

09/2024



VIRGINIA REGIONAL TRANSIT  
ADA / COMPLEMENTARY PARATRANSIT  
POLICIES AND PROCEDURES

Virginia Regional Transit (VRT) provides two types of service beyond fixed route bus service; Deviated Fixed Route and ADA Complementary Paratransit. ADA Complementary Paratransit works in conjunction with the fixed route services. ADA services provide passengers access to transit under the Americans with Disabilities Act of 1990 (ADA), which requires that person with disabilities receive transportation services equal to those available on fixed route service. Availability is only within the same corridors served by fixed routes. Specifically, service must be made available to all origins and destinations within a width of  $\frac{3}{4}$  of a mile on each side of a fixed route. This includes an area within  $\frac{3}{4}$  mile radius at the terminus of each fixed route as well.

### **Eligibility Process**

Persons wishing to utilize ADA Paratransit services are required to complete an application. Qualified applicants will be certified and shall receive notification within 21 days of receiving their completed application. If there is a delay and eligibility exceeds 21 days, applicants will be provided paratransit service on a presumption of eligibility until the eligibility process can be completed. Applicants who are denied eligibility will receive a letter (and/or other accessible format as requested) that will describe ineligibility details, including the VRT ADA appeal process.

### **Appeal Process**

If individuals wish to appeal a denial of eligibility, he/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 process should also be included with the written appeal request.

Upon receipt of an appeal request, the Transit Manager and VRT Executives will review the request for appeal. Further review could include Service Contract Holders and/or an independent clinical professional. This could include a formal hearing. VRT and/or the passenger have the right to present relevant information at that time. The request will be determined within 30 days of the receipt of the appeal request. ADA service will continue for the rider until a decision is rendered.

### **Reservations**

Reservations are taken by a Customer Service Representative and can be scheduled up to the day before to fourteen (14) days in advance of the requested travel date. No same day reservations and/or changes are allowed, excluding emergencies out of the control of the rider. These changes will be documented to avoid abuse of changes. Reservation requests can be made after regular business hours by leaving a voicemail for your request. These will be checked before the next business day to accommodate next day service.

### **Trip Denials**

When a passenger's trip request cannot be accommodated due to capacity constraints it will be considered and recorded as a trip denial. Trip times may be negotiated with the passenger within one hour prior or one hour past the requested time. If the requested trip can only be accommodated outside of this window it is a trip denial. To comply with the American with Disabilities Act of 1990 a trip denial log will be maintained in order to track and report capacity constraints within the service area.

### **On Time Pickup and Pickup Window**

Passengers are informed of the 30-minute window to expect arrival of a driver (15 minutes prior to and 15 minutes after the scheduled pickup time). If the driver arrives between the expected pickup window and the passenger is not there to board the driver will wait the required 5 minutes before contacting dispatch. Dispatch will review for possible changes and advise the driver accordingly. Driver manifest will be completed as instructed.

### **Inappropriate, Abusive, or Dangerous Behavior**

If a passenger is physically or verbally abusive to a VRT employee and/or other passengers, that passenger is subject to immediate probation and/or temporary suspension of service. Additional reasons can include, but are not limited to;

- Unauthorized use of or willful damage to vehicle equipment
- Repeated violation of established riding rules for all passengers (posted on each vehicle)
- Other criminal conduct defined in and/or prohibited by law

Suspensions will begin 7 days after the date of notification. Letters of suspension will contain instructions and materials necessary to challenge or appeal the suspension decision. This information will also be communicated to passengers verbally and in writing. Any passenger has the right to file an Appeal of Service Suspension with VRT.

### **Suspension Service Appeals**

Appeals must be submitted in writing to the Transit Manager within 30 days of notification of suspension. All passengers (excluding those suspended due to behavior policies) are permitted to continue using the service during the appeal process. The Transit Manager will inform all Customer Service Representatives that the suspension is pending an appeal and allow service to continue for the affected passenger.

Appeals can be accepted by mail, fax, email, or in person.

The appeal will be reviewed by the Transit Manager and VRT Executive Members for decision, also including any contract holder as determined by the authorized contracts. All passengers will be offered the opportunity to speak directly with the representatives regarding the submitted appeal.

After a thorough review of all available information, and within 30 days, a recommendation to sustain or reverse the suspension will be determined.

The Transit Manager will have 3 days to issue a final suspension decision in writing to the passenger involved. A final decision will be implemented 7 days after the passenger receives notification.

All communications will be in alternate format upon request.

### **Passenger Assistance and Reasonable Accommodations**

VRT provides curb-to-curb ADA and Fixed Route services. Reasonable accommodations will be considered and a driver may provide assistance beyond the service provided. These accommodations can be requested at the time of the passenger's reservation, but also at the time of the trip. Drivers can if requested: provide verbal assistance, ring doorbells, open exterior doors, and push passengers in manual mobility devices to the threshold of exterior entrances. However, if providing such assistance would present a direct threat to the health or safety of others, fundamentally alter the provided service, or the individual is fully able to use the services without the modifications, it may not be provided. Drivers cannot; assist in locking or unlocking doors, enter buildings, lose visual contact with the bus, handle personal property, offer weight bearing or stability support, lift or push a manual mobility device up an excessively steep ramp or incline, push pull, lift, or help operate a powered mobility device.

Drivers are strictly prohibited from entering the passenger's home or any private residence under any circumstances.

### **Personal Care Assistant (PCA)**

A PCA is anyone whose purpose is to help the passenger meet their personal needs. One PCA may accompany the passenger at no charge. The PCA is expected to care for the passenger while traveling, but will not assist the passenger on/off the lift or during the securement process; this will be completed by the VRT driver. The use of a PCA is at the discretion of the passenger.

### **Guests**

Guests are welcome to ride with passengers. Due to limited space, passengers are limited to no more than 1 guest. Passengers are required to reserve a space for their guest at time of reservation. Request for more than 1 guest will be considered as seating allows.

### **Visitors**

Service will be provided to eligible visitors. Visitors are presumed eligible for service after providing documentation of their ADA eligibility in the jurisdiction where they reside. If no such documentation is available, the visitor is to provide documentation of residence outside of the jurisdiction where service is being requested and, if the disability is not apparent, proof of the disability. This might include, for example, a letter from a doctor. The visitor will be notified of the determination regarding status as an ADA eligible visitor and if eligible, information will be entered into the rider database. Service is provided for no more than 21 days during a 365-day period. After the 21 days of service in this time frame, visitors are required to complete VRT's full eligibility process.

### **Pets and Service Animals**

Pets are not permitted to travel on VRT vehicles; this does not include service animals.

Service animals are any animal individually trained to provide assistance to an individual with a disability. If they meet this definition they are considered service animals under the ADA regardless of whether they have been licensed or certified by a state or local government. They may accompany passengers in the vehicles or facilities. The passenger must be in direct control of the service animal at all times.

Inquiry may be made as to whether it is a pet or a service animal, and what service the animal has been trained to perform. However, inquiries cannot be made about the passenger's disability or proof of certification or other documentation for the service animal.

### **Mobility Devices and Lift**

VRT will transport all mobility devices under ADA guidelines that do not exceed the size and weight capacity of the vehicle manufacturer guidelines. It is the practice of VRT to attempt to transport any mobility device regardless of level of difficulty for securement. Special techniques may need to be utilized to ensure proper securement.

Daily maintenance and operational checks are performed during the pre-trip inspection of all lifts. Any failure is to be reported immediately to the Operations Supervisor. The vehicle will be taken out of service before the beginning of the next service day; ensuring the lift is repaired before the vehicle returns to service.

If a vehicle is operating on a route and a lift fails to operate and the headway to the next accessible vehicle on the route exceeds 30 minutes, VRT shall promptly provide alternative transportation to individuals with disabilities who are unable to use the vehicle because of lift failure.

VRT will not refuse to permit a passenger who uses a lift to disembark from a vehicle at any designated stop, unless the lift cannot be deployed, damage could occur to the lift, or temporary condition at the stop, not under the control of VRT, preclude the safe use of the stop by all passengers. An alternative stop will be identified in the vicinity and assistance will be provided.

VRT will accommodate mobility devices that in combination with passenger do not exceed that of the lift specifications. VRT may decline should this exceed the specifications. VRT requires that all mobility devices are secured in the pre-designated securement area. VRT cannot deny service due to level of difficulty in securement of the passenger's mobility device.

VRT recommends passengers transfer to a vehicle seat when possible, however; that is at the discretion of the passenger. VRT also recommends the use of seatbelts and shoulder belts; however, this also is at the discretion of the passenger.

VRT will permit individuals with disabilities not using a mobility device, including standees, to use the vehicle's lift or ramp to enter the vehicle, if requested.

### **Other Service Requirements**

On fixed routes VRT shall announce stops as follows;

- Transfer points with other fixed routes, and intervals along the route to assist passengers with visual impairments to be oriented to their location.
- Stop on request of an individual with a disability.
- When areas are served by more than one route, VRT will provide assistance for the passenger to identify the proper vehicle to enter or be identified to the driver as a person seeking a ride on a particular route.

VRT will not prohibit any individual with a disability from traveling with a respirator or portable oxygen supply.

Passengers with disabilities will be provided sufficient time to complete boarding or departing the vehicle in a safe manner.

Drivers will request that any passenger sitting in designated priority seating relocate for the benefit of disabled or elderly passengers. Except for the mobility device securement area; this request cannot be enforced.

### **Complaints**

In compliance with the Requirements of Title II of the American with Disabilities Act 1990 (ADA), VRT will not discriminate against qualified individuals with disabilities on the basis of disability in its services, programs or activities.

Complaints that VRT's service or activity has violated ADA guidelines, or if accessibility or equality in service was not provided to persons with disabilities should be sent to the Director of Operations (540) 338-1610 or [phil@vatransit.org](mailto:phil@vatransit.org).