

- (9) Power equipment and substations;
- (10) Projects to improve safety and security;
- (11) Operational support, including computer hardware and software;
- (12) Systems extensions or new system construction, including engineering, demolition, etc.; and
- (13) Land acquisition, design, and construction for fixed guideways.

c. Associated Transit Improvements. The term “associated transit improvements” includes projects or project elements that are designed to enhance public transportation service or use and are physically or functionally related to public transportation facilities. This category of projects was formerly known as “transit enhancements.”

- (1) The following public transportation projects and project elements qualify as associated transit improvement projects:
  - (a) Historic preservation, rehabilitation, and operation of historic public transportation buildings, structures, and facilities (including historic bus and railroad facilities) intended for use in public transportation service;
  - (b) Bus shelters;
  - (c) Landscaping and streetscaping, including benches, trash receptacles, and street lights;
  - (d) Pedestrian access and walkways;
  - (e) Bicycle access, including bicycle storage facilities and installing equipment for transporting bicycles on public transportation vehicles;
  - (f) Signage; or
  - (g) Enhanced access for people with disabilities to public transportation. Associated transit improvement projects or elements of projects designed to enhance access for people with disabilities are required to exceed the minimum requirements of the ADA.
- (2) Bicycle and pedestrian paths within a certain distance from a transit stop or station are eligible capital projects and qualify as associated transit improvements. Pedestrian paths located within 0.5 miles of a transit stop or station and bicycle paths located within three miles of a transit stop or station are eligible capital projects. Projects outside this distance may be eligible if they are within the distance that a person could be expected to safely and conveniently walk or bicycle to the particular stop or station.

- (3) MAP-21 amends the definition of transit enhancements (now “associated transit improvements” under 49 U.S.C. 5302) so as to remove public art from the eligible projects specifically listed in law. However, art can be integrated into facility design, landscaping, and historic preservation, and funded as a capital expense. Art also can be integrated through the use of floor or wall tiles that contain artist-designed and fabricated elements, use of color, use of materials, lighting, and in the overall design of a facility. In addition, eligible capital projects include incidental expenses related to acquisition or construction, including design costs. Therefore, the incidental costs of incorporating art into facilities and including an artist on a design team continue to be eligible expenses. Procuring sculptures or other items not integral to the facility is no longer an eligible expense.
- (4) The following requirements are associated with associated transit improvements:
- (a) In a large UZA (population of 200,000 or more), the designated recipient must certify that not less than 1 percent of the amount apportioned to the UZA for a given fiscal year is spent on projects that qualify as associated transit improvements; and
  - (b) In a large UZA with more than one recipient, it is the designated recipient’s responsibility to work with other public transportation operators to ensure that 1 percent of the UZA’s apportionment is used for associated transit improvements. Recipients are not individually required to expend 1 percent of their suballocation for associated transit improvements, provided that this requirement is met collectively by the recipients within the UZA. A designated recipient’s sub-area allocation documentation should identify the use of funds for eligible associated transit improvements and how this requirement will be met.
- d. Vehicle-Related Equipment to Comply with the Americans with Disabilities Act of 1990. Examples of vehicle-related equipment for compliance with the Americans with Disabilities Act of 1990 (ADA) include:
- (1) Low floor vehicles and components that allow for level boarding of all passengers.
  - (2) Lifts, ramps, and other level-change mechanisms attached to or within the vehicle. **Note:** Throughout 49 CFR part 38, reference is continually made to “level-change mechanisms (e.g., lift or ramp).” A kneeling mechanism by itself is not a level-change mechanism; however, it may be necessary in order to minimize the slope of a vehicle boarding ramp in order to meet ADA requirements.
  - (3) Securement devices (nonrail vehicles only). **Note:** Securement devices are not required for rail vehicles.
  - (4) Seats that fold to create wheelchair space. **Note:** Folding seats are permitted in the securement area; however, the securement area may be devoid of seating. Per 49 CFR 38.23(d)(2), “Securement areas may have fold-down seats to accommodate other