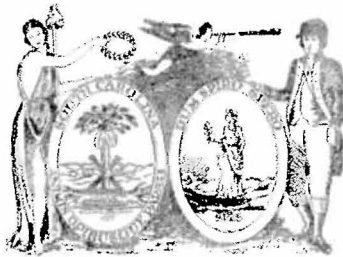


SEP 25 2009

Mark Hammond
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SECRETARY OF STATE

State of South Carolina
Executive Department



Office of the Governor

EXECUTIVE ORDER NO.

2009-13

WHEREAS, South Carolina Code Section 57-3-40 provides that the South Carolina Department of Transportation (SCDOT) Division of Mass Transit must develop and coordinate a general mass transit program and policy for the State in order to encourage the efficient development, implementation, operation, evaluation, and monitoring of mass transit systems, both public and private; and

WHEREAS, Proviso 68A.9 of the 2008-2009 General Appropriations Act provides that SCDOT shall carry out and enhance the coordination planning and demonstration process for public transportation funding and resources in order to improve access and delivery of transportation services, especially in rural areas, and directs SCDOT to plan and develop mechanisms for increasing coordination of funding streams and resources at both the state and local levels, working with each agency that provides or utilizes funding for transportation; and

WHEREAS, SCDOT, Department of Health and Human Services, Department of Social Services, Lieutenant Governor's Office on Aging, Department of Mental Health, Department of Disabilities and Special Needs, Department of Vocational Rehabilitation, Commission for the Blind, Employment Security Commission, Commission on Minority Affairs, Department of Veterans Affairs, and Department of Commerce all administer state and federal funding programs used by local human service agencies to provide necessary client transportation services; and

WHEREAS, there is a need for more coordination between the resource agencies in order to maximize the efficient use of public transportation.

NOW, THEREFORE, by the power vested in me as Governor by the Constitution and laws of the State of South Carolina, I hereby establish the South Carolina Interagency Transportation Coordination Council as follows:

Section 1. Establishment of South Carolina Interagency Transportation Coordination Council.

There is hereby established the "South Carolina Interagency Transportation Coordination Council," (Council).

Section 2. Definitions.

- A. "Transportation-disadvantaged persons" means persons who qualify for federally conducted or federally assisted transportation related programs or services due to disability, income, or advanced age.
- B. "Human service transportation" means transportation services for persons with disabilities, older adults, and individuals with lower incomes.
- C. "Public transportation" means transportation by a conveyance that provides regular and continuing general or special transportation to the public. Further, public transportation incorporates all forms of regular and continuing transportation, both general and specialized, to all members of the public, regardless of age, income, disability or any other characteristic.
- D. "Coordination" means the arrangement for the provision of transportation services to the general public and the transportation disadvantaged in a manner that is cost-effective, efficient, and reduces fragmentation and duplication of services.

Section 3. Membership of the Council.

- A. The Council shall be composed of the following members or their designee as defined by this order:
 - (1) Secretary of Transportation;
 - (2) Director of the Department of Social Services;
 - (3) Director of the Department of Health and Human Services;
 - (4) Director of the Department of Disabilities and Special Needs;
 - (5) Director of the Employment Security Commission;
 - (6) Director of the Lieutenant Governor's Office on Aging;
 - (7) Director of the Department of Vocational Rehabilitation;
 - (8) Director of the Commission for the Blind;
 - (9) Director of the Department of Mental Health;
 - (10) Director of the Department of Commerce;
 - (11) Executive Director of the Budget and Control Board;
 - (12) Executive Director of the Office of Regulatory Staff;

- (13) Director of the Department of Veterans Affairs;
 - (14) Chairman of the Senate Transportation Committee;
 - (15) Chairman of the House Education and Public Works Committee;
 - (16) President of the Transportation Association of South Carolina;
 - (17) Chairman of the Commission for Minority Affairs;
 - (18) Representative of the Councils of Governments; and
 - (19) Governor appointed At-Large Community Representative.
- B. Agency Directors or Committee Chairs may appoint a senior level designee. Those Directors or Committee Chairs designating representatives shall notify the Secretary of Transportation of their appointments.
- C. Governor appointed Council members can not be further designated.
- D. Members of the Council shall serve without compensation or reimbursement.
- E. No two appointees may represent the same organization.
- F. The Council shall meet at least once per quarter.
- G. A majority of the Council shall constitute a quorum for the transaction of business.
- H. The Secretary of Transportation, or his designee, shall preside as the Chairman of the Council.
- I. The Chairman may establish standing and ad hoc committees and task forces as may be necessary to carry out the functions of the Council and appoint Council members or other individuals, including individuals representing organizations and consumers outside the departments, to serve on these committees and task forces.

Section 4. Duties and Responsibilities of the Council.

The Council shall have the following duties and responsibilities:

- A. Promote interagency cooperation and the establishment of appropriate mechanisms to minimize duplication and overlap of federal, state, and local programs and services so that transportation-disadvantaged persons have access to more transportation services, without negatively impacting any existing state or local agency;

- B. Facilitate access to the most appropriate, cost-effective transportation services within existing resources;
- C. Compile all available information on transportation operations and needs for public transportation and the transportation disadvantaged in the state;
- D. Develop policies, procedures, requirements and standards regarding coordination compliance by state agencies and coordination of local, federal, and state funding for all forms of regular and continuing transportation, both general and specialized.
- E. Formulate and implement administrative, policy, and procedure mechanisms that enhance transportation at all levels; and
- F. Develop and implement a method for monitoring progress on achieving coordinated statewide transportation.

Section 5. Reporting Requirements

- A. The Council shall provide quarterly progress reports to the Governor, General Assembly of South Carolina, Senate Transportation Committee, House Education and Public Works Committee, and all member agencies.
- B. The Council shall develop a five-year plan detailing future goals and needs for the State as it relates to coordinated statewide transportation and submit to the Governor, General Assembly of South Carolina, Senate Transportation Committee, House Education and Public Works Committee, and all member agencies.
- C. The Council shall also submit an annual report to the Governor, General Assembly of South Carolina, Senate Transportation Committee, House Education and Public Works Committee, and all member agencies, by January 15 of each year which includes the following:
 - a) The Council's actions, recommendations and accomplishments in the past year;
 - b) A plan for funding coordinated statewide transportation and receiving federal matching funds or other funds as may be available;
 - c) Opportunities and barriers in coordinated statewide transportation; and
 - d) Recommendation of solutions to improve local transportation services.

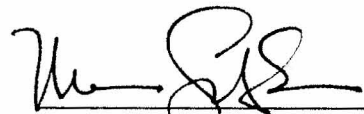
Section 6. Administration and Oversight.

- A. Member agencies shall assist the Council and provide information to the Council as may be necessary to carry out its duties.
- B. SCDOT shall provide administrative support for the Council.


This Order shall take effect immediately.



GIVEN UNDER MY HAND AND THE
GREAT SEAL OF THE STATE OF
SOUTH CAROLINA ON THIS 25TH
DAY OF SEPTEMBER 2009.


MARK SANFORD
Governor

ATTEST:


MARK HAMMOND
Secretary of State