

The charter regulations include exemptions and exceptions that will allow a grantee to provide charter service. Exemptions, which are not considered charter service, do not require notification to registered charter providers, record-keeping, quarterly reporting, or other requirements. Exceptions are considered charter service and have administrative, record-keeping and reporting requirements.

The charter service **exemptions**:

- Emergency Response- Grantees are allowed to provide service for up to 45 days for actions directly responding to an emergency declared by the president, governor, or mayor or in an emergency requiring immediate action prior to a formal declaration.
- Using funds from 5310, 5311, 5316 and 5317 for “program purposes”

The charter service **exceptions**:

- A grantee is allowed to provide charter service (up to 80 hours annually) to government officials (Federal, state and local) for official government business, which can include non-transit related purposes, if the grantee:
 - Provides the service in its geographic service area
 - Does not generate revenue from the charter service, except as required by law
- Qualified Human Services Organization (QHSO) – A grantee is allowed to provide charter service to QHSO for the purpose of serving persons:
 - With a mobility limitations related to advanced age
 - With disabilities
 - With low income

If the QHSO received funding, directly or indirectly, from the programs listed in Appendix A of the regulation, the QHSO is not required to register on the FTA’s charter registration website. Otherwise, the QHSO is required to register. The grantee may provide service only if the QHSO is registered at least 60 days before the date of the first request for charter service. www.fta.dot.gov/CharterRegistration (has registered QHSO)

- The grantee must send email notice to registered charter providers in the grantee’s geographic service area by close of business on the day the grantee received the request unless the request was received after 2pm, in which case the notice will be sent by the close of the next business day. The email notice must include the name, address, phone number, email address, requested day of service, approximate number of passengers, type of vehicle requested, trip itinerary and approximate duration.
 - No response by Registered Charter Provider – A grantee is allowed to provide charter service, on its own initiative or at the request of a third party, if no charter provider registered on the FTA’s website (www.fta.dot.gov/CharterRegistration) responds to the notice issued:
 - Within 72 hours for charter service requested to be provided in less than 30 days, or

- Within 14 calendar days for charter service requested to be provided in 30 days or more.
- The grantee is **NOT** allowed to provide charter service if a registered charter provider indicates an interest in providing the charter service described in the notice and the registered charter providers has informed the grantee of its interest in providing the service. This is true even if the registered charter provider does not ultimately reach an agreement with the customer that is requesting the charter service.
- Grantees are also allowed to provide charter service directly to a customer consistent with an agreement entered into with all registered charter providers in the grantee's service area. The grantee is allowed to provide charter service for up to 90 days without an agreement with a newly registered charter provider in the geographic service area subsequent to the initial agreement. Any parties to the agreement may cancel the agreement after providing a 90 day notice to the grantee.

When charter is provided the grantee is required to maintain notices and records in an electronic format for a period of at least three years from the date of service. The records must include a clear statement identifying which exception the grantee relied upon when it provided the charter service. A single document or charter log to include all charter service trips provided each quarter.

Charter trips should NOT interfere with your regularly scheduled Public Transportation service.

Deficits incurred due to charter service operations are not eligible for reimbursement from the Section 5311 Program. Profits made by providing a charter service must be applied to the subrecipient's local match requirement.