate a transit system."	200	0	
19	"The citizens . . . voted to buy and operate the utilities in the present structure."	56	0	
20	"a. For legal purposes; b. for funding; c. control; d. public participation."	535	5	Student intern program; insurance department; nurse.
21	"Authorized by state law."	850	2	Engineering; legal services.

^a The responses to this question were more ambivalent, and more difficult to analyze, than the responses to the other questions. However, the responses indicate that the principal reasons for the selection of a public authority for transit are that this is the only choice (other than the usual municipal or county governments) offered by state enabling legislation, and that it affords some protection from the "political whims" of general-purpose governments. There appears to be almost no difference between public authorities and transit districts, nor was such a distinction indicated by the state legislation.

	K	L	M	N
No.	Is System Under Contract Management for Operations?	The Role of the Board in Labor Negotiations	The Role of the Manager in Labor Negotiations	Official Who Must Be Consulted in Labor Negotiations
1	Yes	"None (other than annual budget approval)."	"Kept advised of progress by management company."	Management company
2	Yes (in part)	"Approves the final contract/memorandum of agreement. . . . we do not have a labor union."	"Sets forth management proposals and receives operator proposals; negotiates a memorandum of agreement."	Town's personnel officer; also other transit managers.
3	Yes	"Reviews general posture of labor relations and contract change proposals."	"Executive director conducts labor negotiations and . . . day-to-day supervision of labor force."	None
4	No	"No direct involvement by the board."	"Heads up the negotiating team."	None
5	Yes	"Sets policy."	"Implements policy."	None
6	No	Reviews total labor agreement scope to be negotiated and monitors progress to conclusion. Trustees then determine final settlement (after union ratification).	"In accordance with state law, designated a chief negotiator for the authority and . . . forbidden by law to negotiate with the Trustees."	None
7	No	Has final approval of the negotiated contract and provides general guidance before negotiations.	Negotiates contract.	None
8	No	"Sets overall parameters within which management must negotiate."	"Chief management negotiator."	
9	No	"We have not chosen to recognize a labor union, so therefore have not received any federal funds. Possible that a union will be recognized in the future."	"Carries out the policies of the Commission."	City
10	No			None
11	No	"To accept or reject the contract proposal agreed upon by both labor and management and recommended to the board by the general manager. Budget factors and board concurrence on a target figure are items of discussion between the general manager and the board preceding contract time."	Directs the negotiating team.	None
12	Yes	"Board not formally involved."	"Negotiations are between fixed route operator and union. Administrator sets general guidelines for operator and stays out of the negotiating process."	None
13	In part	"Policy and negotiating ranges."	"Indirect guidance to negotiator."	None
14	Yes	"To ratify and approve any proposed labor contracts."	Negotiates all labor contracts.	None
15	No	"To set overall limit defining funds available with which a settlement should be reached."	All responsibility except for setting the overall limit defining the funds available.	County makes decision on whether or not to grant the requested local funds.
16	No	"Policy only."	"Directs negotiations."	None
17	Small part	"None (except approval of proposed contract)."	"We are fortunate in having a general manager skilled in labor negotiations; he and his staff handle all labor negotiations."	None
18	No	Approves recommendations. One member of the board represents labor.	"Oversees daily operations of the transit system."	State department of transportation and county.
19	No	"Sets goals and objectives."	"Assists in attaining goals and objectives of the transit board."	None
20	No	Approves final negotiations before authorizing signing of the contract.	"Negotiates and brings [the final labor contract] before the board. Requires signing by general manager."	State participation; state budget office and assistant director of department of transportation.
21	No	"Approves recommendation of labor negotiation committee as to contract provisions; determines wage and benefit policy guidelines."	"Approves recommendation of labor negotiation committee; determines level of wage increases and priorities in labor contract."	None

	O	P	Q	R	S	T
No.	Car Pools	Van Pools	Subscription Bus	Shared-Ride or Dial-A-Ride Taxi	Elderly/ Handicapped Service	Kind of Dedicated Revenue Held by Transit System
1			Yes			None
2	Yes	Yes		Yes	Yes	None (\$0.01 state gasoline tax was rescinded).
3		Yes	Yes	Yes	Yes	None
4					Yes	"... [P]roperty tax on all personal and real property within the transit system's boundaries. By nature of the tax it is returning something in the order of 9/10 mil in its seventh year."
5					Yes	
6		Yes ^b	Fixed-route ^b	Yes ^b		None
7	Yes	Yes	Yes	Yes		None
8						None
9						"Revenue from transit system and budgeted funds from city-operating assistance and capital improvements funding is subject to city budget, and sharing equally with other local projects is not easy."
10					— ^f	None
11					Yes	0.5% sales tax.
12		— ^c			Yes	None
13			Yes		Yes	Local property tax; 0.25% sales and use tax returned to county of origin (under significant legislative restrictions).
14	— ^d					None
15						The county provides the critical local match, but does not get directly involved in budgeting. The board of the authority controls the fare box.
16						None
17			Yes		Yes	0.25% of mortgage recording tax collected within the member counties.
18		— ^e	— ^e			None
19			Yes		Yes	Revenues from gas and electric departments.
20			Yes			Source not specified.
21						0.25% sales tax.

^a Under brokerage system.

^c Subscription van under human services.

^d Transit committee directs car-pool program and user side subsidies provided by county (not part of transit system).

^e Van pools and subscription service are in planning stages.

^f A "Lifeline" program was inaugurated in 1979 in response to requests by the residents of a rural corner of the district.

U	V
Who Other Than the Transit Board Controls the No. Purse Strings?	In What Specific Ways Do the Actions of Your Transit Board Interrelate with Those Concerned for Highways?
1 No one.	"Same board (city council) makes decision on both."
2 "It seems the whole world! Operating assistance is provided from the state, which is a combination of Section 5 operating from UMTA and state funds. This operating assistance is provided under contractual agreement. A local share is required if fare box revenue does not exceed 60% of operating cost. Thus the district receives an annual appropriation from the town."	"Votes on projects at TEB level; otherwise makes political statement about projects in this jurisdiction, if appropriate."
3 Each city council appropriates money for its own services. State provides for capital costs and administrative expenses.	"State funding for transit is from highway funds."
4 No one.	"Only interaction is at the metropolitan planning organization level where the president of the board serves as a member of the policy committee."
5 State legislature.	None
6 Five member city councils; state DOT; UMTA/DOT.	"Very little, but is coordinated through the [city] transportation department and local MPO."
7 City council.	None
8 No one.	
9 City has been making up deficit for budget; no federal funds are received.	None
10 State and federal governments.	"Staff membership on the FAU committee for the region."
11 No one.	"The [state] Department of Highways and Public Transportation is the state agency responsible for funding and coordinating transit and highway planning."
12 "Individual local governments receive only as much service as they agree to pay for; property tax is source of local share."	"From a practical standpoint, none."
13	"Overlapping membership on [the county] Transportation Commission, which has short-range planning authority over all projects funded with state or federal money."
14 County Board of Supervisors.	"Very little interrelationship; separate standing committee of County Board deals with public works, airport, and highway matters."
15 UMTA; state DOT; county.	"... [V]ote on important highway committees; county planning director is board member; City Parking Authority member is currently board member."
16 Cities and county.	"No comment."
17	"We are members of the [county] Transportation Council—the MPO for transportation in our region—and house the central MPO staff."
18 State DOT; county; U.S. DOT.	None
19	"Planning only."
20 State DOT (planning division).	
21	"Coordinate through MPO."

APPENDIX B

REQUIREMENTS OF VARIOUS STATE LAWS FOR TRANSIT BOARD ORGANIZATION ¹

One of the more common forms of transit board organization is based on constituent representation. Currently, enabling legislation in many states provides for this type of organization.

ALABAMA

Transit authorities are administered by boards of directors appointed by the governing bodies of the counties and/or cities. Revenue is derived from rates and charges for facilities and services.

CALIFORNIA

Different forms of transit board organization have been legislated for individual districts. For example, in the San Diego County Transit District, the board of directors consists of appointees by the city governing bodies within the area, with the city of San Diego having one more appointee than any other city. In San Mateo County Transit District, which has a nine-member board, three members are appointed by the county board of supervisors, three are appointed by a city selection committee, and three are selected by the six appointees.

COLORADO

Regional Transportation District: A 21-member board of directors is composed of 10 members appointed by the mayor of Denver with the approval of the council; two members each from Adams, Arapahoe, Boulder, and Jefferson Counties and one member from Douglas County, appointed by the respective boards of county commissioners; and two at-large members chosen by the above appointees. District revenues are derived from charges for services and facilities, sales and property tax levies, and grants.

CONNECTICUT

Each municipality has at least one representative on the board of directors; municipalities with a population of 25,000 to 100,000 have two representatives, and those with 100,000 or more have four. The board may fix rates and

determine the proportionate share of total appropriation to be paid by each municipality.

FLORIDA

The board of the authority consists of two members appointed by the governor and at least one member of the governing body of each participating government.

GEORGIA

The governing body of the Savannah Transit Authority is a five-member board. Two members of the board are appointed by the mayor of Savannah, two members are appointed by the chairman of the county commissioners of Chatham County, and one member by the chairman of the Savannah Port Authority.

ILLINOIS

If composed of one or more municipalities or counties, or combinations of both, the municipal authorities or county boards are to appoint one trustee for every 100,000 inhabitants or fraction thereof.

IOWA

The Des Moines Metropolitan Transit Authority was created by a joint agreement between the participating municipalities. The board consists of representatives of each city served.

KANSAS AND MISSOURI

The Kansas City Area Transportation Authority was authorized by an interstate compact between Kansas and Missouri to provide transit service in the Kansas City area. It is administered by 10 commissioners (five from each state).

KENTUCKY

The board consists of representatives of the participating governments.

¹ Source: Bureau of the Census (1); supplemented with information provided by transit agencies in several states.

LOUISIANA

Terrebone Parish Mass Transit Authority (not currently active): The board of commissioners consisted of two members appointed by the mayor of the city of Houma, two members appointed by the president of the Terrebone Parish Police Jury, and one member appointed by the Houma-Terrebone Chamber of Commerce. The regional transit authority in New Orleans was created by Act 439 of the 1979 legislature.

MAINE

The board of directors is appointed by the officials of the member municipalities, the number depending on the population size of the municipality. A district may apportion its operating deficits and sinking fund costs among the member municipalities.

MASSACHUSETTS

Transportation areas for operation of freight and/or passenger service on street railways have been established. Each area is to be governed by a board of trustees appointed by the city councils and town selectmen. Participating cities and towns may be assessed for any deficit.

MICHIGAN

Metropolitan transportation authorities are to have a board of directors consisting of nine members appointed by the governor with the approval and consent of the state senate. Six of the members are to be appointed from lists submitted by the boards of commissioners of the member counties and the mayor of any city within the authority with a population exceeding 500,000.

MINNESOTA

The Twin Cities Area Metropolitan Transit Commission consists of nine members, with the chairman appointed by the governor and the other eight members appointed by the metropolitan council. Revenue is derived from charges and from ad valorem taxes and wheelage.

MONTANA

The boards of commissioners are appointed by the governing bodies of the member municipalities. Participating municipalities may levy taxes to meet fiscal needs as certified by an authority.

NEW YORK

Rochester-Genesee Regional Transportation Authority: The governor appoints all members. Three members are appointed from a list of not less than six persons, all of whom must be residents of the city of Rochester, submitted to the governor by the council of the city of Rochester; and four members are appointed from a list of not less than eight persons, all of whom must be residents of the county of Monroe. Counties that have subsequently joined each have one representative appointed by the governor for each 100,000 people from a list of not less than two persons. Wayne County is represented by one member selected by the governor from two persons nominated by the county.

OHIO

The number of members representing each political subdivision on the board of trustees for the authority is designated in the initiating resolution. These members are appointed by the mayor with the consent of the council and by the governing body of the counties or townships.

OREGON

Mass transit districts have been established in the three largest metropolitan areas of Eugene-Springfield, Portland, and Salem. Transportation districts can be formed in any other county, or counties, by initiative petition or resolution by the city with the largest population. Establishment of a transit district involves election of a seven-member board of directors, and requires voting on the district boundary and the form of taxation.

PENNSYLVANIA

Metropolitan transportation authorities are created by a county of the first class and other counties located within a 20-mile radius of such county. The board of the authority consists of one member appointed by the governor, two members appointed by the county commissioners, and two members appointed by the mayor of each first-class city.

RHODE ISLAND

Public Transit Authority: The board consists of a state senator appointed by the lieutenant governor; a member of the House of Representatives appointed by the speaker of the house; three persons appointed by the governor with the consent of the state senate; and the director of the Department of Transportation.

SOUTH CAROLINA

Governing bodies consist of one member appointed by each participating local government and three members appointed by the governor upon local recommendation.

TENNESSEE

Although *not* agencies with constituent representation, the utility districts of Tennessee, which include transit among their functions, have boards that are self-perpetuating. The county judge or chairman of the county court appoints the original board of commissioners for the utility district.

TEXAS

The board is composed of five members appointed by the governing body of the principal city.

UTAH

Transit districts are administered by boards of directors. In districts with less than 200,000 population, the number of directors is determined on the basis of each full unit of regularly scheduled passenger routes.

VERMONT

The board is composed of two appointees from each member government.

WASHINGTON

Public transportation benefit area authorities are created by resolution of the county commissioners upon recommendation by a transportation improvement conference (consisting of city council representatives and county commissioners). The board consists of elected officials appointed by the governing bodies.

WEST VIRGINIA

Board members are appointed by the governing bodies of the constituent governments.

WISCONSIN

Metropolitan transit authority boards consist of three members appointed by and from the largest city in the area, three members from other cities or towns in the area appointed by the governor, and one member nominated by the board and appointed by the governor.

PUBLISHED SYNTHESSES

No. Title

1. Traffic Control for Freeway Maintenance (1969) 47 pp., \$2.20
2. Bridge Approach Design and Construction Practices (1969) 30 pp., \$2.00
3. Traffic-Safe and Hydraulically Efficient Drainage Practice (1969) 38 pp. (out of print)*
4. Concrete Bridge Deck Durability (1970) 28 pp. (out of print)*
5. Scour at Bridge Waterways (1970) 37 pp. (out of print)*
6. Principles of Project Scheduling and Monitoring (1970) 43 pp., \$2.40
7. Motorist Aid Systems (1971) 28 pp., \$2.40
8. Construction of Embankments (1971) 38 pp. (out of print)*
9. Pavement Rehabilitation—Materials and Techniques (1972) 41 pp., \$2.80
10. Recruiting, Training, and Retaining Maintenance and Equipment Personnel (1972) 35 pp., \$2.80
11. Development of Management Capability (1972) 50 pp., \$3.20
12. Telecommunications Systems for Highway Administration and Operations (1972) 39 pp., \$2.80
13. Radio Spectrum Frequency Management (1972) 32 pp., \$2.80
14. Skid Resistance (1972) 66 pp., \$4.00
15. Statewide Transportation Planning—Needs and Requirements (1973) 41 pp. (out of print)*
16. Continuously Reinforced Concrete Pavement (1973) 23 pp., \$2.80
17. Pavement Traffic Marking—Materials and Application Affecting Serviceability (1973) 44 pp., \$3.60
18. Erosion Control on Highway Construction (1973) 52 pp., \$4.00
19. Design, Construction, and Maintenance of PCC Pavement Joints (1973) 40 pp., \$3.60
20. Rest Areas (1973) 38 pp., \$3.60
21. Highway Location Reference Methods (1974) 30 pp., \$3.20
22. Maintenance Management of Traffic Signal Equipment and Systems (1974) 41 pp. (out of print)*
23. Getting Research Findings Into Practice (1974) 24 pp., \$3.20
24. Minimizing Deicing Chemical Use (1974) 58 pp., \$4.00
25. Reconditioning High-Volume Freeways in Urban Areas (1974) 56 pp., \$4.00
26. Roadway Design in Seasonal Frost Areas (1975) 104 pp., \$6.00
27. PCC Pavements for Low-Volume Roads and City Streets (1975) 31 pp. (out of print)*
28. Partial-Lane Pavement Widening (1975) 30 pp., \$3.20
29. Treatment of Soft Foundations for Embankments (1975) 25 pp., \$3.20
30. Bituminous Emulsions for Highway Pavements (1975) 76 pp., \$4.80
31. Highway Tunnel Operations (1975) 29 pp., \$3.20
32. Effects of Studded Tires (1975) 46 pp., \$4.00
33. Acquisition and Use of Geotechnical Information (1976) 40 pp., \$4.00
34. Policies for Accommodation of Utilities on Highway Rights-of-Way (1976) 22 pp., \$3.20
35. Design and Control of Freeway Off-Ramp Terminals (1976) 61 pp., \$4.40
36. Instrumentation and Equipment for Testing Highway Materials, Products, and Performance (1976) 70 pp., \$4.80
37. Lime-Fly Ash-Stabilized Bases and Subbases (1976) 66 pp., \$4.80
38. Statistically Oriented End-Result Specifications (1976) 40 pp., \$4.00

No. Title

39. Transportation Requirements for the Handicapped, Elderly, and Economically Disadvantaged (1976) 54 pp., \$4.40
40. Staffing and Management for Social, Economic, and Environmental Impact Assessment (1977) 43 pp., \$4.00
41. Bridge Bearings (1977) 62 pp., \$4.80
42. Design of Pile Foundations (1977) 68 pp., \$4.80
43. Energy Effects, Efficiencies, and Prospects for Various Modes of Transportation (1977) 57 pp., \$4.80
44. Consolidation of Concrete for Pavements, Bridge Decks, and Overlays (1977) 61 pp., \$4.80
45. Rapid-Setting Materials for Patching of Concrete (1977) 13 pp., \$2.40
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