

Policy Clarifications - Employment & Training - Policy/Procedures ESA394535

Submitted: 07/01/11

Agency: Allegheny CAO

TR No. 1900

Citations:

Subject: Jitney Drivers

We are aware that a policy clarification was issued ([ESA 380-138](#)) that states volunteer drivers cannot negotiate flat rate fees to provide transportation to employment and training (E&T) activities but we are not sure if this also includes jitney drivers. Sometimes jitney drivers are the only option as bus routes have been reduced and taxi services are limited in some parts of Allegheny County.

Response By: Lisa Cordell

Date:07/15/11

No, unless the individual holds a [Certificate of Public Convenience](#) issued by the Public Utility Commission (PUC). However, to compensate for the cost of fuel, an E&T participant may be eligible for a special allowance for transportation at a rate of .20¢ per mile (Reference: [OPS 110602](#) to pay a *volunteer driver* to provide transportation to employment or an approved E&T activity. This could also include an individual who does not hold a *Certificate of Public Convenience*. Mileage is issued with reason code 250 or 850 (working TANF) which is part of the Private Transportation Category relating to special allowances and has an annual limit of \$1500.

The Bureau of Employment and Training Programs (BETP) sought guidance from the PUC, who regulates public transportation entities for more information regarding "Jitney Service". Through this research, BETP concluded that the PUC requires individuals to obtain a '*Certificate of Public Convenience*' in order to be recognized as a legitimate transportation provider. With this certification, an individual can establish rates at their discretion. A 'jitney driver' who does not hold this certificate and who transports individuals in a motor vehicle between points within the Commonwealth of PA for compensation is in violation of provisions of the Public Utility Code, 66 Pa.C.S. §§101, et.seq. and PUC regulations located in 52 Pa. Code §§1.1, et.seq. When the PUC becomes aware of

a transportation provider without certification, they send a 'cease and desist' letter to the individual explaining that continued operations will be subject to a \$1,000 penalty per violation, as well as the suspension of their vehicle registration. The letter goes on to explain that future violations can result in possible criminal prosecution with penalties up to \$10,000 and one year in prison.