

TRANSPORTATION BENEFIT PROGRAM
OPERATING PLAN
NOAA EMPLOYEES AND NOAA CORPS OFFICERS USING MASS
TRANSPORTATION

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SECTION 1. INTRODUCTION

The Department of Commerce (DOC), National Oceanic and Atmospheric Administration (NOAA), Office of the Office of the Chief Administrative Officer (CAO) implemented the Employee Transportation Benefit Program to encourage its employees and NOAA Corps Officers (officers) to use mass transportation for means of commuting to and from work. This program applies to all NOAA Line/Staff offices. Through increased use of mass transportation, employees and officers contribute to the reduction of petroleum-product consumption and traffic congestion, as well as improved air quality. NOAA entered into the agreement with the Department of Transportation (DOT) to administer the program. This operating plan relates to administration of the program.

NOAA has approximately +3000 employees initially participating in the Transportation Benefit Program. Assuming this level of participation, the projected annual cost should not exceed \$3,361,280. This is predicated upon a maximum benefit of \$230 per person per month. The current tax-free amount is because of the Stimulus increase passed April 1, 2009. The IRS views January 1, 2011 as a sunset date for the increased benefit, unless Congress affirmatively acts to extend after January 1, 2011 the allotted amount will go to \$125 per month. Through the above-referenced agreement with the DOT, employees are now issued TranServe Debit cards or use the Smart Trip Card depending on where they are located. In the field some areas are still using Vouchers or receive Yearly Passes this will continue until they transition to using the TranServe Debit card. They can be used directly to mass transit services such as the SmartBenefit Program which requires the purchase of a SmartTrip Card costing \$5.00 at the cost of the employee. The SmartTrip Card is only used in the Washington Metropolitan Area for now, and can be used on the Metro Bus, Metro Rail, Vanpools, Arlington Transit, Cue Fairfax, MARC, VRE, Dash and DC Circulator. The TranServe Debit card is used in the Metropolitan area and some Field areas. The Field is transitioning by Zone. Now that the TranServe Debit card in the Metropolitan area the SmartTrip Card is no longer used for

MARC/VRE and MTA Bus services. There is no fee for the TranServe Debit Card so when an employee leaves the card must be returned.

SECTION 2. RULES AND RESPONSIBILITIES

A. DOT will provide as necessary for the Washington Metropolitan Areas:

1. personnel;
2. computer equipment;
3. data base entry and management;
4. reports;
5. intermediary with the Washington Metropolitan Area Transit Authority;
6. transportation of disbursing agents and transit fare media;
7. disbursing operations for quarterly distribution periods;
8. summary and billing reports, and
9. employee access to alternate off-site distribution facilities.

DOT will provide as necessary for the Field Offices:

1. Fed-Exing operations to field Point of Contacts for quarterly distribution periods, and
2. personnel when needed.

B. Participating Line/Staff offices will provide the following:

1. a designated transit point of contact
2. assurances that program participation are limited to eligible NOAA civil service employees, military and the NOAA Corps.

SECTION 3. BACKGROUND AND AUTHORITIES

- a. Title 5, section 7905 (Pub. L .No. 103-172) authorizes Federal agencies to establish programs to encourage employees to use means other than single-occupancy vehicles to commute to and from work. This may include employer-subsidized transit passes for mass transportation or non-monetary benefits, such as storage lockers and shower facilities for bicyclists.
- b. Federal agency participation in a fare subsidy program under this statute is voluntary. The statute does not prescribe any monetary limit on agency subsidies. The Internal Revenue Code allows qualified transportation fringe benefits (such as fare subsidies), on a tax-free basis, for employees who commute by mass transportation or a commuter highway vehicle.
- c. The maximum current tax-free amount is \$230 per month. The IRS views January 1, 2011 as a sunset date for the increased benefit, unless Congress affirmatively acts to extend after January 1, 2011 the maximum tax-free amount will go to \$125 per month.

- d. Currently, the following laws apply to fare subsidy programs:
 - a. Public Law 103-172, Federal Clean Air Incentives Act, Title 5 U.S.C. Section 7905;
 - b. Public Law 102-486, Energy Policy Act Title 26 U.S.C. Section 132; and
 - c. Public Law 105-178, Transportation Equity Act Title 5 U.S.C. 7905(b)

SECTION 4. DEFINITIONS

- a. “Employee” means any official or employee of the Department, as defined under section 2105 Of Title U.S.C., and members of the NOAA Corps. At this time the transit program does not include contractors.”
- b. “Mass Transportation” means transportation systems available to the general public such as subways, trains, buses, ferries, or commuter rail systems. It includes commuter highway vehicles (e.g., van pools) if the seating capacity is at least six adults, not including the driver, with 80 percent of the mileage being used for transporting employees between their residences and places of employment.”
- c. “Fare subsidy” means providing “fare media” to employees at no cost to them.
- d. “Fare media” means a ticket, pass, or farecard entitling riders to transportation or a voucher which may be exchanged only for a ticket, pass, or farecard. It does not include cash payments. However, there is an exception where areas in the field may not except DOT’s fare media. In this case employees would use the SF-1164 for reimbursement but not to exceed the amount allowed.
- e. “TranServe Debit Card” the IRS has finally approved the Debit Card roll-out for the Metropolitan area and Field. When the participants activate their card for the first time, they will be prompted to give one of the three choices, work number, zip code or common identifier. The cards are provided by JP Morgan and Chase and there’s only a one-time activation needed.

SECTION 5. POLICY

- a. The Department of Commerce, National Oceanic and Atmospheric Administration supports and encourages the use of mass transportation by its employees in commuting to and from work.

- b. An employee may not receive the transportation fare benefit simultaneously with another form of transportation benefit, such as subsidized parking.
- c. Fare media cards are not transferable and should be used only for commuting to and from work. Giving or selling fare cards to other individuals is prohibited, even if the other individual is eligible to receive fare media cards.
- d. The form SF-1164 for reimbursement is used in field offices where the fare media card are not accepted to pay for mass transit commuting to and from work. Finance Offices responsible for these field offices should not honor SF-1164 form from an employee commuting in an area that accepts fare media cards.
- e. Under the Privacy Act Statement the information that is solicited for the application is found under the authority of 5 U.S.C. Sections 301 and 7905. Furnishing the information on this form is voluntary, but failure to do so may result in disapproval of your request for a public transit fare benefit. The purpose of this information is to facilitate timely processing of your request, to ensure your eligibility, and to prevent misuse of the funds involved. This information will be provided to the Department of Transportation for processing benefits. The information will be matched with lists at other Federal agencies to ensure that you are not listed as a carpool or vanpool participant or a holder of any other form of vehicle work site parking permit with the Department of Commerce/NOAA or any other Federal or County agency. The certification of the application concerns a matter within the jurisdiction of an agency of the United States and making a false, fictitious, or fraudulent certification may render the maker subject to criminal prosecution under Title 18, United States Code, Section 1001, civil penalty action providing for administrative recoveries of up to \$5000 per violation, and/or agency disciplinary actions up to and including dismissal.

SECTION 6. RESPONSIBILITIES

The Office Chief Administrative Officer, Logistic Division is responsible for the following:

- a. Providing oversight of the transportation subsidy benefit program.
- b. Generating and furnishing reports required by internal and external organizations.
- c. Developing and implementing procedures to assure that funds, property, and other program assets are properly accounted for and safeguarded against fraud, waste, and abuse.
- e. Providing oversight to the tracking of the number of fare media benefits issued to employees and the funds expended in the program.
- f. Ensuring that program participation is limited to eligible NOAA civil service employees and the NOAA Corps.

SECTION 6A. RESPONSIBILITIES FOR TRANSIT POINT OF CONTACT (TPOC)

The Line/Staff Offices are responsible for appointing an initial TPOC for their area. They may also appoint as many POC's within their Line/Staff Offices but there should only be one that would be the Lead POC for a particular Line/Staff Office.

- a. Providing oversight of the transportation fare benefit program by notifying the NOAA Manager for the Transportation Subsidy Benefit Program (TSBP) when their employees retire, transfer and/or leave agency.
- b. Edit Transit Benefit Detail Reports for their Line/Staff Office and return when completed to the NOAA Transportation Manager for the TSBP when corrections are needed.
- c. Providing oversight for safeguarding against fraud, waste, and abuse.
- d. Ensuring that program participation is limited to eligible NOAA civil service employees and the NOAA Corps.
- g. Ensuring that forms are complete (NOAA 42-28 and Smart Benefit Application) before submitting to NOAA Transportation Manager.

SECTION 7. LIMITATIONS

- a. Employees who benefit in the use of subsidized parking supplied by NOAA , other federal agencies or other monetary benefits related to commuting are not eligible for subsidies.
- b. The value of a benefit to an individual employee under a program established under the provisions of this Notice may not exceed the lesser of either the employee's total commuting expenses per month or the maximum allowed by law.
- c. Employee may only use transportation fare benefits for their commute to and from work via mass transportation.

SECTION 8. EFFECTIVE DATE

This Notice is effective immediately.