

Cecil Transit
Cecil County Department of Community Services
Americans with Disabilities Act of 1990 (ADA)
Policy and Procedures
Date: April 2017

INTRODUCTION AND PURPOSE: This ADA policy is written to establish operating and service guidelines and procedures for the implementation of the requirements of the American with Disabilities Act of 1990 (ADA), the U.S. Department of Transportation regulations for implementing ADA (49 CFR Parts 27, 37 and 38), and applicable Maryland laws and regulations. Cecil Transit operates services on a deviated fixed route basis. Cecil Transit complies with ADA requirements with respect to such services.

POLICY STATEMENT: It is the policy of Cecil Transit to comply with all the legal requirements of Federal and State laws and regulations as they pertain to individuals with disabilities. The transit system provides quality transportation services without discrimination to all persons including individuals with disabilities. Discrimination on the basis of disability against any person by transit system employees will not be condoned or tolerated.

Goals: Service is provided in a manner that meets these goals to:

1. provide safe, accessible, and dignified services to all persons, including individuals with disabilities.
2. expedite the safe and efficient boarding, securing, transporting, and alighting of all passengers, regardless of mobility status.
3. accommodate the wide range of mobility aids within the confines of available vehicles and commercial standard equipment.

Applicability: This policy applies to all transit system employees, services, facilities and vehicles. It applies equally to all persons needing and/or using the services provided by the system.

Definitions:

Disability: A physical or mental impairment that substantially limits one or more major life activities.

Fixed Route Service: Vehicle is operated along a prescribed route according to a fixed schedule.

Mobility Aid/Non-Wheelchair Mobility Device: A device used by an individual with a mobility impairment to assist with mobility but does not meet the requirements of a wheelchair as defined by ADA. These include but are not limited to canes, crutches, walkers and “Segways” when used by an individual with a mobility related disability.

Route Deviation Service: A system that permits user-initiated deviations from routes or schedules. Sometimes referred to as deviated fixed route or flexible route service.

Securement Equipment: Equipment used for securing wheelchairs against uncontrolled movement during transport.

Securement Station: Space specifically designed to secure and stabilize wheelchairs on transit vehicles.

Service Animal: An animal individually trained to work or perform 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.

Wheelchair: a mobility aid belonging to any class of three- or more- wheeled devices, usable indoors, designed or modified for and used by individuals with mobility impairments, whether operated manually or powered.

GENERAL GUIDANCE AND PROCEDURES FOR IMPLEMENTING POLICY

Recruitment and Employment: As stated in the transit system's personnel policies, the agency is an Equal Opportunity Employer and fully complies with ADA in its recruitment, hiring and continued employment practices.

Facility and Vehicle Accessibility: The transit system administrative facility, passenger facilities and vehicles shall meet or exceed the requirements of 49 CFR Parts 27, 37 and 38 and the State of Maryland. All vehicles purchased for fixed-route and deviated fixed-route service will be accessible. Vehicles purchased for demand-response service will only be non-accessible to the extent that the demand-response system, when viewed in its entirety, provides the same level of service for individuals with disabilities as for individuals without disabilities.

Vehicle and Route Assignment: To the extent possible, the assignment of particular types of vehicles will be based upon rider needs. All vehicles assigned to fixed routes and deviated fixed routes will be accessible.

For general demand-response service outside the ADA Complementary Paratransit described below, the transit system will make all reasonable efforts to make an accessible vehicle available whenever requests are made. Trip denials will be tracked by disability to monitor whether trips are disproportionately denied to individuals with disabilities because an accessible vehicle is not available. Should this be found to be the case, inaccessible vehicles will be replaced with accessible vehicles until the demand-response system, when viewed in its entirety, is accessible.

Maintenance of Accessible Features: Accessibility features on vehicles, including lifts, wheelchair securement devices and public address systems, will be maintained in operative condition. Cecil Transit's preventive maintenance program provides for regular and frequent maintenance checks of these features as well as preventive maintenance as recommended by the equipment manufacturers. In addition, the lift must be cycled as part of each pre-trip inspection.

Drivers are required to report lift failures as soon as possible. Vehicles with inoperative lifts will be replaced as soon as possible.

Wheelchair Accommodation: Transportation providers are required to carry a wheelchair and its user, as long as the lift can accommodate the size and weight of the wheelchair and its user, and there is space for the wheelchair on the vehicle. If a vehicle lift/ramp and securement area can accommodate a mobility device, Cecil Transit will transport the device (and its user).

Boarding: Drivers and scheduling practices will provide adequate time for a passenger with a disability to board and/or disembark the vehicle, which includes adjusting the schedule if necessary to accommodate slower passengers and waiting for passengers to be seated before moving the vehicle. It is the responsibility of the driver to determine the safest location for passenger boarding based on conditions and individual needs upon arrival at the pick-up site. The passenger and/or their guest, escort or attendant will maneuver the passenger and mobility aid to the vehicle. Only a properly trained transit system employee can operate the lift, secure the wheelchair on the lift, and secure the wheelchair in the securement station.

Use of Accessibility Devices by Individuals with Disabilities Not Using a Wheelchair: An individual with a disability who is not using a wheelchair or other seated mobility aid may use the lift to board or alight the vehicle upon request.

Priority Seating: With the exception of the wheelchair securement stations, the transit system does not require any passenger to sit in designated seating. However, this does not supersede the transit system's right to require any passenger who has caused a disruption in the safe travel of other passengers and/or driver to be required to sit in a specific area of the vehicle as a condition of transportation.

Priority seating for people with disabilities is designated by permanent signage in each vehicle. In cases where an individual with a disability requests use of priority seating that currently occupied by another passenger, the driver will ask that passenger to allow the individual with a disability to use of the seat.

Driver Assistance: Drivers will make themselves available for assistance to individuals with disabilities and will assist upon request of the passenger. Drivers will leave their seat to assist a passenger with using the vehicle ramp, lift and/or securement systems. Drivers will use the accessibility-related equipment and features on their vehicles.

Securement: Securement of wheelchairs is the responsibility of the driver and drivers will be trained in the proper operation of all securement equipment based on manufacturer specifications. Drivers should not allow a passenger to ride if they are not secured properly unless the securement system will not accommodate the wheelchair. If the securement system is not compatible with the wheelchair the passenger is using, the driver will still make an attempt to safely secure the wheelchair. If the wheelchair cannot be secured because of the wheelchair design, the passenger still has the right to ride the vehicle. Drivers cannot deny a passenger a ride based on the inability to secure the common wheelchair. However, drivers must warn the passengers of the danger of riding in a non-secured wheelchair. Passengers who refuse to allow their wheelchairs to be secured may be denied service. Drivers must secure wheelchairs in the designated securement area only, even if the passenger wants their mobility device to be secured in a non-designated area.

Seat belts and shoulder harnesses are recommended but not required for passengers riding in their secured wheelchair.

Non-Standard Mobility Devices: Mobility devices that are not wheelchairs will be accommodated to the extent that the ADA-compliant lift and securement areas can safely do so. However, these devices are the responsibility of the individual passenger, and must be secured in a manner that does not interfere with the safe operation of the vehicles and the transport of other passengers.

Transfer to Fixed Seating: All passengers using seated mobility devices have an option of transferring to fixed seating once on board the vehicles. Drivers may recommend, but never require, users of seated mobility devices to transfer to fixed seating.

Accommodation of Portable Oxygen: Individuals are allowed to travel with respirators and portable oxygen supplies on board, consistent with applicable U.S. Department of Transportation rules on the transportation of hazardous materials.

Service Animals: In compliance with 49 CFR Part 37, the transit system allows trained service animals to accompany passengers with disabilities. The driver will not ask for proof of the qualifications of the animal, but may ask what tasks the animal has been trained to perform. However, any animal which is not under the passenger's control or which becomes a threat to other passengers may be restricted from riding.

Alighting: It is the responsibility of the driver to determine that the location for passenger alighting is safe. For fixed route, the driver will allow a passenger who uses the lift to disembark at any stop, unless the lift cannot be deployed, the lift will be damaged if deployed, or conditions at the stop would present unsafe conditions for all passengers. Only the driver will unsecure the wheelchair, secure it on the lift and operate the lift to return the passenger to the ground level.

Staff Training: All drivers and transit system staff are trained to proficiency in use of accessibility equipment, the operating policies related to each of the service requirements

described, and in properly assisting and treating individuals with disabilities with sensitivity. Mechanics are also trained to properly maintain lifts and other accessibility equipment.

Rider Information: All printed informational materials are made available in accessible formats upon request, for example, large print for individuals with low vision or audio for blind individuals, as well as accessible electronic formats.

Complaint Procedure: All complaints of discrimination on the basis of disability will be promptly and objectively investigated and forwarded to the Director of Human Resources. Corrective or disciplinary action will be taken for behavior prohibited by this policy, up to and including termination of employment.

Reasonable Modification of Policy: If a passenger requires modification of any of these policies to accommodate their disability, they may request such a modification by contacting Cecil Transit's dispatchers. The transit system will work with the individual to find an accommodation solution.

GUIDELINES AND PROCEDURES FOR IMPLEMENTING POLICY SPECIFIC TO DEVIATED FIXED ROUTE SERVICES

Deviation Parameters: Upon request by any passenger, Cecil Transit System will deviate up to three-quarter (3/4) mile from any established route.

Deviation Request Procedures: Riders may request a route deviation by calling Cecil Transit between the hours of 7 a.m. and 3:30 p.m. but at least one hour before the desired trip. The rider will be assigned a pick-up time. Riders will be required to travel to the curb outside of their trip origin in time for their scheduled pick-up. Vehicles operating on route deviation service will be unable to wait for a passenger who is not at the designated stop on time.

Passenger Assistance: Route deviation services will be provided on a curb-to-curb basis. Cecil Transit's drivers will assist riders with disabilities in boarding and disembarking from vehicles and in securing their mobility devices. All drivers who operate Cecil Transit's services will be proficiently trained in passenger assistance and sensitivity towards persons with disabilities.

Under no circumstances will Cecil Transit's staff provide weight-bearing assistance, leave a vehicle unattended with passengers on board, enter a rider's home, or take actions that would be clearly unsafe. If more extensive assistance is needed by the individual than the Cecil Transit can provide as a provider of public transportation, the individual will be responsible for arranging for personal assistance. Cecil Transit staff will work with the individual and/or their caregiver/social worker to clarify parameters of the assistance provided by the driver and formally document this in a letter sent to the individual.

Fixed Stop Procedures: Riders can also access route deviation service without advanced request by boarding or alighting at one of the designated fixed stops.

Fares: The one-way fare for riding the deviated fixed route service without requesting a deviation is \$2. The additional one-way fare per deviation is \$4. If a deviation is requested for both boarding and alighting, this is considered two deviations.

Inoperative Lifts: Vehicles with inoperative lifts will be taken out of deviated fixed route service as soon as possible and inoperative equipment will be replaced promptly with a spare vehicle. The inoperative lift will be repaired before the vehicle returns to service. In the interim, Cecil Transit will provide demand-response transportation to passengers who require the use of the lift.