



## **ADA/COMPLEMENTARY PARATRANSIT SERVICES POLICIES**

*All language assistance services for Toledo Area Regional Transit Authority programs and services, including paratransit functional assessments and paratransit eligibility appeals, are provided to the public at no charge.*

**TOLEDO AREA REGIONAL TRANSIT AUTHORITY  
ADA/COMPLIMENTARY PARATRANSIT SERVICES  
POLICIES**

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## **Purpose Statement**

In order to deliver, safe and consistently excellent paratransit rider services, which meet or exceed the Americans with Disabilities Act and recognized paratransit practices, TARTA will establish a written policy outlining, who is eligible for the services, what the parameters and rules of the service will be, when services will be provided, where service will be provided, and how the services will be provided.

## **Toledo Area Regional Paratransit Services (TARPS) Described**

In accordance with the Americans with Disabilities Act (ADA), TARPS is provided by the Toledo Area Regional Transit Authority (TARTA) as a shared-ride, door-to-door program available for those who because of functional disability are unable to independently access or use the TARTA fixed-route system either all of the time, temporarily or under certain circumstances. All TARPS Riders are eligible and encouraged to use fixed-route services whenever possible. Federal regulations define the ADA paratransit service area as being within  $\frac{3}{4}$  mile on either side of a local bus route **when that route is in operation**.

TARPS service is available for people with physical, cognitive, or other disabilities that prevent them from using TARTA's fixed-route bus system. TARPS trips may be scheduled for anytime during TARTA's scheduled fixed-route hours of operation.

### **Access to Information about ADA Services**

All information about TARPS ADA rider services, policies, and procedures will be provided in writing or upon request, in an alternate accessible format.

### **Eligibility/Certification/Ineligibility/Visitors**

#### **Application Process**

To use TARPS each person must complete an application for certification. Applicants will not be qualified or disqualified based on specific diagnosis or disability. Applications may be obtained by calling the TARPS Customer Service Representatives or online at [www.TARTA.com](http://www.TARTA.com). When TARPS receives the completed application, it will be reviewed and a face-to-face interview will be arranged. Once applications are received with complete information, the interview must take place within 3 months or the application will not be valid. Applications are discarded 3 months after they are received by TARPS. During the interview process, it may be deemed necessary to obtain additional information or conduct other assessments to determine eligibility or type of certification by the TARPS Eligibility Staff. An Applicant can request a free, round-trip TARPS ride for the interview/assessment as long as pick up is in within the service area. If the Applicant cancels or "no shows" for 3 scheduled interview/assessments, he/she must provide his/her own transportation for the

interview/assessment. In most instances, **Applicants will receive notification of details related to their eligibility within 21 days of their eligibility interview/assessment.** If determined eligible, they will receive a welcome packet that will include details of their eligibility category, certification period, a picture ID, and a Rider's Guide. The Rider will be responsible for a \$5.00 replacement cost of the ID card during the certification period. If there is a delay and determination takes longer than 21 days, Applicants will be provided paratransit service on a presumption of eligibility until the eligibility process can be completed.

### Qualified Applicants

Qualified Applicants will be certified under the following categories listed below and will be issued a picture identification card indicating the term of eligibility. Certified Riders will need to request, complete and return to TARPS an application for recertification before their eligibility has expired. This may be done by calling a TARPS Customer Service Representative or going on line. Failure to recertify before the end of eligibility may result in a lapse of service. In order to avoid this lapse in service, certified Riders are encouraged to begin this process 3 months prior to their eligibility expiring. Prior eligibility does not automatically insure re-certification. Service will be restricted by eligibility category and any other ADA required regulations. Certifications may be re-assessed or revoked for persons whose eligibility was granted based on information which is inaccurate, false or which has changed significantly enough to warrant a change in category.

Environmental conditions and architectural barriers not under the control of the public entity do not, when considered alone, confer eligibility. If, however, travel to or from a boarding location is prevented when these factors are combined with the person's specific impairment-related condition, TARPS service must be provided.

Category 1: Unconditional: The individual is unable to use the fixed route systems.

This means the Applicant is unable to board, ride, or disembark a TARTA fixed-route vehicle and may use TARPS for all trip requests.

Category 2: Conditional: The individual can use fixed route services sometimes but may require TARPS when the combination of disability and the environment or some other special circumstance creates a barrier to independent use for particular trips.

This means Category 2 Riders must use accessible TARTA vehicles whenever they are available.

Category 3: Temporary: The individual has a temporary, non-permanent condition or may be able to learn to use fixed route services with training.

### Ineligibility

- People who are bedridden and as such are unable to board an ADA vehicle
- People who cannot control bodily functions
- Mobility device users whose residences require the movement of a wheelchair up or down a series of steps

- Anyone who will require the administration of medical assistance other than from the PCA during the trip
- Any mobility device or occupant that may block an aisle or interfere with the safe evacuation of Riders in an emergency
- Riders who can ride TARTA's fixed route system unassisted

### **Eligibility Period**

The time period for conditional/unconditional certification ranges from one to five (1-5) years. Temporary certification is less than one (1) year. Riders need to re-apply for certification when eligibility expires, unless they have been granted permanent certification.

### **Visitors**

Visitors to the TARTA service area who have current certified ADA/Paratransit eligibility from another transit authority in the United States may reserve TARPS rides for up to 21 days per year. The visiting Rider must call the TARPS Customer Service Representatives and request visitor ride service. The Rider will be required to provide a local address that is within the TARTA service area and fax or send a copy of their current Paratransit ID card to TARPS for approval. After approval, the Rider may reserve trips and use the Paratransit ID card issued from his or her home transit authority when boarding. All other policies and procedures governing TARPS Riders will apply to visiting Riders. This same service can be used by TARPS Riders going to other cities which have a similar paratransit bus service. Contact those transit administrators for details.

### **Appeal of Eligibility or Certification**

The Applicant will receive a letter (and/or other accessible format as requested) that will describe ineligibility details, including TARTA access information and appeal policies. If an individual wishes to appeal a denial of eligibility or the category of certification given, he or she must make a written request for appeal within 60 calendar days of the written notification of determination. Any accommodations needed for the individual to participate fully in the appeal hearing should also be included with the written appeal request.

Upon receipt of an appeal request, the Paratransit Services Director will convene an appeals committee. This committee may include the Paratransit Services Director (or designee), an independent clinical professional, and an ADA certified Paratransit Rider. The hearing will be set within 30 business days of the receipt of the appeal request. TARPS service will continue for the Rider until a decision is rendered by the appeals committee.

The individual and TARTA's Paratransit Services Department shall have the right to present relevant information during the hearing. The individual and TARPS staff may submit additional information at the hearing. The individual may be represented at the hearing if he or she desires.

If the individual is to be represented by formal legal counsel, notification shall be given to the Paratransit Services Director in advance of the hearing to prevent delay in the appeal process. A decision will be rendered by the appeals panel within thirty (30) days of the hearing date, and will be provided in writing (and/or other accessible formats, as requested) with copies to the General Manager of TARTA. The decision of the appeals committee shall be final. If a decision on the appeal is not made within 30 days of the completion of the appeal hearing, the Applicant will be provided paratransit services on the presumption of eligibility until a final decision on the appeal is made.

### **Reservations/Scheduling/On-Time Service/Subscription Service**

Reservations will be taken by a Customer Service Representative for trips from one to seven days in advance. Trips will be scheduled based on the Rider's request to be at a specific location at a specific time, or to be picked up at a specific time. If needed Customer Service Representatives will assist Riders in setting appropriate pick-up times when the reservation is made. All TARPS service is shared-ride therefore exact adherence to a scheduled pick-up time may not be possible. The vehicle will be considered on-time if it arrives for Rider boarding any time within a 30 minute on-time window of fifteen minutes before or after the scheduled pick-up time.

### **Trip Reservation**

When a Rider calls to make a trip reservation, the Customer Service Representative will:

- Confirm that the Rider is eligible and has current certification
- Gather pertinent information including name, date(s) of requested rides, time and location of departure, destination, additional passengers, return trip time and location, and any other needed details for up to three (3) round trip bookings
- Assist the Rider in determining appropriate on-time pick-up window if requested
- Offer alternate times (**up to** one hour earlier or later than requested) if preferred time is not available
- Return trip time can be scheduled 1 hour and 15 minutes (1 ¼ hrs.) after initial pickup time. A return trip is not required
- Enter information into data base for scheduling of ride
- Confirm trip information to the Rider and thank them for choosing TARPS

### **Quick Stops**

- Effective January 2, 2014 Riders may schedule a Quick Stop at any destination.
- The scheduled stop must hold the bus for less than 10 minutes
- Each leg of the trip must be booked separately and requires separate fare payment

## **Subscription Service**

Subscription service is defined as travel that will be repeated at the same time and on the same days for a specific destination. These might include but are not limited to work, school, and on-going medical treatments. Subscription service will be approved case by case.

Riders must follow established cancellation procedure for ANY subscription ride.

Subscription service rides may be rescinded or modified by either the Rider or TARPS.

## **Same Day Non-Emergency Medical Trips**

Same day non-emergency medical trip requests will be scheduled if vehicle scheduling allows. This is NOT an ADA mandated service; therefore, rides may not be possible or scheduled rides may not adhere to ADA guidelines. Request for this premium service must be made at least two hours before the requested pick-up time. Wait time for pick-up may exceed the standard “on time” service window. Rider-on-vehicle-time may exceed ADA standards. Premium fares will be charged as determined by TARTA. The Rider will be informed of the fare when booking the trip. Trip requests that exceed that ADA requirements for complementary/paratransit services; such as same day request for a non-emergency medical related; will be charged a premium fare equal to twice the amount of standard fare, if the reservation is accepted by TARTA.

## **Trip Cancellation**

Unneeded subscription trips or individually scheduled trips must be cancelled no later than two hours before the scheduled pick-up time. Trips cancelled less than two hours before the scheduled pick-up (Late Cancellation) will be documented and subject to service suspension rules. If possible, cancellations should be made the day before the scheduled trip so others may be scheduled into those time slots.

## **Service Area and Hours of Operation**

ADA certified Riders are entitled TARPS service to all points within  $\frac{3}{4}$  mile (at minimum) of TARTA’s defined service area within TARTA’s defined hours of the fixed route service. Riders are not entitled to service outside the defined TARTA specifications. Currently, TARTA exceeds the ADA requirements for complementary/paratransit service area. Instead of serving areas that are within  $\frac{3}{4}$  of a mile from an operating TARTA Fixed Line route, TARPS currently goes beyond the requirement and serves all of the TARTA service area.

Customer Service Representatives are available to answer questions about current service areas and hours of operation.

## **Driver Assistance/Boarding Protocol**

TARPS Operators are trained to provide assistance as needed and/or requested and allow for the Rider's independence during the boarding and disembarking of the TARPS vehicle.

Service is door-to-door for Riders unless they decline the service. Operators are required to stay within the "line of sight" of their vehicle; therefore, Riders assistance will be given only to the outermost door of the residence or building destination.

Assistance that the Operator will provide may include, but is not limited to, the following:

- ringing the doorbell or knocking at the outermost door
- meeting Riders at the outermost door of the pick-up site
- verbally identify themselves as a TARPS Operator using his or her first name
- a call from a TARPS Dispatcher if Rider does not appear
- offering a steadying arm or other appropriate guidance or assistance when walking
- providing assistance on stairs or lift for ambulatory Riders
- providing assistance in helping wheelchair users
- assisting wheelchair users on ramps to and from the outermost door
- assisting wheelchair users to board the TARPS vehicle using a lift
- assisting with a reasonable number of packages, defined as the amount the Operator can safely carry in one (1) trip to/from the vehicle to the outermost door (for example, two grocery-sized bags or a collapsible shopping cart with bags in it)
- transporting additional packages if space is available on the vehicle and the Rider and/or the PCA or accompanying Companion loads and unloads these packages from the TARPS vehicle

Riders are expected to board as soon as the vehicle arrives and must board within five minutes of the arrival of the vehicle that is within the designated on-time window. The Rider is to insure that wheelchairs or other mobility devices are in good working order. You may bring other small mobility devices with you without restriction.

**Operators are not responsible for custodial care after a Rider reaches his/her destination.**

## **Personal Care Assistants/Companions/Children**

At the time of ADA application and certification, a Rider must indicate whether he or she travels with a Personal Care Assistant (PCA). PCA's are not required to pay a fare when traveling with a certified Rider. There must be one fare-paying Rider present on the vehicle from each point of origin to destination. In addition to the PCA, one (1) fare-paying Companion or up to two (2)



children under the age of six (6) may ride free with a certified TARPS Rider. When booking a reservation, the Rider must tell the Customer Service Representative who will be accompanying the Rider. This allows adequate vehicle space for other scheduled passengers during the shared ride. If the Rider fails to make the notification at the time of reservation, additional passengers will be accommodated only if there is room on the vehicle.

### **Unattended Children as Riders**

A child's ability to ride a TARPS vehicle will be determined on a case-by-case basis during the eligibility determination process.

### **Mobility Devices, Life Support Equipment**

Wheelchairs and other mobility devices shall be secured at all times during boarding, transport operations, and exiting of the vehicle. Riders using scooter-type wheelchairs capable of transferring to a vehicle seat are strongly urged to do so for transport. Riders, who need the lift to board, but are not wheelchair users, may use the lift in a standing position. If a boarding chair is available, Riders are strongly encouraged to use it.

Riders intending to transport any mobility device, other than the one they use, must notify the Customer Service Representative at the time of the ride request. These Riders must be able to or be accompanied by a Companion or PCA who is able to transport the device. Small extra mobility devices, such as walkers or collapsible wheelchairs, will be transported as long as they meet previously noted guidelines for packages.

Riders may travel with respirators, portable oxygen, and other life support equipment. Such transport must not violate Ohio Revised Code regulations related to transportation of hazardous materials (4901:2-5-01 ET el). Such equipment must be of a size that can be safely and reasonably accommodated in TARPS vehicles.

### **Seat Belt/Shoulder Harness Use**

All Riders boarding TARPS vehicles, including those using wheelchairs, are encouraged to use available seatbelts and shoulder harness. If the Rider needs assistance fastening or unfastening a belt or shoulder harness, the Operator will assist. The Operator will document all Rider refusals to use available safety restraints.

### **Service and Non-Service Animals**

A Rider must inform the Customer Service Representative each time he or she will be boarding a TARPS vehicle with a service animal. The Department of Transportation ADA Regulations, Section 37.3 define a service animal as any guide dog, signal dog, or other animal individually

trained to work or preform tasks for an individual with a disability: including, but not limited to, guiding individuals with impaired vision, alerting individuals with impaired hearing to intruders or sounds, providing minimal protection or rescue work, pulling a wheelchair or fetching dropped items. Service animals do not occupy seats.

Small animals (under 25 pounds) may travel on TARPS in a properly secured animal transport container small enough to fit on the owner's lap. Operator assistance in carrying the container is the same as for packages. Animals must be fully under the control of the Rider. Riders are responsible for the behavior and hygiene needs of service animals. Small animals will be denied transport if seriously disruptive.

### **Fares**

To receive service, all Riders and their Companion must pay a fare upon boarding. Only Personal Care Assistants and qualified children are not required to pay a fare. Fares must be paid in exact cash and/or fare coupons. TARPS Operators **do not make change**.

Nonpayment of a fare when boarding from a residence may result in a denial of service for that trip. To ensure safety a Rider unable or unwilling to pay fare for a trip to his or her residence will not be denied service. All non-payment of fares will be documented and may result in a suspension of service.

Fares for standard ADA TARPS rides are determined by doubling the fixed-route TARTA fare.

Trip requests that exceed that ADA requirements for complementary/paratransit services; such as same day request for a non-emergency medical related; will be charged a premium fare equal to twice the amount of standard fare, if the reservation is accepted by TARTA. The Rider will be informed of the premium fare amount by the Customer Service Representative or Dispatcher when booking the trip.

### **Accessible Origins and Destinations**

Service to or from inaccessible origins or destinations will be provided at curbside, instead of to the door if no safe access exists. In this instance, accompaniment by an PCA is strongly advised. TARTA shall determine if a location is unsafe or inaccessible based on a case-by-case assessment. TARPS shall notify Riders requesting a reservation to or from a determined-inaccessible location and suggest alternative nearby boarding locations.

If the pick-up address is located inside a gated community or requires special access, it is the Rider's responsibility to arrange entry for the TARPS vehicle. If a vehicle is unable to enter the pick-up area and the Rider fails to meet the vehicle, the Rider will be charged a "No Show" for the trip.

### **No Shows**

Trip reservations are made so as many Riders as possible can use TARPS. No-Shows waste TARPS resources that may have been made available to others. A documented pattern of No-Shows within the Rider's control may result in service penalties including loss of subscription service and service suspension.

A No-Show is defined as:

- Verbal refusal or wave-by of the Rider for the scheduled trip when the vehicle arrives at the pick-up location, unless due to late arrival of the vehicle or lack of Operator assistance
- Failure of the Rider to board the vehicle within five minutes after the Operator has followed pick-up protocol

### **Suspension of Service**

Riders must not engage in activities or conduct resulting in misuse of the system, or unnecessarily reserve and/or use space that could otherwise go to people who need service. Examples of misuse include, but are not limited to be:

- No Shows
- Engaging behavior that is deemed disruptive
- Falsifying reasons for a ride
- Falsifying identification (misuse of ADA service)
- Failure to pay a fare
- Late Cancellations – [see Trip Cancellation, (charge of ½ infraction)]

All incidents of the above-mentioned violations will be reported and documented by TARPS staff and will be considered infractions. Any Rider who schedules ten or more trips per month faces suspension when 10% of rides and three (3) infractions occur in a thirty-day period and/or exceed 3% of total rides scheduled on a rolling 12-month calendar.

- First offense will result in a written warning
- Second offense will result in up to a 10-day suspension of service
- Third offense will result in up to a 30-day suspension of service

The TARPS Rider will receive a written notification of the infractions and warning and/or suspension action. If a suspension of service is given, appeals process information and forms will be included.

Riders who appeal a proposed suspension may continue to schedule and receive rides pending a decision of the appeal. Should the appeal be denied, the suspension will be imposed effective the date to be determined by the appeal committee.

Failure to cancel subscription service rides will be documented as an infraction.

### **Service Suspension for Violent, Seriously Disruptive and/or Illegal Conduct**

Service will immediately be suspended up to 30 days or until an appeal hearing is held for Riders who engage in violent, seriously disruptive or illegal conduct.

Those actions included, but not limited to, are:

- threats of physical harm to other passengers, Operators or other service personnel
- physical assault or battery on Operators or other passengers
- verbal abuse, intimidation or altercation with Operators or other passengers
- unlawful harassment of the Operator and, or other passengers, including but not limited to unwelcome verbal, non verbal or physical behavior having sexual or racial connotations
- unauthorized use of or willful damage to vehicle equipment
- repeatedly violating riding rules, including smoking on the vehicle, standing while the vehicle is in motion, eating or drinking on the vehicle without valid medical reason, defacing equipment or refusing to comply with other service requirements specified in the policies included in this document
- any other criminal conduct defined in and/or prohibited by law

Such behavior may be reported to the law enforcement agency in whose jurisdiction the incident occurred. A TARPS staff member will contact the Rider to investigate the reported situation or incident. If TARPS determines the Rider's behavior to be violent, seriously disruptive or illegal, suspension of the Rider's TARPS will continue for the remainder of the suspension period and the Rider will receive by mail a written notice with a detailed explanation of the reasons for the suspension.

Disruptive behavior, which is determined to be due to a disability of the Rider, may not result in suspension. If it is determined, that the Rider's behavior poses a significant, potential threat of harm to other passengers or the TARPS Operator, TARPS may require the Rider to travel with a Personal Care Assistant (PCA). If such disruptive behavior continues and the required PCA is

unable to prevent further instances of such behavior so that the Rider continues to present a potential safety problem, service for the Rider may be discontinued.

### **Appeal of Service Suspension**

Any Rider whose service is suspended may appeal the decision. Any Rider who has had TARPS suspended will receive by mail an official Notice of Service Suspension. This notice will explain the specific reason for and duration of the suspension. It will also include a Suspension of Service Appeal Form. If the Rider should wish to appeal the suspension, the Suspension of Service Appeal form must be completed and returned within 15 calendar days from the date of the written notice of suspension. If a Rider does not return the completed appeals form within 15 days, the right to appeal is forfeited.

When TARPS receives an appeal, it shall be forwarded to the TARPS Director. Also forwarded will be any written information TARPS possesses on the events leading to the suspension.

The Director will convene an appeals committee to include a representative from the TARPS Department and a Service Review Advisory Committee member as well as any other professional or incident related personnel. The Director will represent TARTA at the hearing. A date for the appeals hearing shall be arranged through mutual agreement between both parties, and written notice will be given. Depending upon the reason for suspension, the Rider upon request may be provided Paratransit transportation to and from the appeal hearing. All pertinent records will be made available to the Rider either at the hearing or in advance, at the Rider's request. The Rider may be represented at the hearing if he or she desires. If the Rider intends to bring legal counsel, TARPS should be notified of this when the Suspension of Service Appeal form is submitted. Failure of the Rider to notify TARPS about intention to have formal legal counsel present will result in a rescheduling of the hearing in order to arrange TARTA legal counsel attendance and may extend the appeal decision.

The Rider and TARPS shall have the right to present relevant information during the hearing. The Rider and TARPS may submit additional information at the hearing. A decision will be rendered by the appeals panel within thirty (30) calendar days of the hearing, and will be provided in the appropriate accessible format to the Rider, with copies to the General Manager of TARTA. The decision of the appeals panel shall be final.

### **TARTA Rules and Regulations**

All TARTA vehicle and Rider rules and regulations shall apply to TARPS, unless otherwise specified in this document.

## **Riders Commendations, Complaints, and Incident Reports**

All Riders' comments, positive and/or negative, and incident reports are welcomed and will be considered and/or investigated by TARTA staff. Riders may send their comments to TARTA by mail, fax, or phone. Comments should be directed to:

TARTA Paratransit Services  
130 Knapp Street  
Toledo, Ohio 43604

Phone (419) 382-9901 Fax (419) 724-6659

When filing a commendation, complaint, or incident report Riders are encouraged to provide:

- the Rider's name, address and telephone number
- name or ID number of TARTA Employee
- date and time of the situation
- details of the situation

Rider confidentiality will be ensured when investigating and resolving complaints and incidents.

## **Review of TARTA's ADA/Complementary Paratransit Services Policies and Procedures**

In order to ensure adherence to the requirements of the American's with Disabilities Act; federal, state and local law; TARTA's purpose statement, and the delivery of safe and excellent customer service, this document may be reviewed by a committee, made up of stakeholders, advocates and representatives from the community, to be appointed by TARTA's Director, Paratransit Services. Recommendations for revision will be considered.