

The background features a vertical gradient from red at the top to blue at the bottom. On the left side, there are several circular gauges or dials with numerical scales and arrows. The scales include numbers like 140, 150, 160, 170, 180, 190, 200, 210, 220, 230, 240, 250, and 260. Some gauges have solid lines, while others have dashed lines. The overall aesthetic is technical and modern.

ADA UPDATE FOR TRANSIT

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STANDARD ELEMENTS OF YOUR PROGRAM

- Procedures for Eligibility Determinations
- Reasonable Modification Procedures
- Stop Announcements
- Conduct Policies
- Lift and Securement Policies and Procedures
- Training Requirements
- No Show Policies and Procedures
- Appropriate websites and access to information
- Complaint Procedures

REVIEW OF POLICIES AND PROCEDURES

- Ride Guide- How are you communicating rules, policies and procedures to your customers?
- How often are you looking at your website accessibility?
- Have you changed your process and procedure to deal with COVID?
- What procedures do you have for customer service personnel
- Driver training regarding lifts, priority seating, assisting passengers, serviced animals
- What policies and procedures are in place for maintenance staff?
- How has COVID impacted your shared ride/ADA service from an administrative standpoint?

SUB-CONTRACTORS?

- Of note, the entity providing fixed route transit service, is ultimately responsible for ensuring any subcontractor providing complementary shared ride service is compliant. You must remain diligent with subcontractors and ensure contracts include appropriate requirements and processes to examine their ADA service
- For Example, in the context of triennial reviews and FTA ADA reviews there is a large focus on ensuring agencies hold their subcontractor's to an appropriate standard.

ELIGIBILITY DETERMINATIONS

- The first and foremost consideration remains on the eligibility determination and appeal process.
- Do you have a methodology to provide all forms of ADA required responses?
 - Full Eligibility
 - Temporary Eligibility
 - Denial of Eligibility
 - Conditional eligibility – Does your database include a method of tracking the conditions?
- DO you have a recertification process?
- DO you have an appeal process and appeal board?

COMPLAINT PROCEDURES

- You need to have an articulated policy for processing complaints from customers (how long will you investigate complaints, how will communications occur regarding the outcome of findings and investigations).
- Ensure that you maintain a summary of complaints as required in the regulatory process

RESERVATIONS/PICK UP TIMES

- Negotiation of pick up times?
- What if you change your reservation process? You must engage in the public participation process.
- How far in advance can you make reservations?
 - Generally, Section 37.131(b)(2) allows you to make reservations up to 14 days in advance of the desired trip subject to the negotiation process
 - You must take into account the rider's practical restraints

TRIP DENIALS

- Transit agencies cannot have substantial numbers of trip denials and missed trips. Examples of trip denials include:
 - A passenger requests a trip which agency cannot provide.
 - A passenger requests a trip and agency can only offer a trip that is outside of the one hour (-60/+60) negotiating window. This results in a denial whether the passenger accepts the reservation or not.
 - A passenger requests a round-trip and agency can only provide one leg of the trip. If the passenger does not accept the one-way trip, both portions of the trip are denials. If the same situation occurs and the passenger accepts the first leg of the trip, it would only count as one denial.

MISSED TRIPS

- Missed trips result from trips that are requested, confirmed, and scheduled, but do not take place because:
 - The vehicle arrives and leaves before the beginning of the pick up window without picking up the passenger and without any indication from the passenger that he or she no longer wants to make the trip. A passenger is not obligated to board until the beginning of the pick up window or from the start of the pick up window until five minutes has lapsed.
 - The vehicle does not wait the required time within the pick up window, there is no contact with the passenger, and the vehicle departs without the passenger. If during the wait time the passenger indicates he or she no longer wants to take the trip, this is recorded as a no-show.
 - The vehicle arrives after the end of the pick up window and departs without picking up the passenger (either because the passenger is not there or declines to take the trip because it is now late).
- The vehicle does not arrive at the pick up location

RIDER COMMUNICATIONS

- FTA considers a potential capacity constraint through poor communication with customers. The expectations of passengers should be communicated prior to the booking process through the conclusion of the trip.
- Are rules communicated regarding expectations?
 - For example, “You should be waiting in the apartment complex lobby”.
 - We expect nursing homes to have the passenger available
 - We will remind you the day before your trip.
 - We may arrive up to ___ minutes early.
 - Communications must be consistent – your ride guide and website should not conflict.

CALL HOLD TIME AND RESERVATION PROCEDURES

- Is your call hold time policy established?
- Are you analyzing your phone system design and staffing?
- How are you tracking your hold times?
- Do you have proper language proficiency tools in place to minimize call hold time?
- Is there a process for limited scheduling in one call in order to facilitate better hold time efficiencies?
- For example: all calls will not be left on hold more than x minutes for 90% of the time? Is your standard actually achievable?

NO SHOW POLICY

- Do you have a policy that articulates what you consider a “no show”?
- Do you have a standard for suspensions?
- Do you have a methodology for determining whether a trip missed beyond a customer’s control does not fit within your definition of a “pattern or practice of a ‘no show’”?
 - This may include scheduling errors, emergencies or criteria
 - Again, do you have a process for appeals of a no-show suspension?
 - Do you have a policy for canceling second legs of trips for no shows? Is it communicated?

REASONABLE MODIFICATIONS

- Did you implement your policy?
- Have you properly documented your process as well as any requests and responses?
- You must have an appeal process.
- Your policy must be written and must be posted for ridership's information.

SERVICE ANIMALS

- The U.S. Department of Transportation (DOT) defines a service animal as “any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability, including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.” This is the definition with which the drivers of public transit service must comply, and it can be found in Section 37.3 of [49 CFR Part 37- Transportation Services for Individuals with Disabilities \(ADA\)](#).
- Comfort animals? Support animals?
- Rules for behavior of service animals?

DISRUPTIVE PASSENGER POLICY

- With regard to considering a “direct threat” U.S. Department of Justice regulations state in 28 CFR Sec. 36.208. In determining whether an individual poses a direct threat to the health or safety of others, a public accommodation must make an individualized assessment, based on reasonable judgment that relies on current medical knowledge or on the best available objective evidence, to ascertain: the nature, duration, and severity of the risk; the probability that the potential injury will actually occur; and whether reasonable modifications of policies, practices, or procedures will mitigate the risk.

TRAINING

- All persons involved in the ADA process must be trained to proficiency to avoid service constraints
- How often is training required
- Who must undergo training:
 - Drivers
 - Customer service
 - Administrative staff
 - Maintenance
- Understanding and enforcing your policies is a critical component of this training!

FTA ADA INVESTIGATION OVERVIEW

- FTA has the responsibility for ensuring compliance with ADA obligations.
 - Random Spot Assessments
 - Response to Complaints
- The process includes a pre-review documentation collection and review, off-site assessments (calls, complaint review, website review, etc.)
- A full visit –typically 2-3 days for a full assessment
- Assessments and all findings are publicly posted and remain available for public review

REVIEW OBJECTIVES

- The Focus is System capacity constraints – which includes a full system analysis
- Review of policies and standards that may contribute to complaints (this may include long hold times, inefficiencies, patterns or practices of trip limitations or denials, operational deficiencies, etc.)
- The review looks at public communications
- The review looks closely at the complaint processing process
- An analysis of ALL FORMS of training are reviewed – from customer service, driver skills, management statistical analysis, and safety considerations

THANK YOU FOR YOUR PARTICIPATION

- Please feel free to contact me with any questions or concerns:

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