



Addressing Issues with the Reasonable Access Law

49 U.S.C. §5323(r)

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What is the Reasonable Access Law?

Title 49 - Section 5323(r)

Reasonable access to public transportation facilities.—

A recipient of assistance under this chapter may not deny reasonable access for a private intercity or charter transportation operator to federally funded public transportation facilities, including intermodal facilities, park and ride lots, and bus-only highway lanes. In determining reasonable access, capacity requirements of the recipient of assistance and the extent to which access would be detrimental to existing public transportation services must be considered.

Understanding Section 5323(r)

- Created under ISTEA (1991) to ensure private operators have access to federally funded transit facilities.
- Started a major shift in the U.S. from stand-alone private bus terminals to integrated publicly-owned joint developments -- accelerating since 2021 due to the sale of private bus terminals by FirstGroup (the former owner of Greyhound).;
- Promotes integration, expands mobility options for rural residents, and is an efficient use of taxpayer-funded infrastructure.
- Challenges:
 - Ambiguity in the definition of 'reasonable access'
 - Lack of enforcement procedures
 - Need for inclusion of FRA-funded facilities
 - Cooperation sometimes missing between State DOT / locally-owned terminals / Private bus operators
 - Urban terminals not always as focused as the State on need for rural access.

An Example of a Success: Fayetteville, NC Transit Center

- Integration of public transit and intercity buses creates a model for collaboration and efficiency.
- Rural 5311(f) service funded by the State DOT connects to the unsubsidized national bus network providers.
- Improved connectivity, efficient infrastructure use, excellent security, enhanced passenger options.
- Private operator pays reasonable rent to transit agency
- Good faith collaboration made success possible.

Importance of High-Quality Terminals

- High-quality terminals enable seamless connections between intercity buses, public transit, and passenger rail.
- Benefits: Facilitate easy transfers, improve passenger experience, support multimodal connectivity.
- Example: Boston South Station integrates intercity buses, commuter rail, and Amtrak services.
- Investing in integrated terminals enhances efficiency and equity.

When access is denied or terms are unreasonable

- Knoxville – John Duncan Transit Center. Private operators denied access despite excess capacity.
- Chicago – Private bus operators denied access near Union Station where efficient train connections could have been made.
- Little Rock – Private operators denied access citywide.
- Las Vegas -- High access fees are incompatible with affordable transportation needs.
- Reno – RTA Boardmember demanded “demographics” of bus passengers before access.

Negative Impacts of Denied Access

Reduced mobility, exposure to weather, and diminished connectivity.

- Philadelphia: No access to SEPTA or Amtrak terminals, preventing rural Pennsylvanians from connecting to the national network.
- Salt Lake City: Access restrictions during construction preventing safe, indoor transfers, effectively halting intercity service from Rocky Mountains to Pacific Northwest.
- Boise: Lack of access to connections at airport isolates rural communities on North-South routes from access to East-West service.

Challenges with the Current Law

- Federal enforcement is lacking, **complaint-driven**, and there are **inconsistent interpretations** across regions of the meaning and enforceability of the law.
 - This ambiguity often results in disputes between public agencies and private operators.
 - Some agencies impose **restrictive permits or high fees**, effectively limiting access despite the law's intent.
 - Some agencies simply do not respond to formal requests for access or delay responses for no clear reasons.
 - The term 'reasonable' is inherently subjective, and without clear federal standards, enforcement becomes inconsistent and inequitable.

How to Clarify “Reasonable Access”

- Define 'reasonable' with objective standards.
- Include both public transit and passenger rail facilities
- Recognize intercity bus service as a “primary use” of a transit, rail or joint facility.
 - Rent should offset only the incremental cost to the facility of access
- Require a written response to all access requests within 60 days with written reasons for any denials.
- Set time limits for agency compliance.
- Clearly outlaw access discrimination on the basis of “demographics”
- Ensure strong enforcement of the law by USDOT
- Develop an annual Report to Congress on denials, delays, and non-responses from grantees.



Questions?

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