

VALLEY TRANSIT

ADA POLICY

Updated 8-14-2017

ADA Policy

The Americans with Disabilities Act (ADA) was signed into law on July 26, 1990. The ADA is civil rights legislation which requires that persons with disabilities receive transportation services equal to those available on the fixed route service.

It is the policy of Valley Transit that, when viewed in their entirety, services, programs, facilities, and communications provided by Valley Transit, directly or by a contracted service provider, are readily accessible and usable to individuals with disabilities to the maximum extent possible. 49 CFR 37.105

1. Fare

Fare for Valley Transit is as follows:

- Cash Fare - \$0.75
- *STN Monthly Pass - \$10 (self-certification is required to establish eligibility)
- **Job Access Monthly Pass - \$12 (application is required to establish eligibility)
- Adult Monthly Pass - \$20

*People with Special Transportation Needs (STN):

People with special transportation needs are defined in RCW 47.06B as people “including their personal attendants, who because of physical or mental disability, income status, or age are unable to transport themselves or purchase transportation.”

**Job Access:

Job Access is a transportation program for low-income workers to travel to and from work, including a stop at a childcare provider, if necessary for work. To establish eligibility, participants must show that their household income is less than 200% of the Federal Poverty Level.

2. Holiday Closures

Valley Transit Fixed Route and Dial-A-Ride will not run on the following nationally recognized holidays: New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

Valley Transit Job Access will run on all holidays including New Year’s Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day for registered Job Access clients with advance reservations. Reservations can be scheduled up to two weeks in advance for holiday trips.

3. Approved Equipment

Passengers will be transported provided the lift and vehicle can physically accommodate them, unless doing so is inconsistent with legitimate safety requirements (e.g. the combined weight of the wheelchair/occupant exceeds that of the lift specifications). Additionally, Valley Transit can accommodate mobility devices that meet following minimum standards:

- *Wheelchair* means a mobility aid belonging to any class of three or more wheels, usable indoors, designed or modified for and use by individuals with mobility impairments, whether manually operated or powered
- Walkers must be collapsible and able to be stored between seats or in the vehicle's trunk.
- The mobility device must be in good working order; with batteries charged, tires inflated, footrests attached, and all parts secure. (49 CFR 37.3)

4. Mobility Device Brakes

When occupying a lift or securement area, it is recommended that passengers apply the brakes on their mobility devices; however, they are not required to do so. With power chairs or scooters, it is recommended that the power switch be turned to the "off" position. Again, this is not mandatory.

5. Portable Oxygen Use

Individuals with disabilities who use portable oxygen devices are allowed to travel with respirators and properly secured portable oxygen supplies. Oxygen supplies must not obstruct the aisle. (49 CFR 37.167(h))

6. Securement Policy

Operators will use front and rear tie-downs to secure mobility devices. Operators will secure mobility devices at the strongest parts of the device; however, the passenger can indicate the most optimal tie-down spot. The mobility device will be secured front facing unless otherwise requested by the passenger. Drivers will assist passengers with securement systems, ramps, and seatbelts; however, drivers cannot assist riders using power chairs or scooters with the operation of their equipment. Valley Transit cannot refuse to transport someone whose mobility device cannot be satisfactorily restrained provided that mobility device fits within the definition described in Section 3. Fixed route buses are not equipped with seatbelts because of the safety afforded by their much larger size and weight, but passengers seated in wheelchairs and scooters are encouraged to use the seatbelts that are provided as part of the wheelchair securement system. (49 CFR 37.165)

7. Stop Announcements

Stops at major intersections, transfer points, and destination points will be announced on fixed route buses. Transit operators will announce other stops upon request. (49 CFR 37.167 (a-c))

8. Personal Care Attendants

A Personal Care Attendant (PCA) may ride with you at no charge. A PCA is someone who travels with, and helps, a rider who is not able to travel alone. You must provide your own PCA if you need one. Please let us know on your application form whether or not you will be using a PCA. This information will guarantee a place for him or her to ride with you.

Guests and companions may ride with you on Valley Transit. Guests and companions must pay regular fare. A companion is anyone who rides with you who is not designated as your PCA. (49 CFR 37 (d))

9. Service Animals

A service animal is any guide dog, signal dog, or other animal individually trained to work or perform tasks for an individual with a disability. In order to ride Valley Transit:

- The animal must be on a leash or in a container, remain under control of the owner, and behave appropriately.
- Birds, reptiles, amphibians, rodents, and cats must be kept in an enclosed carrier/container.
- The animal must remain at your feet or on your lap. It may not sit on a vehicle seat.
- The animal must not be aggressive toward people or other animals. (49 CFR 37.167 (d))

10. Boarding Assistance

Operators shall position the bus to make boarding and de-boarding as easy as possible for everyone, minimize the slope of the ramp, and use the kneeling option as needed. Bus operators shall provide assistance to passengers upon request. Passengers with disabilities shall be allowed adequate time to board and disembark the vehicle.

11. Maintenance of Lifts or Ramps

Bus operators must test the lift or ramp during the pre-trip inspection. Break down of accessibility equipment must be reported immediately to dispatch. A vehicle with an inoperable lift or ramp must be removed from service as soon as possible and cannot be returned to service until repaired. If there is a lift or ramp failure, a replacement vehicle must be dispatched if the next trip to the destination of any passenger using a mobility device is scheduled in more than 30 minutes. If the next trip to the destination of any passenger using a mobility device is scheduled in 30 minutes or less, a replacement vehicle may be dispatched if available. (49.CFR 37.163)

12. Priority Seating

Upon request, bus operators shall ask – but not require – passengers to yield priority seating at the front of the bus to seniors and persons with disabilities. Drivers are not required to enforce the priority seating designation beyond making such a request.

13. Reserved Seating

Mobility device securement areas on buses are reserved. Passengers using common mobility aids shall be boarded if the securement areas are not otherwise occupied by a mobility device, regardless of the number of passengers on the bus. Bus operators are required to ask passengers sitting in the securement areas to move to other available seats or to stand. If the bus is full, it is not required to make passengers deboard in order to make room to board a passenger using a mobility device.

14. Suspension of Service

A rider's privileges may be suspended for any of the following infractions on any Valley Transit property, including vehicles, bus stops, or stations:

- Smoking or carrying a lit pipe, cigar, or cigarette (unless in a designated smoking area).
- Discarding or dumping litter in places other than the recognized receptacles.
- Consuming alcoholic beverages or in possession of alcoholic beverages.
- Loud, raucous, unruly, harmful, or harassing behavior.
- Possessing an unissued transfer.
- Engaging in other conduct that is inconsistent with the intended purpose of the transit facility, station, or vehicle. (RCW 9.91.025)

15. Notification of Policy

Valley Transit will notify the public of the ADA policy on the website and in the riders guide.

16. Paratransit

- a. Eligibility Requirements:* A person may access Valley Transit Dial-A-Ride if you have a disability or disabling health condition that prevents you from independently using our buses some or all of the time. 49 CFR 37.123

Presence of a disability or a disabling health condition by itself does not automatically make a person eligible for paratransit service. The ability to ride our buses is the basis for eligibility.

Applications will be reviewed by Valley Transit based on the following eligibility qualifications. You are eligible for Dial-A-Ride service if you:

- are unable to board, ride, or exit a lift-equipped bus without assistance,
OR
- need to use a lift but it cannot be deployed safely at your bus stop,
OR
- have a disability that prevents travel to and from your bus stop under certain conditions,
AND
- are certified to use Valley Transit Dial-A-Ride.

Valley Transit will respond to applicants in writing within 14 days of receiving the application. If the applicant does not receive an answer within 21 days, the applicant shall be treated as eligible and provided services until an answer is received.

b. *Categories of Eligibility:* A Valley Transit applicant's eligibility may be classified as conditional, unconditional, or temporary. These categories are defined and mandated by the Americans with Disabilities Act (ADA) regulation.

| Category Type | Description | Type of eligibility |
|---------------|---|---------------------|
| Category 1 | A person with a disability who cannot independently ride transit | Unconditional |
| Category 2 | Prevented by disability or combination of disability and architectural barriers from getting to the boarding area | Conditional |
| Category 3 | Prevented from using fixed route during a certain amount of time | Temporary |

c. *Service Area:* Valley Transit Dial-A-Ride service is provided within 3/4 of a mile of Valley Transit fixed-route service, except for commuter routes. 49 CFR 37.131 (a)

d. *Origin to Destination Service:* Based on the functional ability of the rider at the time of application, the driver will provide one of the following types of trips 49.CFR 37.129

| <i>Trip Type</i> | <i>Descriptions</i> |
|------------------|--|
| Curb to Curb | Customer taken from curb of pickup to curb of destination |
| Door to Door | Customer taken from door of pickup point to door of destination |
| Door Though Door | Customer taken from point of pickup into the door of the destination |

- e. *Trip Scheduling:* Dial-A-Ride trips can be scheduled between 14 days and 6:30PM the day before the trip. Same day trip reservations will be accommodated on a space and time available basis. Rides will be door-to-door unless previously arranged.
- f. *Trip Cancellation:* Dial-A-Ride trips must be canceled no later than one hour before the scheduled pickup time.
- g. *Missed Trips/ Late Cancels:* Upon four (4) missed trips/late cancels within a 12-month period, the customer will receive a verbal warning. Upon five (5) missed trips/late cancels within a 12-month period, the customer will receive a written warning. Six (6) missed trips/late cancels within a 12-month period, may result in a one-week suspension of service. Seven (7) missed trips/late cancels within a 12-month period, may result in a two-week suspension of service. And eight (8) missed trips/late cancels within a 12-month period, may result in a one-month suspension of service.
- h. *Trips Denials:* Valley Transit will count all denials for service. One denial of a multi-legged trip will count as a denial for each leg of the trip.
- i. *Paratransit Hours:* Valley Transit Dial-A-Ride operates the same hours as the Valley Transit fixed route system Monday-Friday: 6:15-5:50pm.

17. Visitor Certification

Visitors are eligible for 21 days of service in a 365-day rolling period beginning on the first day the service is used by the visitor. For additional days of service, the individual is expected to register under Valley Transit eligibility procedures. For individuals who reside outside the Valley Transit service jurisdictions, Valley Transit shall certify an individual with a disability as a visitor when providing documentation of residence and a statement that because of their disability they are unable to access the fixed route. (49 CFR 37.121)

18. Complaint Process

Valley Transit is committed to providing safe, reliable, and accessible transportation options for the community. Valley Transit has established a Customer Complaint Policy and customers wishing to file a complaint and/or obtain a copy of the Customer Complaint Policy may contact Valley Transit at (509-525-9140), on the web at www.valleytransit.com, or in person at Valley Transit's administration office located at 1401 West Rose Street, Walla Walla WA. (RCW 46.07b)

19. Reasonable Modification

Requests for modifications of Valley Transit policies, practices, or procedures to accommodate an individual with a disability may be made either in advance or at the time of the transportation service. Valley Transit is best able to address and accommodate a request when customers make their requests for before the trip. Contact Valley Transit office customer service for questions.

20. Direct Threat

If a person is violent, seriously disruptive, or engaging in illegal conduct Valley Transit may, consistent with established procedures for all riders, refuse to carry the passenger. A person who poses a significant risk to others may be excluded from service if reasonable modifications to the public accommodation's policies, practices, or procedures will not eliminate that risk. (49CFR 37.5 App. D/ 29 CFR 36.208)

Behaviors that may cause immediate exclusion from the system include:

- Destruction of public property (the vehicle, and/or its furnishings)
- Doing violence to others or to oneself
- Behavior that is seriously unruly, seriously disruptive, threatening, or frightening to others
- Behavior that interferes with the safe operation of the vehicle
- Violations of service animal policy by failing to control one's service animal
- Violations of operating rules governing the provision of transportation system-wide
- Engaging in illegal conduct.
- Other conduct judged by Valley Transit to represent an actual or potential threat to the health, safety or wellbeing of oneself, the operator, other passengers, and/or transit personnel.

Passengers who excluded from the system due to a direct threat have the ability to request an administrative appeal by contacting Valley Transit at 509-525-9140