**Section 651.103 Definitions**

Unless the context clearly requires otherwise, the following words and phrases as used in these regulations shall have the meanings ascribed to them in the following sections.

 "Act" means the Downstate Public Transportation Act (Ill. Rev. Stat. 1981, ch. 1112/3, par. 661 et seq.).

 "Apportioned funds" means 75% of the funds appropriated by the General Assembly in any fiscal year for expenditure by the Department for operating assistance for new programs which the Department apportions among the non-urbanized area transportation assistance regions pursuant to Section 651.104 herein.

 "Department" means the Illinois Department of Transportation, Division of Public Transportation.

 "Discretionary funds" means 25% of the funds appropriated by the General Assembly in any fiscal year for expenditure by the Department for operating and capital assistance for new programs.

 "Eligible capital expenses" means any expenditure of monies for capital items necessary for the provision of public transportation services, including expenditures for:

 the purchase of vehicles for use in public transportation service;

 the purchase of maintenance and support equipment directly related to the support of such service operations (e.g. maintenance tools, fareboxes, wheelchair lifts, ramps, radios, etc.);

 the purchase or construction of fixed facilities.

 "Eligible operating expenses" means eligible operating expenses as defined in Section 1.04 of Article III of the Act.

 "FHWA" means the Federal Highway Administration of the U.S. Department of Transportation.

 "Fiscal year" means the fiscal year of the State of Illinois for the period July 1 through June 30.

 "New programs" means:

 those public transportation programs operated by participants which did not receive financial assistance under the Act during fiscal year 1979 or did not receive demonstration project funds from the U.S. Department of Transportation during fiscal year 1979; and

 those public transportation programs operating outside the geographic boundaries of service areas (as approved by the Department or by the U.S. Department of Transportation in fiscal year 1979) of those participants which received financial assistance under the Act during fiscal year 1979 or which received demonstration project funds from the U.S. Department of Transportation during fiscal year 1979.

 "Nonurbanized area transportation assistance regions" means those regions established by the Department for apportioning 75% of the total Section 18 funds appropriated by the General Assembly for new programs as provided under Article III, Section 4 of Act and Section 651.103 herein.

 "Operating deficits" means operating deficits as defined in Article III, Section 1.02 of the Act.

 "Operating revenue" means:

 revenues from nonreimbursable fares, reduced fare reimbursements, rentals of properties, advertising, and any other amounts collected or received in the process of providing public transportation under the Section 18 program which, under standard accounting practices, are properly classified as operating revenue or operating income attributable to providing public transportation; and

 any unrestricted Federal, State or local funds received as a result of providing public transportation services funded under the Section 18 program which are not used to match grant funds awarded under the Section 18 program.

 "Participant" means participant as defined in Article III, Section 1.02 of the Act, except that only participants providing transportation services under new programs will be governed by these regulations. For the purpose of determining the boundaries of "cities over 20,000" as used in Article III, Section 1.02 of the Act, the Department will consider two cities that, at any point, share coterminous boundaries and whose populations together exceed 20,000 in number to be eligible participants for the purposes of receiving assistance from the Section 18 program and will accept joint applications from such cities.

 "Program of proposed expenditures" means:

 the services to be provided and the budget for the provision of those services both as approved by the Department under the Section 18 program; or

 the project budget for the purchase of capital items as approved by the Department under the Section 18 program.

 "Public Transportation" means public transportation as defined in Article III, Section 1.05 of the Act. In determining whether a participant's proposed program should be classified as public transportation, the Department will consider all transportation services included in an application as one program. Although some client specific transportation services may be included as part of a proposed program, some portion of transportation services to be funded under any single program must be available to the general public or groups of the general public with special needs (such as the elderly and handicapped) in order for that program, as a whole, to be classified as public transportation. For programs that include subsidized taxi service, rides shared by two or more passengers must be allowed and encouraged in order for taxi service to be classified as public transportation. FHWA will review all proposed service provided under a participant's program to determine the eligibility of the service for funding under Section 18, and FHWA's decision as to the eligibility of the proposed service will be final.

 "Section 18" means Section 18 of the Urban Mass Transportation Act of 1974, as amended.

 "State" means the State of Illinois.