The Transit Cooperative Research Program (TCRP) is seeking study topics for the **FY 2016 Legal Studies Program**.

The TCRP was created by memorandum agreement between the National Academies of Sciences, Engineering and Medicine, acting through the Transportation Research Board; the Federal Transit Administration (FTA); and the Transit Development Corporation (TDC), a non-profit educational and research organization established by the American Public Transportation Association (APTA).

The TCRP Legal Research Digest series reports on legal issues associated with transit and intermodal law. Each document is intended to provide transit attorneys with authoritative, well-researched, specific information that is limited in scope. The studies focus on legal issues and problems having national significance to the transit industry. The TCRP Legal Research Digest provides transit-related legal research on a wide variety of legal topics.

Ideas submitted for study topics form the basis for selection of the annual Legal Research Program. Topics are selected by a project panel that meets once a year, typically in early fall. The TCRP project panel members perform a preliminary screening and ordering of the topics. At the annual meeting they discuss the highest rated topics and make their final selection. It is expected that 4 new topics will be selected for the FY 2016 TCRP Legal Program. Enclosed is a listing of all legal topics authorized to date.

The factors considered in the selection process for study topics are (1) broad interest in the topic; (2) timely and critical with respect to the transit community at large; (3) quality and quantity of information already learned on the subject and; (4) ongoing research or other forthcoming potential release of significant information is expected that would render the Legal Research Digest obsolete.

Ideas for study topics may be submitted by anyone at anytime. However, the closing date for consideration of ideas for study topics in FY 2016 is **September 14, 2015**. A suggested format for submitting a legal topic is enclosed. In addition, legal topics may be submitted electronically [here](gsmith@nas.edu).
Thank you very much for your consideration. Your willingness to participate in the identification of relevant transit legal topics is a key element of a successful, industry-driven TCRP. Should you have any questions or need additional information, please feel free to contact me at 202/334-3246 or gsmith@nas.edu.

Enclosures
The Transit Cooperative Research Program (TCRP) is soliciting ideas on candidate topics for the FY 2016 Legal Studies Program. The Legal Studies Program reports on legal issues associated with transit and intermodal law. Each document is intended to provide transit attorneys with authoritative, well-researched, specific information that is limited in scope. The studies focus on legal issues and problems having national significance to the transit industry.
### Legal Research Digests (LRDs) published to date:

<table>
<thead>
<tr>
<th>LRD No.</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Strategies to Facilitate Acquisition and Use of Right of Way</td>
</tr>
<tr>
<td>2</td>
<td>Risk Management for Rideshare Carpool Matching Program</td>
</tr>
<tr>
<td>3</td>
<td>State Limitation on Tort Liability for Public Transit Operations</td>
</tr>
<tr>
<td>4</td>
<td>Transit Labor Protection - A Guide to 13(c) Federal Transit Act</td>
</tr>
<tr>
<td>5</td>
<td>Legal Issues Associated with Intermodalism</td>
</tr>
<tr>
<td>6</td>
<td>Procurement and Funding Procedures Which Impact the Procurement of Extensive Long Leads Items</td>
</tr>
<tr>
<td>7</td>
<td>The Impact of Civil Rights Litigation Under Title VI and Related Laws on Transit Decision Making</td>
</tr>
<tr>
<td>8</td>
<td>Purchase of Service Agreements for Public Transportation Agencies</td>
</tr>
<tr>
<td>9</td>
<td>Strategies to Minimize Liability under Federal and State Environmental Laws</td>
</tr>
<tr>
<td>10</td>
<td>Restrictions on Speech and Expressive Activities in Transit Terminals and Facilities</td>
</tr>
<tr>
<td>11</td>
<td>Potential Tort Liability for Transit Agencies Arising Out of the Americans with Disabilities Act</td>
</tr>
<tr>
<td>12</td>
<td>The Zoning and Real Estate Implications of Transit-Oriented Development</td>
</tr>
<tr>
<td>13</td>
<td>Report on Innovative Financing for Transit Agencies</td>
</tr>
<tr>
<td>14</td>
<td>Treatment of Privacy Issues in the Public Transportation Industry</td>
</tr>
<tr>
<td>15</td>
<td>Impact of the Family and Medical Leave Act of 1993 on the Transit Industry</td>
</tr>
<tr>
<td>16</td>
<td>Drug and Alcohol Testing—A Survey of Labor-Management Relations</td>
</tr>
<tr>
<td>17</td>
<td>Guide to Federal Buy America Requirements</td>
</tr>
<tr>
<td>18</td>
<td>Federal and State Licensing and Other Safety Requirements for Commercial Motor Vehicle Operators and Equipment</td>
</tr>
<tr>
<td>19</td>
<td>Impact of the Americans with Disabilities Act on Transit Operations</td>
</tr>
<tr>
<td>20</td>
<td>Transit Passengers and Civil Rights</td>
</tr>
<tr>
<td>21</td>
<td>Trademarking and Licensing for Transit Providers</td>
</tr>
<tr>
<td>22</td>
<td>The Case for Searches on Public Transportation</td>
</tr>
<tr>
<td>23</td>
<td>The American with Disabilities Act: The Federal Transit Administration’s Letters of Findings and Compliance Assessments</td>
</tr>
<tr>
<td>24</td>
<td>Transit Bus Stops—Ownership, Liability, and Access</td>
</tr>
<tr>
<td>25</td>
<td>Privacy Issues with Use of Smartcards</td>
</tr>
<tr>
<td>26</td>
<td>Resources for Legal Issues Associated with Bus Maintenance</td>
</tr>
<tr>
<td>27</td>
<td>Civil Rights Implications of the Allocation of Funds between Bus &amp; Rail</td>
</tr>
<tr>
<td>28</td>
<td>Use of Fees or Alternatives to Fund Transit</td>
</tr>
<tr>
<td>29</td>
<td>First Amendment Implications for Transit Facilities: Speech, Advertising, and Loitering</td>
</tr>
<tr>
<td>30</td>
<td>Legal Handbook for the New Starts Process</td>
</tr>
<tr>
<td>31</td>
<td>Guide to Federal Buy America Requirements—2009 Supplement</td>
</tr>
<tr>
<td>32</td>
<td>Reconciling Security, Disclosure, and Record Retention Requirements in Transit Procurements</td>
</tr>
<tr>
<td>33</td>
<td>Transit Advertising Issues</td>
</tr>
<tr>
<td>34</td>
<td>Application of Physical Ability Testing to Current Workforce of Transit Employees</td>
</tr>
<tr>
<td>35</td>
<td>Reduction in Transit Services or Increases in Fares: Civil Rights, ADA, Regulatory, and Environmental Justice Implications</td>
</tr>
</tbody>
</table>
LRD No. 36  Transit Oriented Development and Joint Development: Case Studies and Legal Issues  
LRD No. 37  Legal Arrangements for Use and Control of Real-Time Data  
LRD No. 38  Legal Aspects Relevant to Outsourcing Transit Functions Not Traditionally Outsourced  
LRD No. 39  Competition Requirements of the Design/Build, Construction Manager at Risk, and Public-Private Partnership Contracts—Seven Case Studies  
LRD No. 40  Legal Issues Involving Surety for Public Transportation Projects  
LRD No. 41  Transit Labor 13(c) Employee Protection Digest (CD 120)  
LRD No. 42  Transit Agency Intergovernmental Agreements: Common Issues and Solutions  
LRD No. 43  Contractual Means of Achieving High Level Performance in Transit Contracts (CD 134)  
LRD No. 44  Legal Issues in Emergency Planning and Operations  
LRD No. 45  Transit Agency Public Private Partnerships: Legal Issues  
LRD No. 46  How HIPPA and Other Privacy Laws Affect Public Transportation Operations  
LRD No. 47  Legal Issues with Obtaining Insurance on Large Transit Capital Projects

- Four reports have been published in a multi-volume collection contained in the *Selected Studies in Transportation Law*, published jointly by NCHRP and TCRP. The reports are titled:
  
  Volume 5  Transit Law  
  Volume 5:  Transit Law (2014 Supplement)  
  Volume 6  Transit Labor 13(c) Decisions  
  Volume 7  Transit Charter Bus Service: Decisions and Documents  

- One report has been published as Web-Only Document 33: The Federal Transit Act and Related Laws.  
- One report has been published as Research Results Digest 97: Transit Agencies with Title VI, Limited English Proficiency Requirements

**Study Topics in Progress:**

<table>
<thead>
<tr>
<th>Study Topic 16-01</th>
<th>Guide to Buy America Requirements--2015 Supplement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Study Topic 16-02</td>
<td>Legal Issues Concerning Transit Agency Use of Electronic Customer Data</td>
</tr>
<tr>
<td>Study Topic 16-03</td>
<td>Public Transit Emergency Preparedness against Ebola and Other Infectious Diseases: Legal Issues</td>
</tr>
<tr>
<td>Study Topic 16-04</td>
<td>Technology Contracting for Transit Projects</td>
</tr>
</tbody>
</table>
SUGGESTED FORMAT FOR TOPICS RECOMMENDED FOR TCRP PROJECT J-5

Legal Issues Associated with Transit and Intermodal Law

TITLE: Preferably ten words or less

SUBMITTED BY: Name of submitter and organization

SCOPE: This statement should be brief (i.e. one or two paragraphs), but there is not a limit on length. It should describe the problem and identify the parts to be covered by the Legal Research Digest. The proposed research should be able to be accomplished in approximately 400 hours of professional time.

INFORMATION SOURCES: Optional - organizations, individuals, or literature references

Submit Topics to: Gwen Chisholm-Smith
Senior Program Officer, TCRP
Transportation Research Board
500 5th Street, NW
Washington, DC  20001
202-334-3246
FAX 202/334-2006
gsmith@nas.edu