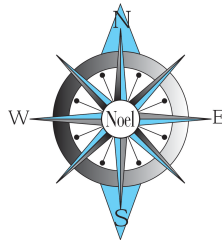


Americans With Disabilities Act (ADA)

*Presented by
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ADA Title II Nondiscrimination

“An entity shall not, on the basis of disability, deny to any individual with a disability the opportunity to use the entity’s transportation service for the general public, if the individual is capable of using that service”

49 CFR Part 37, 37.5

Two Important Documents

- ❖ **49 CFR, Part 37 – Title 49, Code of Federal Regulations, Part 37 – Transportation Services for Persons with Disabilities**
- ❖ **FTA C 4710.1 – Federal Transit Administration ADA Guidance Circular**

FTA Implementing Regulations

- ❖ **“Each public or private entity which operates a fixed route or demand responsive system shall ensure that personnel are trained to proficiency, as appropriate to their duties, so that they operate vehicles and equipment safely and properly and assist and treat individuals with disabilities who use the service in a respectful and courteous way, with appropriate attention to differences among individuals with disabilities.”**

49 CFR 37.173

Original 1990 Definition of a Common Wheelchair

The Americans with Disabilities ACT of 1990 defines a “common wheelchair” as a mobility aid belonging to a class of three- or four-wheeled devices, usable indoors, designed for and used by individuals with mobility impairment, whether operated manually or powered. A “Common wheelchair” does not exceed 30 inches in width and 48 inches in length measured two inches above the ground and does not weight more than 600 pounds when occupied.

October 2011 Definition

Wheelchair means a mobility aid belonging to any class of three - or more - wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.”

What Changes Need to Take Place in Your Agency to Ensure Training to Proficiency?

- ❖ **Mobility Devices**
- ❖ **Securement Board**
- ❖ **Policies**
- ❖ **Training**
- ❖ **Documentation**

What is the most difficult situation you have had in providing bus/van service to people with disabilities?

What did you do?

Service Animals

Under the ADA, a service animal is defined as a dog that has been individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the dog must be directly related to the person’s disability.

Two Specific Questions:

- 1. Is the dog a service animal required because of a disability?**
- 2. What work or task has the dog been trained to perform?**

Reasonable Modifications

“Public entities that provide designated public transportation (fixed route, demand responsive and complementary paratransit services) shall make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability or to provide program accessibility to their services. “
49 CFR part 37, 37.5 (i)(2)(3)

Reasonable Modification Examples

- ❖ Fare handling assistance**
- ❖ Eating or drinking to avoid an adverse medical situation**
- ❖ Passenger self-administers medication**
- ❖ Walker uses lift or ramp to board bus**
- ❖ Separate boarding of a passenger and their mobility device**
- ❖ Passenger requires minimal assistance using steps**
- ❖ System has a method for passenger to challenge a denied request**

What reasonable modifications has your agency made to provide service to a person with a disability?

Origin-to-destination Service

“Origin-to-destination service means providing service from a passenger's origin to the passenger's destination. A provider may provide ADA complementary paratransit in a curb-to-curb or door-to-door mode. When an ADA paratransit operator chooses curb-to-curb as its’ primary means of providing service, it must provide assistance to those passengers who need assistance beyond the curb in order to use the service, unless such assistance would result in a fundamental alteration or direct threat.”

Participants will demonstrate knowledge of proper securement by boarding, securing, un-securing, de-boarding two different manned mobility devices on a minimum of two mobility devices. Instructors will use this standard form for evaluation

Hands-on On-board Evaluation

Passenger Assistance Evaluation Form

Name of Trainee: _____ Date: _____

Name of Trainer: _____ Location: _____

Skill Categories: **Lift Operation and Securement**

Specific Task	Rating*			Comments	Instr. Initials
	1	2	3		
Lowering the Lift					
Assisting onto the Lift Platform					
Raising the Lift					
Assisting off the Lift Platform					
Position Mobility Device in Securement Location on Vehicle					
Set the Wheel Locks (Power off)					
Front Securement					
Rear Securement					
Lap Belt					
Shoulder Belt					
Test Overall Securement					
Passenger Communication (all tasks)					
Body Mechanics (all tasks)					

*** Rating Definitions:**

Demonstrates complete mastery over task. Able to explain task thoroughly and clearly.

Demonstrates a good understanding of task. May be hesitant in performing task. Needs more than one attempt to complete task properly. Able to clearly explain task.

Completes task with some difficulty. May need to attempt task repeatedly or receive instructions to complete task.

General Comments:

Trainee Signature: _____ Date: _____

Instructor Signature: _____ Date: _____