

2018
2019

Targhee Regional Public Transportation Authority (TRPTA)

ADA POLICY

WHO WE ARE

The Targhee Regional Public Transportation Authority (TRPTA) was established under Idaho Code Title 40, Chapter 21 as a regional public transportation authority in 1996. This authority, a political subdivision of the state of Idaho, is under the supervision of and directly responsible to local governments, and shall provide public transportation services, encourage private transportation programs and coordinate both public and private transportation programs, services and support functions.

OUR MISSION

TRPTA seeks to provide the highest level of transit and customer service in the safest, most efficient manner possible to the greatest number of citizens at the lowest possible cost.

To this end, the Board of Directors and all employees shall conduct themselves in a professional manner; shall at all times endeavor to provide the highest level of safety and security for the public, passengers, and staff; shall seek new opportunities to improve and/or expand services; and shall endeavor to coordinate public transit services with other agencies, organizations, and transit providers.

ADA POLICY STATEMENT

As a grant recipient of federal financial assistance from the Federal Transit Administration (FTA), TRPTA complies with all applicable conditions, rules and requirements under the Americans with Disabilities Act (ADA).

“Complementary Paratransit means comparable transportation service required by the ADA for riders with disabilities who are unable to use fixed route transportation system” (§ 37.3).

NONDISCRIMINATION

As a comprehensive civil rights law, the ADA grants the same rights and responsibilities to riders with disabilities as are available to all riders. TRPTA cannot discriminate against riders with disabilities. Section 37.5 contains a general prohibition against discrimination and outlines several specific actions the regulations disallow.

“TRPTA shall NOT discriminate against a rider with a disability in connections with the provision of transportation service.”

SERVICE DENIAL DUE TO RIDER CONDUCT

“It is not discrimination for TRPTA to refuse to provide service to a rider with disabilities because that rider engages in violent, seriously disruptive, or illegal conduct, or represents a direct threat to the health or safety of others. However, TRPTA shall NOT refuse to provide service to a person with disabilities solely because the rider’s disability results in appearance or involuntary behavior that may offend, annoy, or inconvenience employees of the entity or other persons.”

ACCESSIBLE EQUIPMENT

TRPTA shall ensure that vehicle operators and other personnel make use of accessibility-related equipment or features required by law and make sure they are in operable condition, so they are readily accessible.

Operators will deploy lifts or ramps when operating accessible device or use public address system or hand-held radios if needed, when making onboard stop announcements.

USE OF SECUREMENT DEVICES

TRPTA may NOT deny transportation to a wheelchair or its user on the ground that the device cannot be secured or restrained satisfactorily by the vehicles' securement system. It is TRPTA's policy to provide seat belts to riders onboard, but it is the rider's option as to whether to use the seat belts.

RIGHT TO USE GENERAL PUBLIC TRANSPORTATION SERVICES

Notwithstanding the provision of any special transportation service to riders with disabilities, TRPTA shall not, on the basis of disability, deny to any rider with a disability the opportunity to use TRPTA's transportation service for the general public, if the riders is capable of using that service."

PRIORITY SEATING

TRPTA shall not require a rider with a disability to use designated priority seats, if the rider does not choose to use these seats.

TRPTA may recommend a user of a wheelchair device transfer to a vehicle seat, but NOT require them to transfer.

USE OF PERSONAL CARE ATTENDANT (PCA)

Personal Care PCA (PCA) will ride for Half fare rate on Fixed Route Service.

TRPTA shall NOT require that a person with disabilities be accompanied by an PCA, however, if the eligible rider needs a PCA in order to make the trip, the PCA will NOT count as the companion. Anyone eligible for ADA complementary paratransit might need to travel with a PCA at any point during the term of his or her eligibility.

If the ADA complementary paratransit eligible rider is traveling with a PCA, TRPTA shall provide service to one other individual in addition to the PCA who is accompanying the eligible rider.

Although an eligible Rider may be authorized to have a personal PCA during the Complementary Paratransit eligibility process, whether or not to travel with a personal PCA shall be at the discretion of the eligible Rider. However, TRPTA reserves the right to notify the eligible Rider or the eligible Rider's case manager or care provider, that the TRPTA Bus Operator is unable to provide the level of assistance required by the eligible Rider and that some mutually satisfactory methodology must be developed for the Rider to utilize the transit services. TRPTA encourages eligible Riders with cognitive disabilities to have a PCA with them.

PCA's pay no fare but TRPTA is permitted to charge companions the same fare charged to ADA riders. TRPTA is not required under § 37.123(f) to allow a complementary paratransit rider to be accompanied by more than one PCA at a time.

COMPANION(S) FRIEND OR FAMILY MEMBER

Companions do not count as a PCA unless the eligible riders regularly make use of a personal care PCA and the companion is actually acting in that capacity. PCA's and companions must board and disembark at the same locations as eligible riders. To ensure space is available for all riders, it is appropriate for TRPTA to require riders making trip reservations to indicate that they will be traveling with a PCA or companion.

FARE POLICY

Riders requesting a picture Identification card will be required to submit an Application for Half Fare Fixed Route ID Card, including proof of disability and photo ID. The Identification card authorization shall be based on information obtained through this application process.

Riders requesting a picture Identification card will be required to submit a Complementary Paratransit Eligibility application. The Identification card authorization shall be based on information obtained through the Complementary Paratransit Eligibility application process.

SENIOR FARES / IDENTIFICATION

Seniors are currently defined as a person over the age of 65 years. The age may be raised after a legally required public notice and input period to reflect the current definition of a senior as defined in the Older Americans Act. Seniors may use any form of photographic identification with a clearly visible birth date on it, so Bus Operator can assess eligibility.

COMPLEMENTARY PARATRANSIT FARES / IDENTIFICATION

By law, the Complementary Paratransit Fare cannot exceed twice the cost of a general public fare on the Fixed Route.

A personal care PCA shall not be charged for complementary paratransit service. Transit agencies may charge a companion rider the same fare they charge the complementary paratransit rider, but a PCA must ride fare free.

Complementary Paratransit eligibility determines to what extent the Rider is functionally able to utilize the Fixed Route Service and IS NOT a medical determination.

HALF FARES

According to 49 U.S.C. 5307(c)(1)(D), TRPTA must certify that the fares charged to seniors, riders with disabilities, or riders presenting a Medicare card during nonpeak hours, for transportation using or involving a facility or equipment of a project financed under this section, are not more than 50 percent of the peak hour fare, regardless of whether the service is provided by TRPTA or by another entity under contract, lease, or other arrangement. Because a Medicare card does not constitute proof of a rider's identity, it is reasonable for a transit agency to request confirmation of the rider's identity, either through secondary photo identification or by using a photographic identification card issued by the transit agency. TRPTA may request that the applicant validate the status of the card at the time the half-fare application is presented.

After completion of this form (see page 18), please sign and mail or return in person to the Paratransit Eligibility Specialist (PES) with required documentation.

After application and all qualifying information is received, the PES will issue the ID Card at that time.

ORIGIN-TO-DESTINATION SERVICE

Origin-to-destination service means providing service from a passenger's origin to their destination. TRPTA provides this service curb-to-curb as a base mode. However, if a rider request assistance, operators will move to door-to-door as needed by ADA law. TRPTA has policy in which operators must be able to maintain "effective continuing control" of the vehicle. This sometimes includes maintaining visual contact with the vehicle. Also, TRPTA prohibits operators from entering a private residence or traveling beyond the lobby of a public building such as a hospital or traveling past the first exterior door of a building.

TRPTA operators will help passenger's open an exterior entry door to a building to provide assistance to passengers with a disability as long as providing this assistance would not pose a direct threat or leave the vehicle unattended or out of visual observation for a lengthy period of time.

A passenger may request that a paratransit vehicle navigate to a pickup point to which it is difficult to maneuver a vehicle will be granted as long as picking up the passenger does not expose the vehicle to hazards that pose a direct threat.

PRIOR DAY SERVICE

TRPTA has a policy of requiring prior day scheduling for Complementary Paratransit Service with the following two exceptions, (1) Medical Emergencies, and (2) if a person's Medical appointment goes past the scheduled pick-up time. These scheduling exceptions are classified as "Will Calls" and will be scheduled on a space available basis.

TYPES OF TRANSPORTATION SERVICE

FIXED ROUTE SERVICE

Fixed Route service follows a published, set route with published stops. It does not deviate from the established route to pick-up Riders from their homes or any other site than the published site. The Fixed Route service does not pick-up Riders along the route who wish to board the bus at any place other than the published stop. Due to traffic, weather, and providing service to riders with mobility aids, the schedule is approximate.

COMPLEMENTARY PARATRANSIT SERVICE

The American's with Disability Act requires an Origin-to-Destination service comparable to the Fixed Route service by use of a separate vehicle to ADA riders who meet Complementary Paratransit Eligibility requirements. Origin-to-destination service means providing service from a passenger's origin to the passenger's destination. TRPTA shall provide complementary paratransit service to origins and destinations within corridors with a width of three-fourths of a mile on each side of each fixed route

The Complementary Paratransit Service will operate during the same hours of the day and days of the week as the Fixed Route Service. The length of the Complementary Paratransit trip must closely approximate the length of time for a Fixed Route ride, including travel time to and from the published stops.

SNOW POLICY

Operators are not allowed to shovel snow/ice/dirt/mud from a driveway, walkway or wheelchair ramp at a customer's home or a business. It is the responsibility of the customer to make sure all pathways from the door to the vehicle/lift are clear of snow, ice, dirt/mud, or other obstacles that keep bus from pulling up close to the curb for safe loading and unloading or allowing the Bus Operator to assist the Rider between the bus and the door of the facility.

ADA RIDERS SAFETY AND POLICY

For those riders whom the TRPTA Bus Operator assists to the door, if no one is there to receive the ADA Rider and leaving the Rider alone would be an unsafe procedure, the Bus Operator will take the ADA Rider to the closest Police station and leave the Rider with the police for the safety of the Rider. The party responsible for the Rider will be liable for collecting the Rider from the Police.

STOP ANNOUNCEMENTS

Operators are required by law to make Stop announcements for **Fixed Route Service** at transfer points, major intersections, destination points, intervals along the route to orient Riders, and any stop requested by a Rider.

When more than one route serves a stop, the Operators will announce the arrival of their bus and the route it serves on both the internal and external public-address system.

SERVICE ANIMALS

“A service animal is an animal rider trained to work or perform tasks for a rider with a disability including but not limited to, guiding riders with impaired vision, alerting riders with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair, or fetching dropped items.”

TRPTA permits both service animals and pets to be transported on all service modes. Only one (1) pet per person is allowed; there is no limit on service animals. Owners are liable for any injury to any Rider or the Bus Operator or to the vehicle or to any other Rider’s property. Operators are not to assist with any animal.

TRPTA may refuse to transport service animals that are deemed to pose a direct threat to the health or safety of operators or other riders, create a seriously disruptive atmosphere, or are otherwise not under the rider’s control.

PORTABLE OXYGEN

TRPTA shall not deny service to riders using respirators or portable oxygen. Portable oxygen concentrators are not considered hazardous materials and do not require the same level of special handling as compressed oxygen cylinders. TRPTA cannot require riders to secure such concentrators in a particular space on the vehicle, and §37.167(h) requires that TRPTA allow riders to use the concentrators as needed while aboard the vehicle.

REASONABLE MODIFICATIONS

TRPTA shall make reasonable modifications in its policies, practices, or procedures when the modifications area necessary to avoid discrimination on the basis of disability or to provide program accessibility to their services, subject to the limitations.

- (1) Individuals requesting modifications shall describe what they need in order to use the service.
- (2) Individuals requesting modifications are not required to use the term 'reasonable modification' when making a request.
- (3) Whenever feasible, requests for modifications shall be made and determined in advance, before the transportation provider is expected to provide the modified service, for example, during the paratransit eligibility process, through customer service inquiries, or through the entity's complaint process.
- (4) Where a request for modification cannot practicably be made and determined in advance (e.g., because of a condition or barrier at the destination of a paratransit or fixed route trip of which the individual with a disability was unaware until arriving), operating personnel of the entity shall make a determination of whether the modification should be provided at the time of the request. Operating personnel may consult with the entity's management before making a determination to grant or deny the request" (§ 37.169(b)).

FLEET LOAD LIMITATIONS

The **Load Limitation** is the weight of the wheelchair or other mobility device plus the weight of the Rider plus the weight of any additional equipment or accessories or personal items the Rider may require. The Load Limitation must not exceed the lift's original equipment manufacturer as established for the lift.

The **Fleet Load Limitation** for wheelchair lifts shall be determined by the lowest load limitations imposed by the original equipment manufacturer on any vehicle capable of being integrated into service. If different vehicles have different load limitations, the FLEET Load Limitation is the lowest load limitation in the entire fleet. The current Fleet Load Limitation shall be posted on each bus and any publications as needed.

The **Usable Lift Dimensions** are the maximum dimensions of safe use, as provided by lift's original equipment manufacturer. If different vehicles have different Usable Lift Dimensions, the width and length shall be determined by the smallest Usable Lift Dimensions within the fleet. The current Usable Lift Dimensions shall be posted on the TRPTA website and any publications as needed.

MOBILITY AIDS

A wheelchair is a Mobility Aid belonging to any class of devices with three or more-wheels, usable indoors, designed or modified for and used riders with mobility impairments, whether operated manually or powered.

No trip will be denied if the Rider is aware TRPTA's securement system cannot accommodate the Rider's mobility aid but the Rider requests the trip despite the lack of securement. An Incident Form will be filled out to note that the Rider was informed of the Risk.

In the interest of everyone's safety, Riders using mobility aids will be notified of TRPTA's Fleet Load Limit and Usable Lift Dimensions and advised of maintaining their weight within this limit during the Complementary Paratransit Application Process the PES will work with Riders to bring Mobility Aids into compliance with TRPTA's Fleet Load Limit and Usable Lift Dimensions, if possible.

If the Fixed Route Service Operators believes the Rider and Mobility Aid exceed the Fleet Load Limitations or Usable Lift Dimensions, the Bus Operator shall caution the Rider as to their potential risk. Bus Operator will also inform the Rider that they may still use the lift but DO SO AT THEIR OWN RISK. Bus Operator will then fill out an Incident Form to acknowledge that Rider was informed of risk.

TRPTA will not be responsible for any harm/injury that comes from Riders their Mobility Aid that request loading service that are above the Fleet Load Limit or Usable Lift Dimensions. Any harm occurring to the load lift, bus, Rider, or Mobility Aid from loading will be the responsibility of the Rider if Rider's use of the lift is determined to have caused any damages.

If the Rider uses a wheelchair different from the wheelchair TRPTA has documented as being in compliance with the Fleet Load Limit, then the Rider has a responsibility to notify TRPTA of the change and to request the certification. The Rider should allow five (5) working days for the verification process but may request an expedited process in an emergency situation.

LOAD RESTRICTIONS

Since ADA Complementary Paratransit requirements is based on rider's functional ability, denying eligibility solely because the applicant's mobility device exceeds maximum vehicles size or weight capacities in NOT permitted.

This means in some cases TRPTA will grant ADA Complementary paratransit eligibility to applicants but will NOT be able to transport them. TRPTA will communicate with the vehicle capacity limitations to the affected eligible to affected eligible person, and for the person to understand that he or she may be able to start riding the service with a different a different device or other change circumstances.

ADA SERVICE LIMITATIONS

The Chapter on “ADA Service Limitations” shall apply to all modes of service.

If the service requested meets one or more of the following definitions, then ADA law does not demand the transit provider provide the requested service. Each situation must be judged on a case by case basis and every effort will be made by the TRPTA to offer the maximum level of service possible within the following limitations.

SERVICE LIMITATION GUIDELINES

A fundamental alteration is a modification that is so significant that it alters the essential nature of the services offered. Requiring two transit agency staff persons to come on the vehicle to assist the Rider rather than one vehicle operator would be considered a fundamental alteration of the ADA Complementary paratransit service.

Undue burden means significant difficulty or expense and the Americans with Disabilities Act does not require such actions be provided to assist the Rider.

A direct threat is a significant risk to the health or safety of others that cannot be eliminated or reduced by a modification of policies, practices, or procedures, or by the provision of auxiliary aids and services. Legitimate safety requirements must be based on actual risks and facts about particular riders, not on speculation, stereotypes, or generalizations about riders with disabilities or on the basis of presumptions about what a class of riders with disabilities can or cannot do.

Pushing a Rider up a steep slope or through deep snow or in icy conditions may be considered a fundamental alteration or a direct threat and is, therefore, not required of the Bus Operator.

SERVICE STANDARDS AND GUIDELINES

Staff should consider the following procedures as guidelines as Trip coordinators and Operators may need to exercise some operational judgment when providing each trip. Every Rider is entitled to the patient consideration of each and every staff person.

Trip coordinators

- To support the bus operator in providing the requested service, Trip coordinators shall need to include any special instructions for the Bus Operator with the daily trip information.

Operators

- **Special Instructions:**
It is the Bus Operator’s responsibility to check for special instructions each time the Bus Operator arrives at a pick-up point.
- **Curbs/Stairs:**
Operators should not assist Rider’s using wheelchairs up or down any steps or curbs. It is the Rider’s responsibility to ensure the route the Rider needs to travel either does not have stair or curb barriers, or to provide a Personal Care PCA to assist the Rider over noted barriers.

- **Ramps/Other Inclines**

Operators should push Riders up ramps if the Rider requires such assistance and the Rider does not have the assistance of an aide. However, if the Bus Operator determines that providing assistance to the Rider presents too great a risk of harm (a direct threat) to the Rider or the Bus Operator, then the Bus Operator does not need to provide the assistance.

- **Obstacles:**

Operators should remove casual barriers to the Rider such as moving a toy or shopping cart from the route the Rider will be moving.

- **Snow/Ice**

In situations, such as deep snow or icy conditions, it is considered a “fundamental alteration or direct threat to the Rider and/or Bus Operator for the Bus Operator to try and assist the Rider to or from the bus to the facility door and therefore the Bus Operator need not perform the service. The Bus Operator is expected to assist the Rider through a couple of inches of snow when to do so would be considered reasonable. Operators are not required to shovel the Rider’s walk or driveway.

However, as sudden winter storms may develop between the first trip and the second trip, the Bus Operator should alert Dispatch if the Bus Operator’s comes upon unexpected conditions which would “fundamental alteration or direct threat to the Rider and/or Bus Operator” and request additional support from Dispatch in finding help for the Bus Operator in assisting the Rider. In the past, Dispatch has contacted the local police for aid.

- **Carrying Packages**

If a Rider needs Door-to-Door service because of his or her disability and is carrying packages that would be allowable on the Fixed Route service, then the DOT Origin-to-Destination Guidance allows, but does not require, vehicle operators to carry a limited amount of groceries and other packages. The need for assistance with carrying packages is not, in and of itself, a basis for Paratransit Eligibility. The Bus Operator is not required to carry the packages while the PCA is capable of carrying the packages and assisting the rider at the same time. The Bus Operator must also be able to maintain Effective Control of the vehicle.

The standard number of packages that can be carried on a Fixed Route bus is the equivalent of six (6) standard plastic grocery bags.

The Bus Operator’s need to maintain Effective Control over the vehicle takes priority over the requirement to assist a Rider with packages. It is ultimately the responsibility of the Rider to ensure the availability of adequate assistance for non-transit related services from sources other than the TRPTA Bus Operator.

RIDER'S RESPONSIBILITIES AND RIGHTS

Rider's Responsibilities

The Rider's Responsibilities listed in this Section shall be incorporated in TRPTA's Rider's Guide, other published information as appropriate, and posted on TRPTA's website.

- Riders must depart the transit vehicle upon demand of an authorized TRPTA representative, including the Bus Operator.
- Fixed Route Riders must be at the bus stop as TRPTA Operators are not permitted to pick Riders up just anywhere along the Route.
- Complementary Paratransit Riders must be ready at the beginning of the Pick-Up Window.
- No smoking on buses or within 10 feet of a parked bus.
- Riders shall maintain appropriate, reasonable personal hygiene.
- No eating or drinking on the bus while the bus is in motion. This is a precaution against choking due to any incident to the bus or on the bus. Any eating or drinking required for health reasons should be limited to times the bus is not in motion.
- No riding with open containers of any beverage (especially alcohol beverage) or with illegal drugs.
- No abusive, threatening, or obscene language or actions.
- No deliberate fare evasion.
- No physical or verbal abuse of another Rider or the Bus Operator or the Rider will be removed from the bus.
- No petting guide dogs or other service animals or any pet without the permission from the owner.
- No playing of radios, cassette tape players, or compact disk players, or other noise producing equipment (unless wearing a headphone), or other noise producing equipment including toys in such a manner as to bother the Bus Operator or other passengers.
- No operating or tampering with any vehicle equipment.
- Littering is prohibited.
- Shirts and shoes must be worn.
- Baby strollers must be folded and stowed (if empty) in such a manner as not to block the aisle or cause injury to any person or property on the bus or to the bus itself.
- Groceries and other packages or objects must be stowed in such a manner as not to block the aisle or cause injury to any person or property on the bus or to the bus itself and are limited to six packages or what the Rider can carry on the bus when boarding the first time if the Rider can carry more than six packages at one time. See "ADA Service Limitations" for further discussion.
- Head, arms, and other body parts must be kept inside the bus.
- Object must not be thrown from the bus window.
- Parents must control children.
- Federal regulations prohibit the transportation of flammable or explosive materials on transit vehicles.

Responsibility for Safety and Security

If Riders notice any mechanical issues with the bus or have an immediate concern with the activities of a fellow passenger or notice a potential security risk on the bus or on the route, then the Rider should immediately notify the Bus Operator. If the issue involves the Bus Operator, the Rider should contact a member of management as soon as possible.

Responsibility for Mobility Aid Compliance

It is the Rider's responsibility to ensure the combined weight of the Rider's Mobility Aid plus the weight of the Rider plus any additional equipment or aids or personal belongings carried on the Mobility Aid do not exceed TRPTA's Fleet Load Limit or Usable Lift Dimensions. Riders who do not adhere to these limits and use the wheelchair lift DO SO AT THEIR OWN RISK.

Ramps / Other Inclines

It is the Rider's responsibility to ensure that ramps and other inclines where the Rider would need assistance from the Bus Operator meet ADA specifications. If the incline exceeds ADA specifications then the Rider is responsible for notifying the Scheduler of the conditions so an alternative pick-up or drop-off location can be negotiated. Operators are not expected to assist Riders up and down ramps and other inclines if the incline could pose a safety problem for the Bus Operator, the Rider, or other passengers. Please see the Chapter on "ADA Service Limitations."

Special Weather or Other Conditions

It is the Rider's responsibility to ensure another party is available to assist the Rider on the return leg of the round trip if special weather conditions such as a snow storm, will pose a threat to the Bus Operator trying to assist the Rider. If the Rider cannot obtain assistance or identify another, safer destination, then the Bus Operator must notify Dispatch for instructions on where to take the Rider to ensure Rider's safety until help can be found for the Rider. The Rider should provide alternate contact information to the Scheduler at the time of scheduling the trip, especially in the winter.

Responsibility to Report Service Performance

If the Rider has any concerns dealing with the Bus Operator's or Trip Coordinator's performance, the Rider should contact TRPTA's Operations Manager and explain their concerns. The Operations Manager will investigate, resolve the issue, and document and log the complaint.

Responsibility to Be Informed

The Rider should be familiar with TRPTA's local service area's informational brochures and pamphlets. Information concerning service is found by checking the following sources:

- Asking the Bus Operator
- On TRPTA's web site – www.trpta.org
- By calling the Paratransit Eligible Specialist at the TRPTA administrative office and requesting either verbal information or personal training on the use of the system.

- By providing TRPTA with a stamped, self-addressed envelope and requesting written information be mailed to the Rider.

Responsibility to Provide Trip Information to Trip Coordinator

When scheduling a trip or trips, the Rider has a responsibility to instruct Trip Coordinator on any special services the Rider might require. For example, physical assistance in going between the facility door and the bus door, assistance in either managing the bus steps or using the wheelchair lift rather than attempting to use the bus stairs, notice the bus is approaching the destination if the Rider has impaired vision, notice of use of a service animal, and/or notice an aide and/or companion will be accompanying the Rider. The need for a personal aide will be established as part of the Complementary paratransit eligibility process.

Responsibility to Ensure Adequate Personal Assistance.

The Bus Operator's need to maintain Effective Control over the vehicle takes priority over the requirement to assist a Rider. It is ultimately the responsibility of the Rider to ensure the availability of adequate assistance from sources other than the TRPTA Bus Operator.

Civil Rights Contact Information

The local Center for Independent Living can be contacted at:

Life, Inc
250 S. Skyline, Suite 1
Idaho Falls, ID 83402
Telephone/TTY: 208-529-8610
Fax: 208-529-6804
www.idlife.org

The local Protection and Advocacy agency for Idaho - can be contacted at:

Disability Rights Idaho
1246 Yellowstone Avenue, Suite A-3
Pocatello, Idaho 83201-4374
Telephone: 208-232-0922
Fax: 208-232-0938
Toll-free: 866-309-1589
E-mail: info@disabilityrightsidaho.org
www.disabilityrightsidaho.org

The State of Idaho Civil Rights can be contacted at:

ITD Civil Rights Officer
P.O. Box 7129

Boise, ID 83707-8152
Telephone: 208-3348152

FEDERAL TRANTIST ADMINISTRATION: A complaint may be filed with the Office of Civil Rights of the Federal Transit Administration (FTA), Washing D.C., by:

- Filling out and sending the Rider Complaint Form at:
www.fta.dot.gov/civilrights/ada/civil_rights_3889.html
- Going to the FTA ADA website at www.fta.dot.gov/ada, and selecting ADA Technical Assistance / File an ADA Complaint with the FTA.
- Sending a complaint letter including the names, dates, times, route numbers, witnesses (if any), and any other information that would assist the FTA Office in investigating the allegations, to:
 - § Director,
FTA Office of Civil Rights
East Building 5th Floor, TCR
1200 New Jersey Ave. SE
Washington, D.C. 20590

Eligibility Standards

TRPTA will make every effort to develop strict but fair and comprehensive Complementary paratransit eligibility process that will permit those who need the service to receive the service. Eligibility standards shall be in compliance with the Americans with Disability Act.

Paratransit Eligibility Specialist:

This is the first contact person when requesting information regarding TRPTA's Complementary Paratransit Eligibility Program. The Paratransit Eligibility Specialist will also assist the Applicant with the forms and documentation needed to support their request for Complementary Paratransit Eligibility Status. The Paratransit Eligibility Specialist shall also make the initial determination regarding eligibility.

Hearing Examiner:

If an Applicant can demonstrate that the Paratransit Eligibility Specialist has not reasonably considered all of the facts supporting their request for Complementary Paratransit Eligibility Status, then the Applicant has the right to submit a request for reconsideration to the Hearing Examiner.

Eligibility Categories

Eligibility Categories Include, but are not limited to, the following

- Can't Navigate the System Independently:
A person who cannot navigate the transit system without assistance is eligible for ADA paratransit. Examples include, but are not limited to the following:
 - A rider with cognitive disability, if he/she doesn't know where to get off the bus.

- A person with a vision disability who cannot travel in an unfamiliar location or cannot navigate complex transfers.
- A person whose lack of manual dexterity and lack of balance makes him/her unable to stand up and hang on, so she always needs a seat on the bus (since a seat cannot always be guaranteed).
- Inaccessible vehicles, service, and bus stops:
If buses are inaccessible or if a Rider's route to the bus stop is inaccessible, then the Rider will automatically be eligible for a paratransit trip but only so long as the bus or the Ride's route to the stop remains inaccessible. If **every** bus on the route is accessible and **every** stop is accessible, then the route is deemed accessible and eligibility will automatically terminate. The following are examples which would trigger eligibility:
 - Access to Lifts: Every person needing to use the lift or ramp must be permitted to do so unless either the lift or ramp or stop conditions make use of the lift or ramp unsafe.
 - Service Failure: Failure of fixed route Operators to call out stops will make a route inaccessible to those with vision impairments.
 - Obstacles to Stops: Physical obstacles which prevent a Rider from accessing a route stop include, but are not limited to the following examples:
- Lack of curb cuts in sidewalks
 - § Weather conditions such as snow and ice on sidewalks or roads which make it impossible or even unsafe for the Rider to attempt to access the stop
 - § Physical health of Rider such as heart or respiratory or physical conditions such as a broken leg or medical inability to walk the distance to either the origin or destination stop.

Types of Eligibility

- Unconditional Eligibility – All Trips: The person's disability is such that it is not reasonable for the person to use the fixed route service under any circumstances, regardless of weather, distance to the stop, etc.
 - Riders who cannot travel independently due to severe or profound intellectual disabilities or advanced dementia
 - • Riders with physical disabilities who have limited functional ability (e.g., riders who use a manual wheelchair and who cannot sufficiently propel themselves)
 - • Riders who have lost vision late in life and have not learned to travel independently in the community
- Conditional Eligibility - Some Trips: All conditions which affect service accessibility for the rider must be identified and considered. Here a person might be reasonably expected to make some trips on the fixed route but certain conditions could trigger eligibility.
 - The maximum distance that riders are able to walk to get to or from stops and stations
 - Environmental conditions that prevent use of fixed route service (e.g., heat, cold, snow, ice, or air quality)
 - Architectural and path-of-travel barriers that prevent use of fixed route service (e.g., lack of sidewalks, lack of curb ramps, uneven or unstable surfaces, or steep hills)

- Types of intersections or streets (e.g., complex intersections, busy streets, or wide streets) that riders cannot cross safely
- Complexity of fixed route trips (e.g., transfers are required)
- Unfamiliar locations (e.g., destinations to which riders have not been successfully trained to travel via fixed route)
- Severe fatigue after receiving treatment, including the potential for experiencing severe fatigue at other times
- Other variable effects of riders' disabilities, such as increased symptoms of multiple sclerosis on certain days
- Time of day (for riders affected by low or bright light or for those who require a seat on the bus in order to travel and a seat cannot be guaranteed during certain times, such as peak hours)
- Inaccessible fixed route vehicles or facilities (i.e., routes, lines, stations, or stops are not accessible)
- Temporary Eligibility (For a pre-defined period of time or until the physical barrier or impairment preventing access to the Route stop is removed.)
 - For example, a rider may need to undergo two months of treatment for a health condition, resulting in severe fatigue that prevents him or her from using fixed route service. This rider would be ADA Complementary Paratransit eligible for the duration of the treatment period.
 - For example, a rider who has had a stroke may be using a manual wheelchair immediately after the stroke and may not be able to independently self-propel the wheelchair to get to or from bus stops. If the rider were undergoing a year of prescribed therapy, one year of eligibility for all trips would be appropriate, with a review at the end of the year to determine if therapy or a change in mobility devices has changed the rider's functional ability to use fixed route service.

Visitor with Eligibility

Section 37.127 requires TRPTA having a complementary paratransit system to provide service to visitors from out of town on the same basis as it is provided to local residents. The Visitor will be asked to produce a current Complementary Paratransit photo identification card when requesting the Half Fare Fixed Route fare. Visitors that other transit agencies have determined to be Complementary Paratransit eligible can present documentation of eligibility received from these other agencies, and TRPTA will give "full faith and credit" to the Visitor and not require that the documentation be provided directly from the rider's home transit agency §37.123.

Visitor without Eligibility

Asking Visitors to provide proof of residence to verify they qualify as a visitor is appropriate. For visitor's whose disability is apparent, §37.127(d) prohibits agencies from requiring additional documentation. For visitor's who are not apparent requiring documentation of disability, such as a letter from a medical professional or other services based on a determination of disability is permitted.

Duration of Visitor Eligibility

TRPTA will provide visitors with complementary paratransit service for any combination of 21 days during any 365-day period beginning with the visitor's first use of the service. However, for visitor's requesting beyond the 21 days in the 365- day period, it is appropriate to ask visitors to apply through TRPTA.

COMPLEMENTARY PARATRANSIT ELIGIBILITY APPLICATION PROCESS

Responsibilities

The Paratransit Eligibility Specialist (PES) shall have day-to-day responsibility for maintaining all files, making all contacts with the Applicant, any legal representative, and all verifying health providers and agencies. The Paratransit Eligibility Specialist shall also make all status determinations, define all conditions, and deny any unsuccessful Applicant.

The Paratransit Eligibility Specialist's (PES) supervisor shall review and countersign all approvals and denials. The supervisor shall sign all Notification of Denial letters to demonstrate to the Applicant the file has been reviewed before the decision was finalized.

The Civil Rights Officer shall be available for consultation and to provide guidance for the Paratransit Eligibility Specialist supervisor.

Period to Determine Eligibility

Eligibility determination must be completed within 21 calendar days from receipt of complete application, additional information, including additional interviews/functional assessments, unless Applicant fails to attend any meetings or functional assessment appointments requested by the Paratransit Eligibility Specialist. If an Applicant fails to attend two scheduled appointments during the Complementary Paratransit Eligibility Application process, this shall be grounds for Denial of Eligibility, unless the reasons for failure to attend are beyond the Applicant's control as listed in this document under "What is 'Beyond the Rider's Control.'" If after that time, no decision has been made, the application is considered eligible and may use Complementary Paratransit Service until a decision is made.

Eligibility Process

When a Rider request a Complementary Paratransit Eligibility Application:

- I. PES begins Applicant File
 - a. Applicants having a current Complementary paratransit eligibility status from another public transportation provider are automatically eligible for a total of twenty-one (21) days of Complementary Paratransit Service within a calendar year.
 - b. Within 3-5 days the PES will do an on-sight evaluation.

- II. PES Sets up a personal interview with Applicant (between 7-10 working days)
 - a. Approves obvious Applications and defines status and conditions

b. Denies obvious Applications.

III. Requests

- a. Receives medical verification and/or
 - i. Approves application and defines status and conditions.
 - ii. Denies application and hands them denial letter to Applicant.
- b. Requests a Functional Assessment by appropriate riders, as determined by the PES, either
 - i. at time a medical verification is requested, or
 - ii. instead of a medical verification, or
 - iii. after receipt of medical verification.
- c. Receives results of Functional Assessment.
- d. Approves Application and defines status and conditions.
- e. Denies application and hands them denial letter to Applicant.

Appeals Process

The hearing process for denial of a Complementary Paratransit application or recertification, shall be the same as the hearing process for a suspension of service for a No-Show as set forth above under Appeals Procedures.

Complaint Investigation

All complaints will be documented and investigated by the Title VI Officer and management.

TRACKING COMPLEMENTARY PARATRANSIT ELIGIBILITY

Rider's File

A file shall be maintained for each applicant applying for eligibility. A control sheet or sheets shall be maintained in front of the file tracking pertinent information. Any file where the Rider has either been denied status or whose status has been terminated, shall be maintained for a minimum of three years. All information in the Rider's file shall be treated as confidential information and the file itself shall be made available only to staff members with authority delegated to that position by the Executive Director. The Rider may review the file AFTER the Paratransit Eligibility Specialist (PES) has received a written request from the Rider or the Rider's legal guardian and the person signing the request has provided verifiable picture identification. The Rider may also request copies by following the same procedure as for requesting to view the file and by paying a per sheet copying fee to be determined by the Executive Director. A TRPTA staff person must be in the room with the person reviewing the file to ensure the integrity of the file and shall make all requested copies.

Status Log

A log tracking contact information, eligibility information, or information concerning mobility or eligibility status, or information concerning the Rider's special mobility needs or limitations shall be

maintained and shall be available to the Scheduling Supervisor and the Scheduling Supervisor's staff and/or other designated staff for purposes of scheduling trips, notification of problems with specific trips or eligibility status, other mobility issues, or management reports. No personal health information shall be included in the Status Log.

Responsibility

The Paratransit Eligibility Specialist shall have day-to-day responsibility for maintaining all tracking requirements.

Paratransit Eligibility Specialist supervisor shall provide oversight.

Alternative Service Procedure

This procedure is included in the Bus Operator's Manual and the Dispatcher's Manual and any changes in this procedure MUST be reflected in both of the Manuals identified herein.

Rider's Wheelchair is Inoperable

If Rider's wheelchair becomes inoperable during transit and cannot be removed from the bus,

- The Bus Operator will
 - If possible, ask the Rider where the Rider needs to go to receive additional assistance - such as a care provider, service coordinator, or repair shop.
 - Contact Dispatch and explain the problem.
 - Explain to the Rider what is happening and that the Rider will have to stay on the bus until the Alternative Service vehicle arrives and proper service can then be given to both the other Riders and the Rider with the inoperable wheelchair.
 - Bus Operator should continue with route until able to meet up with Alternative Service bus so as to minimize impact on route system and other Riders.
- The Dispatcher will
 - Find an Alternative Service bus in service which can meet with the first bus, collect the other Riders and continue the service, or Operators can change places.
 - Re-route Alternative Service Bus Riders to other buses or put a Stand-by Bus and back-up Bus Operator into service.
 - Contact care provider, service coordinator, or repair shop if information is available.
- Operators will complete an Alternative Service form and give to Dispatch at the end of their shift.
- The Civil Rights Officer shall
 - Collect the Alternative Service Forms and log all data for inclusion into any Civil Rights Reporting form.

TELEPHONE HOLD TIME

Maximum Hold Time for Initial Call

Currently the same TRPTA employees provide both the scheduling and dispatching service. Given TRPTA's staffing limitations, all calls, whether scheduling new trips or verifying bus arrival time for existing trips (Where's My Ride), shall have the same Maximum Hold Time goals.

Goals for Maximum Hold Time for any Rider:

- 90% of customers calls will be answered within three minutes (3)
- 95% of customer calls will be answered within four (4) minutes.
- 99% of customer calls will be answered within five (5) minutes

Secondary Holds on a Call

Secondary Holds are when the Scheduler and/or Dispatcher place a caller on hold while obtaining information from another source such as a Bus Operator or a Supervisor. Secondary Holds should be used as infrequently as possible in the interest of customer service.

If a Caller is placed on a Secondary Hold, the Scheduler/Dispatcher should try and check in with the Caller approximately every 60 seconds. The goal is customer service and not to have the Caller feel abandoned.

Goal: one secondary hold per 50 calls.

“Where's My Ride” Calls

“Where's My Ride” calls are just as important as scheduling calls because Riders are concerned their bus has not yet arrived or they may have missed the bus. The fact they are making the call puts them at risk of missing their bus. This fact makes it important that the call is answered as quickly as possible, and the estimated time of arrival (ETA) is given to the customer. Currently TRPTA staffing requires that all scheduling and dispatch and trip confirmation calls are handled by the same staff. The goal is to separate the duties to expedite the “Where's My Ride Calls.”

Busy Signals

Current funding does not permit such an extensive staff that every call will be answered during peak periods. This would leave significant and costly unproductive time for a number of trip coordinators and/or trip coordinators during non-peak periods. TRPTA will not track Busy Signals but will rely on monitoring Abandoned Calls as a reasonable Performance Measurer.

Abandoned Calls

The Dispatch Supervisor shall monitor the percentage of abandoned calls to total calls on a weekly basis. This information will be incorporated into a management “Required Staffing” analysis. Callers shall hear music or information on TRPTA's services while in the queue so they do not think their call has been dropped or disconnected and abandon their call prematurely.

Goal: Maximum of one abandoned call per 30 calls.

Telephone Messages and Call Backs

Trip coordinators are required to watch for voice messaging alerts and to return the call immediately upon completing their current call. Other incoming calls will have to be answered by the next available staff person.

Every Monday morning, (or the first working day following any week day holiday), the first reporting dispatch person shall immediately review all messages left on the answering machine over the weekend. Trips will be booked based on the times requested in the messages and return calls should be made to confirm the scheduled Pick-up Window, or to negotiate a different time pick-up time. If Riders cannot be reached with return confirmation calls, the exact times requested should become the **end** time for the Pick-up Window. Riders will be charged with a **No-Show** if they are not available for the trip.

Monitoring

The Operations Manager shall monitor the following categories by preparing management reports on a weekly basis or more often as needed. The following reports shall be based on a per day hourly basis.

- Call holding (queue) - % of calls going to queue to total calls
- Queue Call – length of time calls are in queue
- Secondary holding – number of calls with secondary holding to total calls
- Abandoned calls – % of abandoned calls to total calls on an hourly basis per day once a week.

The Operations Manager shall also randomly monitor calls to ensure staff is providing friendly, courteous service to all customers.

ON-TIME PERFORMANCE

Definitions

Denied Trips-

- A rider requests a next day trip and TRPTA Trip Coordinator says cannot provide that trip.
- A rider requests a next day trip and TRPTA can only offer a trip that is outside of the 1- hr. negotiating window.
- A rider requests a round trip and TRPTA can only provide one leg of the trip. If the rider does not take the offered one-way trip both portions of the trip are denials.

Missed Trip-

- Bus arrives and leaves before the beginning of the Pickup window without picking up the rider and without any indication from the rider that he/she no longer wants to make the trip. Note the rider does not have to board until the beginning of the pickup window or for agencies that have

a 5-minute wait time policy from the start of the pickup window until the 5 minutes have elapsed.

- Bus does not wait the required time within the pickup window, there is no contact with the rider, and the bus departs without the rider. Note that if during the wait time the rider indicates he/she no longer wants to take a trip, this is recorded as a no show “cancel at the door”.
- Bus arrives after the end of the pickup window and departs without picking up the rider. (either because the rider is not there or declines to take the trip because it is now late).
Bus does not arrive at the pickup location.

On-Time Performance Measurements-

- On time- when a Bus Operator arrives at the pickup location within the established pickup window.
- Early- if a Bus Operator arrives and departs with the rider before the established pickup window begins.
- Late- if a Bus Operator arrives after the end of the established pickup window and the rider boards the vehicle.

Excessively Long Trips-

Also called travel time, trip duration, on board time, or in vehicle time. “Excessive” is in comparison to the time required to make a similar trip using the fixed routes. If the 1-hr travel time for a 5-mile complementary paratransit trip may seem excessive in the abstract, if the same trip takes an hr. using the fixed routes it is comparable, not excessive.

- Walking time to the stop from the origin address
- Waiting time
- In vehicle time for all trip segments
- Transfer times if any
- Walking time from the final stop to the destination address.

TRIP CANCELLATIONS AND NO-SHOW POLICY

Policy Statement

Targhee Regional Public Transportation Authority (TRPTA) understands that because TRPTA requires trips to be scheduled in advance, riders may sometimes miss scheduled rides or forget to cancel rides they no longer need. TRPTA also understands that riders may sometimes miss scheduled trips or be unable to cancel trips in a timely manner for reasons that are beyond their control. However, repeatedly missing scheduled trips or failing to cancel trips in a timely manner can lead to suspension of service.

No-Shows

A no-show occurs when a rider fails to appear to board the vehicle for a scheduled trip. This presumes the vehicle arrives at the scheduled pickup location within the pickup window and the driver waits at least 5 minutes.

Pickup Window

The pickup window is defined as 15 minutes before the scheduled pickup time to 15 minutes after the scheduled pickup time. Riders must be ready to board a vehicle that arrives within the pickup window. The driver will wait for a maximum of 5 minutes within the pickup window for the rider to appear.

Late Cancellation

If you know that you will not need a scheduled trip, please cancel it as early as possible to make sure scheduling is available for other passengers. A late cancellation is defined as either a cancellation made less than 1 hour before the scheduled pickup time, or a cancellation made at the door, or refusal to board a vehicle that has arrived within the pickup window. A late cancellation will be considered a no-show.

To cancel a trip please call TRPTA's dispatch office at 208-529-1489 ext. 2 and request from the trip coordinator that you would like to cancel your trip. Please have your name date, time and location for the trip(s) you would like to cancel. If you are a Medicaid client you will need to contact the Department of Health and Welfare's Medicaid broker to cancel your trip.

TRPTA provides a voice-recorded call feature that will contact riders the night before their trip and will allow the rider to confirm or cancel a trip by phone.

Circumstances Beyond the Rider's Control

No-shows or late cancellations are not counted when there are situations beyond the rider's control that prevent the rider from notifying us that the trip cannot be taken, such as:

- Medical emergency/hospitalization;
- Family emergency;
- Sudden illness or change in condition; or
- Appointment that runs unexpectedly late without sufficient notice

No-shows or late cancellations are not counted when the missed trip is due to our error, such as:

- Bus Operators arriving and departing before the pickup window begins
- Bus Operators arriving late (after the end of the pickup window)
- Bus Operators arriving within the pickup window but departing without waiting the required 5 minutes.

If you experience any of the above, please contact TRPTA's trip coordinators as soon as possible at 208-529-1489 ext. 2.

Subsequent Trips Following No-Shows or Late Cancellations

When a rider has a no-show or late cancellation for a trip, all subsequent trips on that day remain on the schedule unless the rider specifically cancels the trips. To avoid multiple no-shows or late cancellations on the same day, riders are strongly encouraged to cancel any subsequent trips they no longer need that day.

Policies for a Patterns and Practices of No-Shows or Late Cancellations

TRPTA reviews all recorded no-shows [and late cancellations] to ensure accuracy before recording them in a rider's account. However, TRPTA cannot use no-shows beyond a rider's control as a basis for determining a pattern or practice of missing scheduled trips

When a regular rider who has three no-shows in 30 days for service daily to commute to and from work as well as for other purposes, for example, is very different from three no-shows by a customer who schedules only five trips per month.

Each verified no-show [or late cancellation] consistent with the above definitions counts as one [1] penalty point. Riders will be subject to suspension after they meet **ALL** of the following conditions:

- Accumulate six (6) penalty points (each trip is one (1) point) in one calendar month.
- Have booked at least thirty (30) one-way trips that month.
- Have "no-showed" or "late cancelled" at least twenty [20] percent of those trips.

A rider will be subject to suspension only if both the minimum number of trips booked and the minimum number of penalty points are reached during the calendar month. Once the following penalty points have been met the following suspension will occur:

- After accumulating four (4) penalty points TRPTA will notify riders by telephone.
- At six (6) penalty points in one month, a warning letter will be sent.
- At twelve (12) penalty points over two months, the first suspension of five (5) days will occur
- At eighteen (18) penalty points over three months, the second suspension for ten (10) days will occur.
- At twenty-fourth (24) points over four months, the third suspension for fifteen (15) days.
- At thirty (30) points over five months, the fourth suspension for thirty (30) days. This the final and subsequent suspension.

All suspension notices include a copy of this policy, information on disputing no-shows [or late cancellations], and how to appeal suspensions.

For clients who have subscription service and a pattern of no shows and cancellations has occurred, TRPTA will discontinue subscription service and the rider will have to schedule trips daily.

Round-Trips and No-Shows

Because riders have an independent right to each trip, TRPTA assess riders with no-shows for the outgoing portion of a round-trip and does not automatically assume that the return trip is not needed. Absent indications from riders or other reliable sources that they will not need return trips, FTA requires return trips and subsequent trips to remain on schedules.

Policy for Disputing Specific No-Shows or Late Cancellations

Riders wishing to dispute specific no-shows or late cancellations must do so within 15 days of receiving warning or suspension letters. Riders should contact the Paratransit Eligibility Specialist (PES) at (208) 535-0356 ext. 118 or 119 to explain the circumstance and request the removal of the no-show or late cancellation.

Policy for Appealing Proposed Suspensions

Riders wishing to appeal suspensions under this policy have the right to file an appeal request, which must be in writing by letter or via email. Riders must submit written appeal requests within 30 days of receiving suspension letters. Riders who miss the appeal request deadline will be suspended from TRPTA on the date listed on the suspension notice. All suspension appeals follow TRPTA's appeal policy.

How to Avoid No-Show/Late Cancellation Situations

- Request to have TRPTA send nightly automated trip calls to you.
- Be sure to use the correct prompt offered in the nightly automated trip calls.
- Review times and dates with the Trip Coordinator within 24 hours of your trip to be sure you understand the pickup window and when to expect the bus.
- When you no longer need the ride, call Trip Coordinator at 208-529-1489 immediately to let them know the ride is no longer needed.
- Remember to cancel all trips scheduled for that day. If all trips are not cancelled, you will be charged a no-show for the remaining trips on the schedule.
- Be prepared to board within 5 minutes of the arrival of the vehicle.

Policy for Disputing Specific No-Shows or Late Cancellations

Riders wishing to dispute specific no-shows [or late cancellations] must do so within fifteen [15] business days of receiving suspension letters. Riders should contact the Paratransit Eligibility Specialist (PES) at 208-535-0356 ext. 119 or 208-535-0356 ext. 118 at TRPTA Main Office at 1810 W. Broadway, Idaho Falls, ID 83402 Monday thru Friday 8:00 am to 5:00 pm to explain the circumstance and request the removal of the no-show or late cancellation.

Policy for Appealing Proposed Suspensions

Riders wishing to appeal suspensions under this Policy have the right to file an appeal request, which must be in writing by letter or via email. Riders must submit written appeal requests within fifteen [15] business days of receiving suspension letters. Riders who miss the appeal request deadline will be suspended from TRPTA origin-to-destination on the date listed on the suspension notice.

All suspension appeals follow TRPTA's appeal policy.