



# ADA GUIDELINES

Updated 2017

## **Purpose**

The Americans with Disabilities Act of 1990 mandated that Americans with disabilities have equal access to public transportation as well as places of “public accommodation”.

In conformance with the Americans with Disabilities Act (ADA), the Greater Attleboro Regional Transit Authority (GATRA) offers a complimentary paratransit service to individuals with disabilities who cannot use the fixed route bus system.

## **Scope**

By statute, complementary paratransit must provide a level of service that is comparable to that provided by the GATRA fixed route system. Not all people with disabilities are eligible for ADA complementary paratransit services. Only those who are unable to access their fixed route system due to a disability are eligible.

## **Background**

This service has eligibility requirements and service perimeter characteristics (including fares, trip time restrictions, and reservation requirements). The GATRA ADA paratransit service is a door-to-door, origin to destination, transportation by appointment service, for certified individuals. It is important to understand that under the ADA, paratransit functions as a "safety net" for people whose disabilities prevent them from using the regular fixed route system. It is not intended to be a comprehensive system of transportation that meets all the needs of persons with disabilities.

## **Paratransit Services**

### **Service Description**

Operating in compliance with the FTA's ADA regulations, GATRA's ADA Paratransit Service provides origin to destination transportation to ADA eligible individuals who are unable to use the fixed route bus service due to a disability. This service operates the same days and times as the fixed route bus service and travels within  $\frac{3}{4}$  of a mile of the route. It is a shared ride and multiple users could be grouped together allowing GATRA to provide efficient trips that will meet all requests.

## **ADA Categories of Eligibility**

### **Who is eligible for ADA transportation?**

Americans with Disabilities Act (ADA) transportation is for people whose disabilities prevent them from using the regular accessible fixed route bus for some or all of

their trips. All eligible individuals' origin and destination must be within ¾ mile of the fixed route bus.

Please refer to the following three categories of eligibility:

### **Category 1 Eligibility**

Category 1 Eligibility includes, among others, persons with mental or visual impairments who, as a result, cannot “navigate the system.” This eligibility category includes people who cannot board, ride, or disembark from an accessible vehicle “without the assistance of another individual.”

### **Category 2 Eligibility**

*(Not applicable to the GATRA service – all vehicles are accessible)*

Category 2 Eligibility applies to persons, who could use accessible fixed route transportation, but accessible transportation is not being used at the time, and on the route, the persons would travel. This concept is route-based, not system-based.

### **Category 3 Eligibility**

Category 3 Eligibility concerns individuals who have a specific impairment-related condition, which prevents them from getting to or from a stop or station. This is intended to be a “very narrow exception” to the general rule that difficulty in traveling to or from boarding or disembarking locations is not a basis for eligibility.

To be a basis for eligibility, the condition must prevent the individual from traveling to a boarding location or from a disembarking location. The word “prevent” is very important. For anyone, going to a bus stop and waiting for a bus is more difficult and less comfortable than waiting for a vehicle at one's home. This is likely to be all the more true for an individual with a disability. But for many persons with disabilities, in many circumstances, getting to a bus stop is possible. If an impairment-related condition only makes the job of accessing transit more difficult than it might otherwise be, but does not prevent the travel, then the person is not eligible.

### **How to Apply for ADA Paratransit Certification**

To apply for ADA Paratransit service and application must be completed and approved by the GATRA administrative office. An application can be found on the GATRA website at [www.gatra.org](http://www.gatra.org), at our office at 10 Oak St, Taunton, MA 02780 or by calling 508-823-8828 ext. 263 and one will be mailed.

## **Application**

Part A requires general information from the applicant, name address, phone number etc.

Part B must be completed by a licensed professional who can attest to the person's disability with some type of verification providing information on why a person cannot take a fixed route bus.

Once completed and returned to the GATRA administrative office, it is reviewed and evaluated to ascertain if the person is eligible. The FTA allows 21 days for this process.

A letter is then sent to the person approving or denying eligibility. If approved the person will be registered for the paratransit service and will be sent a brochure on how to access the system. This letter will also inform of the type of eligibility;

**Unconditional Eligibility** An individual is eligible for all trips on Paratransit service.

**Conditional Eligibility** An individual may be eligible for certain trips on Paratransit Service depending on the disability.

**Temporary eligibility** any individual is eligible for Paratransit Service on a temporary basis. The length of time depends on the medical necessity.

**Visitor eligibility** GATRA is required to provide service for 21 days to persons who have been certified in other areas as long as documentation is provided.

If eligibility is denied the person may file an appeal. All appeals must be filed within 60 days of the denial. Applicants may present evidence and arguments in person or writing to an official from the paratransit service who was not involved in the initial decision.

All appeal decisions must be in writing and state the specific reasons for the decision. Decisions will be made within 30 days of the receipt of the appeal. If no decision is made within that time frame, the person will be provided with service

unless and until an adverse decision is rendered on the appeal. Appeals must be sent in writing to GATRA, 10 Oak St, Taunton, MA 02780.

### **Eligibility Expiration/Reapplication**

GATRA may request any customer reapply based on a change in health conditions or any change in policy. If a customer's condition has changed for example if mobility aid or Personal Care Attendants are required they must notify GATRA. GATRA administrative office will also send out reminders when a person's eligibility will expire.

### **Service area**

The ADA service area is  $\frac{3}{4}$  of a mile within our fixed route service. Origin and destination of service must be in this area. Please note that many of GATRA's communities do not have fixed route bus service. In many communities a Dial-a-Ride type of service is provided. Please call or look at our website to see what is available in your community.

### **Scheduling a Trip or Reservations**

At least one day before your trip you must contact the office number listed on your approval letter. Have your trip information available including addresses for drop off and pick up and requested date and time. Same day service is not provided.

The customer service representative will confirm the origin and destination is within the  $\frac{3}{4}$  mile service area of the fixed route system and schedule the trip. Please note this is a shared service and enough time should be factored into the trip to allow for other passengers.

If you require a Personal Care Attendant (PCA) please let the customer service representative know that one will accompany you. Your PCA will ride free of charge and must have the same origin and destination.

A companion may also ride as long as it is the same origin and destination. The companion will be charged the same fee.

Recurring weekly or daily trips to the same location can be booked as a subscription. Once you have called to arrange a subscription, you do not have to

call continually to schedule these trips, only to cancel them. However subscription service cannot take up more than 50 % of the daily paratransit service.

Under Department of Transportation (DOT) Americans with Disabilities Act (ADA) regulations at 49 C.F.R. Section 37.131(b), paratransit service must be provided to eligible individuals on a next-day basis (i.e., at any time tomorrow in response to a request made today). Section 37.133 permits the use of subscription service (i.e., trips provided to eligible ADA paratransit riders who make trips on a repeated or recurring basis, such as to school, work, religious services, dialysis treatment, etc.), as long as it does not absorb more than 50% of the available trips at a given time of day. Section 37.133(b) permits a transit operator to provide subscription service above the 50% ceiling if it finds it has excess capacity available (i.e., all requests for next-day service are met, and capacity to provide additional trips remains). If, after constant monitoring, it finds next-day requestors are being denied trips, the operator must either increase its passenger carrying capacity or reduce the number of subscription trips. Note that subscription service is discretionary and is not mandated by Section 37.133. Whether to provide subscription service beyond the 50% ceiling, or whether to provide subscription service at all, is entirely within the transit agency's discretion.

Reservations can be made up to two weeks in advance.

Please inform the call taker of any modifications you may require (e.g. driver to assist with bags or escort you to the door, need to eat on the bus due to medical condition, or a 5 minute call before pick-up etc.)

Please be prepared to be picked up 15 minutes before or 15 minutes after your scheduled pick up time. Also, the driver will only wait 5 minutes for you to board. The response time regulation allows GATRA to negotiate trips up to 30 minutes before or after the requested appointment and/or return time.

### **Cancelling a trip**

Inform the call center as soon as possible to cancel your ride. Your failure to cancel within 2 hours of your scheduled pick up time could be considered a no-show. No-shows and late cancellations beyond the customer's control will not be counted.

Your scheduled return trip **will not** be cancelled unless otherwise arranged with the call center.

### **No Show/Late Cancellation Policy**

Background: GATRA understands some scheduled trips may not be cancelled in a timely manner. Especially if made in advance one might forget to cancel if the ride is no longer needed. However, repeatedly missing scheduled trips or failing to cancel in advance can result in suspension of service. Passenger no-show trips and late cancellations affect both the customer and GATRA. No shows and cancellations lead to wasted fuel and time as well as decreased productivity which impacts other clients causing unnecessary delays and detours.

U.S.DOT regulations 49 CFR 37.125 addresses the issue of no show policies in ADA complementary paratransit service programs, and state that: "The entity may establish an administrative process to suspend, for a reasonable period of time, the provision of complementary paratransit service to ADA paratransit eligible individuals who establish a pattern or practice of missing scheduled trips. 1. Trips missed by the individual for reasons beyond his or her control (including but not limited to, trips which are missed due to operator error) shall not be a basis for determining that such a pattern or practice exists."

### **No-Show/Cancellations:**

A no-show occurs when the vehicle arrives at the pick-up location within the 30 minute pick up window, waits the required 5 minutes, an attempt is made to contact the client and the client does not board the vehicle. If there is a return trip scheduled, the operator will attempt to call the client to ascertain if the return trip is necessary. If no contact is made the vehicle will attempt the return trip, if the client does not board after the required wait time that will be considered another no show. Cancellations made within one hour of the scheduled trip may result in a no show. Riders are encouraged to call as soon as possible. There is no penalty if the No Show or Late Cancellation is beyond the rider's control.

A No-Show letter will be sent to each rider informing them of the No-Show. If a rider accumulates or establishes a No Show/Late cancellation pattern equivalent to 20% or more of scheduled trips during a rolling 30 day period the rider will be subject to the following schedule.

- The first violation is subject to a written warning.
- Second violation -3 day suspension
- Third violation – 5 day suspension
- Fourth violation- 7 day suspension
- Fifth and subsequent violations- 10 day suspension

Riders have the right to appeal and a copy of the appeal process is attached to each letter.

### **No Show Appeal Process**

If the rider is in disagreement and would like to appeal the decision they must submit an appeal in writing within 10 days from receipt of the third No Show Letter to the following address;

Greater Attleboro Taunton Regional Transit Authority  
10 Oak St.  
Taunton, Ma 02780

Appeals will be heard and decided within 30 days of the receipt of request. While the appeal is in process, riders will continue to receive the paratransit service they were eligible for prior to the suspension of service. If the appeal extends beyond 30 days, riders will be able to receive transportation service until a final decision is rendered. Appeals will be heard by a panel independent of GATRA. The individual has the right to appear in person and request any necessary accommodations needed.

The determination resulting from the appeal will be made in writing and state the reason (s) for the decision.

### **GATRA's Guidelines and Policies**

#### **Hours/Days of Service**

Hours and days of service may vary in each service region. Please contact the dispatch office given on the eligibility letter sent for exact days and times.

#### **Holidays**

There is no transportation on the following holidays

New Year's Day

Memorial Day

Independence Day  
Labor Day  
Columbus Day  
Thanksgiving Day  
Christmas Day

### **Origin to Destination**

All service is origin to destination within the  $\frac{3}{4}$  mile of the fixed route bus. If requested, the driver will assist to the door but cannot go through the door of any building or facility and cannot enter any residences.

### **Wheelchair and Mobility Aid**

All GATRA's vehicles are wheelchair accessible. Drivers will deploy the lift for passengers utilizing mobility aids. Also if a passenger cannot board using stairs the lift will be deployed upon request so they can stand on the lift to enter and exit the vehicle.

All wheelchairs must be secured by the driver. The wheelchair or scooter must comply with the FTA's safety regulations regarding size and weight. If a mobility device cannot be secured properly, the driver may ask the passenger to transfer to a seat if possible.

All passengers using a wheelchair must make sure there is a clear path from the door.

1. Wheelchairs must be secured in a forward-facing position only.
2. All four belts must be used to secure wheelchairs to the floor tracks. (Scooters can use three belts).
3. All passengers must wear their seatbelts, unless they have presented information that a documented medical condition prohibits their use.
4. Riders in wheelchairs who have difficulty holding their upper body in an upright position must use the torso belt.

Passengers who use three (3) or four (4) wheeled scooter-type mobility devices are most safely served by transferring to a seat. However this is not required.

### **Seat Belts**

In accordance with Massachusetts General Laws, all drivers and all ADA passengers MUST wear their seatbelts unless documentation of a medical condition that prohibits their use is presented.

### **Child Safety Seats**

GATRA requires all children less than six years of age or weigh less than 40 pounds to be secured in a child safety seat. This seat is to be provided and secured by the child's guardian and removed when the child is not using it.

### **Passenger Assistance**

Drivers are trained in the proper use of equipment as well as sensitivity toward individuals with disabilities. They will provide the assistance if necessary such as helping on or off the van and helping with packages. However they cannot lift or carry passengers or heavy packages. If a passenger needs excessive assistance it is suggested they arrange for a person care attendant to accompany them on trips. PCA's ride free of charge.

### **Portable Oxygen and other Aids.**

Passengers are permitted to travel with a respirator/compressor or portable oxygen supply. The driver will ensure the equipment is properly secured to prevent any disconnections. Please provide information about special equipment when scheduling service.

### **Service Animals**

Service animals are allowed on GATRA vehicles. A service animal is defined as "any guide dog, signal dog or other animal individually trained to work or perform a task for an individual with a disability." The passenger is responsible for controlling and maintaining the service animal so that it does not disrupt or jeopardize another passenger's trip. The driver is not responsible for handling a service animal.

### **Carry-On Packages**

Passengers are limited to what they can safely carry themselves on and off the vehicle. The drivers cannot bring packages through a door. They can assist if necessary with boarding and disembarking from the vehicle.

**Reasonable accommodations.**

GATRA will make reasonable accommodations upon request from the passenger. For example if a medical condition requires frequent nourishment that will be allowed on the vehicle with advance notice.

**Guides to Riding**

This service is a shared ride and common courtesy for others should prevail.

These include;

- No eating, drinking, smoking or vaping on board.
- No riding while under the influence of alcohol or drugs.
- No physical or verbal abuse of the driver or another passenger.
- No willful destruction of the vehicle.
- No loud music or cell phone usage. Please use headphones.

**GATRA has the right and responsibility to refuse transportation to passengers under the following circumstances.**

- Objectionable, dangerous, offensive behavior toward others or the driver.
- Requires direct medical attention due to open wounds.
- Repeated incontinence.
- Repeated poor hygiene.

**Compliments and Complaints**

GATRA welcomes feedback on our service and we encourage customers to contact us with compliments and complaints. All complaints are investigated and the person receives a response within ten days.

Please include:

- Name, address and telephone number of complainant
- Date and time of incident
- Details of incident

Contact information:

Greater Attleboro Taunton Regional Transit Authority

10 Oak St.

Taunton, MA 02780

508-823-8828

[www.gatra.org](http://www.gatra.org)

[customercomments@gatra.org](mailto:customercomments@gatra.org).

