



## Thurston Regional Planning Council/ Around the Sound

### **TRANS ADA POLICY** July 2021

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 Thurston Regional Planning Council (TRPC) and Around the Sound - ATS Trans LLC (Contracted Provider) that, when viewed in their entirety, services, programs, facilities, and communications provided by TRPC 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 TRPC/ATS Trans LLC Rural Transit are fare free.

#### **2. Holiday Closures**

ATS Trans LLC will not run on the following nationally recognized holidays: New Year's Day, Martin Luther King Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, and Christmas Day.

#### **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, ATS Trans LLC 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, 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. ATS Trans LLC can refuse to transport someone whose mobility device cannot be satisfactorily restrained provided that mobility device fits within the definition described in Section 3. (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 accompany the passenger. A PCA is someone who travels with, and helps, a rider who is not able to travel alone. Passengers must provide their own PCA if one is needed. Please indicate when completing the application if you will be using a PCA. The application form is completed when reserving the deviated fixed route trip and is kept on file in the event of an emergency. This information will guarantee space on the bus for the PCA to accompany the passenger. Guests and companions may ride with you on ATS Trans LLC. 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 ATS Trans LLC:

The animal must be on a leash, tether or harness unless use of such a device would interfere with the task the service animal performs, or the person's disability prevents use of such devices.

- The service animal must remain under control of the owner and behave appropriately at all times.
- 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. This includes minimizing the slope of the ramp. 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. A replacement vehicle will be dispatched to continue service. (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.

## 14. Suspension of Service

A rider's privileges may be suspended for any of the following infractions on any Rural Transit or ATS Trans 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

ATS Trans LLC will notify the public of the ADA policy on the website and in the rider guide. Passengers needing to submit a concern about ADA service can access the comment section here <https://g.page/r/CS4fDIbq1GPAEAg/review> and this will record the trip as a rural Transit ADA Service. The ADA comment section is available at <https://www.trpc.org/1059/Civil-Rights---Title-VI---ADA-Compliance> following this link will initiate a comment form where the user can make comments or solicit answers to specific questions. The data will be emailed to the ADA Coordinator, who will take appropriate action.

## 16. Paratransit

- a. **Eligibility Requirements:** A person may access ATS Trans LLC if they have a disability or disabling health condition that prevents them from independently using the bus some or all of the time. 49 CFR 37.123. Rural Transit provides Deviated Fixed Route Transportation. At this time no demand activated transportation is available with the exception of requesting deviated service which runs  $\frac{3}{4}$  of a mile on either side of the route. Please call 253.472.7846 to arrange a route deviation pickup.

## 17. Visitor Certification

ATS Trans and the TRPC shall certify an individual with a disability. A rider may request pick-up by the deviated service by contacting ATS Trans at 800 650-7846 or 253 472-7846 (most requests can be handled during one phone call). The dispatcher will then determine GPS locations of the deviation location to ensure it is within the coverage area. A schedule will be made with the passenger at the time they are approved for service (49 CFR 37.121). The certification process is relatively easy and requires only major contact information, name, address, contact information and general description of disability.

## 18. Complaint Process

ATS Trans LLC and TRPC are committed to providing safe, reliable, and accessible transportation options for the community. ATS Trans LLC and Rural Transit have established a Customer Complaint Policy. Those looking to provide feedback or complaints can do so by following this link: <https://www.trpc.org/1061/Comment-Complaint-Forms>. A rider may also contact ATS Trans LLC at (253)858-7088, or in person at ATS Trans LLC's administration office located at 2220 S Tacoma Way Tacoma, WA 98409. ATS will retain all comments for the life of the contract which will also allow ATS to develop a major database to evaluate the types comments and complaints.

All comments are tracked and evaluated as required in the Consolidated Grant Guidebook, 2019-2021 Biennium Page 1-8. All complaints will be investigated immediately with proper documentation submitted to TRPC, Washington Department of Transportation (WSDOT) and any other required agency.

## 19. Reasonable Modification

Requests for modifications of ATS Trans LLC 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. ATS Trans LLC is best able to address and accommodate a request when customers make their requests before the trip. Contact ATS Trans LLC office customer service for questions at 253.472.7846.

## 20. Direct Threat

If a person is violent, seriously disruptive, or engaging in illegal conduct, ATS Trans LLC 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 ATS Trans LLC to represent an actual or potential threat to the health, safety or wellbeing of oneself, the operator, other passengers, and/or transit personnel.

Passengers excluded from the system due to a direct threat have the ability to request an administrative appeal by contacting ATS Trans LLC at 253 476-8726