

Siskiyou County



STAGE

ADA Paratransit Plan for Deviated Route Service

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The ADA

The Americans with Disabilities Act (ADA) of 1990 is a civil rights law. Its stated goal is to assure that persons with disabilities have equality of opportunity, including full access to facilities, programs and services offered to non-disabled individuals. The underlying tenants of the ADA are equal opportunity, full participation, and independence.

The scope of the ADA is far reaching. It extends to discrimination in employment, public services, telecommunications, and public accommodations and services operated by the private sector. Perhaps its most sweeping effects are on transportation. With respect to public transportation, the ADA prohibits public entities from (1) denying individuals with disabilities the opportunity to use public transportation, if the individuals are capable of using the system, and (2) providing transportation services which discriminate against persons with disabilities.

The law and its implementing regulations impose requirements on all types of public transit service, but, in keeping with the goal of the Act, the primary focus is equal access to mainline fixed route service. In this regard, the law specifies accessible features of buses and bus stops, requires appropriate maintenance, personnel training, communications media, and more. In addition, the law acknowledges that some persons with disabilities are not able to use fixed route services even if the services are accessible. For this reason, Complementary Paratransit Service is required under Section 223 of the ADA to service those persons whose needs cannot be met by fixed route systems.

The intent of the ADA in requiring complementary paratransit service is to assure access for all persons through an alternative that is comparable to fixed route; it is clearly not intended to resolve unmet transit needs nor provide special additional services for target populations.

STAGE / Siskiyou County ADA Plan

Siskiyou County STAGE 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 corridor shall include an area with three-fourths of a mile radius at the ends of each fixed route.

Within the core service area, Siskiyou County STAGE also provides service to small areas not inside any of the corridors but which are surrounded by corridors.

Outside the core service area, Siskiyou County STAGE has designated corridors with widths from three fourths of a mile on each side of a fixed route, based on local circumstances.

For purposes of this paragraph, the core service area is that area in which corridors with a width of three-fourths of a mile on each side of each fixed route merge together such that, with few and small exceptions, all origins and destinations within the area are served.

Jurisdictional boundaries

Notwithstanding any other provision of this paragraph, Siskiyou County STAGE is not

required to provide paratransit service in an area outside the boundaries of the jurisdiction(s) in which it operates, if the entity does not have legal authority to operate in that area. However Siskiyou County STAGE shall take all practicable steps to provide deviated fixed route services to any part of its service area.

Response time

Siskiyou County STAGE shall schedule and provide paratransit service to any ADA paratransit eligible person at any requested time on a particular day in response to a request for service. Reservations may be taken by dispatchers during regular business hours.

Siskiyou County STAGE shall make reservation service available during at least all normal business hours of the Siskiyou County STAGE's administrative offices.

Siskiyou County STAGE may negotiate pickup times with the individual and will make every effort to schedule a pickup not more than one hour before or after the individual's desired departure time.

Siskiyou County STAGE permits advance reservations to be made up to the same day of an ADA paratransit eligible individual's desired trips.

Fares

The fare for a trip charged to an ADA paratransit eligible user of the complementary paratransit service does not exceed twice the fare that would be charged to an individual paying full fare (i.e., without regard to discounts) for a trip of similar length, at a similar time of day, on the entity's fixed route system.

In calculating the full fare that would be paid by an individual using the fixed route system:

The fares for individuals accompanying ADA paratransit eligible individuals, who are provided service under Sec. 37.123 (f) of this part, shall be the same as for the ADA paratransit eligible individuals they are accompanying.

Siskiyou County STAGE reserves the right to charge a fare higher than otherwise permitted by this paragraph to social service agencies or other organizations for agency trips (i.e., trips guaranteed to the organization).

Trip Purpose Restrictions

Siskiyou County STAGE does not impose restrictions or priorities based on trip purpose.

Hours and Days of Service

The complementary paratransit service shall be available throughout the same hours and days as Siskiyou County STAGE's fixed route service.

Capacity Constraints

Siskiyou County STAGE does not limit the availability of complementary paratransit service to ADA paratransit eligible individuals by any of the following:

- (1) Restrictions on the number of trips an individual will be provided;
- (2) Waiting lists for access to the service; or
- (3) Any operational pattern or practice that significantly limits the availability of service to ADA paratransit eligible persons.
 - (i) Such patterns or practices include, but are not limited to, the following:
 - (A) Substantial numbers of significantly untimely pickups for initial or return trips;
 - (B) Substantial numbers of trip denials or missed trips;
 - (C) Substantial numbers of trips with excessive trip lengths.
 - (ii) Operational problems attributable to causes beyond the control of Siskiyou County STAGE (including, but not limited to, weather or traffic conditions affecting all vehicular traffic that were not anticipated at the time a trip was scheduled) shall not be a basis for determining that such a pattern or practice exists.

ADA Certification Requirement

Any individual who has a physical, mental or cognitive disability, as defined in 49 CFR Part 37.123 of the Americans with Disabilities Act, is eligible to use the Route Deviation service.

The ADA Certification Process

In accordance with United States Department of Transportation (USDOT) implementing regulations, STAGE has developed a certification process to accommodate or allow ADA paratransit services to persons identified under Section 37.123 of the regulations.

The application for ADA Route Deviation Eligibility contains questions about functional impairments or disabilities, which will be utilized to determine eligibility.

STAGE utilizes a self-certification process. The applicant completes an application form that requests basic transportation information. It includes simple questions about the applicant's ability to use the existing fixed-route transit service. The form requests that the applicant provide the name of a licensed professional who can attest to the validity of the information. STAGE shall use its discretion to verify the information with the individuals listed in the application form. The applicant may be called in for a personal interview to verify eligibility.

Eligibility screening will be given to anyone who requests it. STAGE will review all requests for eligibility and determination of eligibility will be made within 21 days of receipt of a completed application. Incomplete applications will be promptly returned with the missing information noted. (Please note that the application may be considered incomplete until a telephone or in-person interview has been conducted).

The eligibility determination letter will explain any eligibility limitations or conditions. If

the applicant is determined to be ineligible, the determination letter will state the reasons for the finding. All eligibility determination letters will contain information about appeals, allowing the applicant to exercise their appeal rights and informing them of any conditions relevant to appeals.

If applicable, the letter will also contain information about use of the ADA, deviated route service and policies related to its use. Information will be provided, as appropriate, in an accessible format. Enclosed with the letter will be an identification card as described below. Eligibility must be renewed every two years.

In the event that the 21-day time period for eligibility determination is exceeded, the applicant will be presumed eligible until a formal notification is made.

Eligibility of ADA certifications must be renewed every three years. A user of the route deviation service can apply to modify conditions on his or her eligibility at any time.

Eligibility Criteria

In order to be eligible for ADA certification (route deviation), a person must be unable to use or access the existing fixed route transit system. To qualify, an individual must meet one or more of the following criteria:

Category 1: Individual's inability to use system

Any individual with a disability who is unable to use the system due to a physical or mental impairment. For example, if he/she is unable to:

- wait, either standing or seated, more than 15 minutes
- identify the correct bus or stop
- understand transit directions needed to complete the trip

Category 2: Inaccessibility of the system

Any individual who can use an accessible system, but cannot do so when a portion of the system is not fully accessible. For example, the system is not considered fully accessible when:

- a lift cannot be deployed at the boarding/disembarking location the individual wishes to use

Category 3: Individual's inability to get to the system

Any individual with a disability who has a condition which prevents them from traveling to a boarding location or from a disembarking location on an accessible transit system. For example:

- the individual's mobility impairment prevents traversing the terrain necessary to access the desired fixed-route service
- weather conditions interact with an impairment-related condition to prevent travel
- variations in the health/functional ability of the individual prevent travel
- individual's mobility impairment prevents travel beyond a certain distance, and the particular stop is beyond that threshold

- visual, cognitive or developmental impairment prevents travel to or from a stop for exceptional (non-routine) trips

Conditional Eligibility

Applicants meeting one or more of the above criteria would be eligible for route deviation service. Because eligibility depends on a functional definition of disability as it applies to actual trips, applicants may only be eligible for ADA Route Deviation for specific trips. Such applicants are conditionally eligible. When considering eligibility for specific trips, the three service categories of ADA eligibility summarized above will be used.

Presumptive and Reciprocal Eligibility

The right to route deviation under the ADA cannot be restricted by any test other than the ability to utilize available fixed-route services. Residency in the service area or political jurisdiction of the transit system is not required for ADA eligibility.

For out-of-area visitors in the Siskiyou County area, reciprocal eligibility will be provided to anyone with certification in another jurisdiction. The reservation operator may request information included on the individual's identification card and require that the card be presented to the driver to verify eligibility.

For those out-of-area visitors who have not received eligibility status in their hometown, it is suggested that they apply for deviated route service eligibility at least 21 days in advance of their trip to Siskiyou County. By arranging for eligibility certification in advance, the visitor will be certain of their eligibility status and any conditions which may apply. They will also receive advance information about use of the service.

Fares: Fares for route deviation are based on the location of the stop request in relation to the fixed route fare zone.

Personal Care Attendants

Applicants requiring the use of a personal care attendant to assist with mobility will be required to disclose this information as part of the eligibility review process. Should an attendant be required, this will be indicated on the rider's identification card. Upon presentation of the card, a personal care attendant will be allowed to ride without charge when accompanying the eligible individual to or from the same origin and destination.

Companions

In order to be considered a companion, the person accompanying the eligible individual must be traveling to/from the same origin and destination. A family member or friend accompanying an ADA-eligible rider will be regarded as a companion and not as a personal care attendant, unless the family member or friend is acting in the capacity of a personal care attendant. Companions are charged the same fare as the eligible individual they are accompanying.

Suspension / Refusal Service

The Transportation Service Manager or his/her designee is authorized to suspend the provision of deviated route service to ADA-eligible individuals who establish a pattern or practice of missing scheduled trips. The term of the suspension shall be a minimum of five days and a maximum of 30 days depending on factors such as the number of missed trips following documented warning notices, past history of suspensions, and other factors that would tend to indicate whether or not the pattern of missed trips represents a flagrant disregard for trip schedules.

Before suspending service, the individual shall be notified in writing that STAGE proposes to suspend service, citing the specific basis for the suspension and setting forth the proposed sanction. The individual shall have the right to appeal the proposed suspension within 30 days of receipt of notification. If an appeal is made, the appeal process described below will be followed.

The rider making the appeal must show that one or more of the following criteria apply to the case:

1. One or more of the missed trips should not have counted. The rider must explain why the missed trip should not have counted.
2. The rider's disability prevented him/her from calling to cancel scheduled trips or from taking the trips.
3. The loss of service would cause severe hardship (e.g., loss of job or interruption of critical medical treatment).

The proposed sanction will be stayed pending outcome of the appeal.

Suspension or Refusal of Service Based on Conduct

The Transportation Service Manager or his/her designee is authorized to suspend or refuse the provision of deviated route service to individuals:

- Shirts, shoes and appropriate clothing are required to be worn at all times.
- No smoking, in buses or within 20 feet of any bus stop or the doorway.
- No eating or drinking.
- No alcohol, drugs or illegal substances or activities. Intoxicated passengers will not be allowed to ride the bus.
- No disorderly or violent behaviors.
- No vandalism.
- No loud noises or conversations.
- No weapons or hazardous materials.
- No spitting, urinating, defecating or exposing oneself.
- No loitering or panhandling on buses or at bus stops.
- Harassment of other passengers or Drivers is not acceptable.
- Keep the aisles and exits clear.
- Two (2) luggage items per passenger. Drivers not responsible to assist with bags.

The term of the suspension or refusal of service shall depend on the nature and seriousness

of the prohibited conduct.

To the extent feasible, the individual shall be notified in writing that STAGE proposes to suspend or refuse service, citing the specific basis for the suspension/refusal and setting forth the proposed sanction, then the individual shall be notified, if a valid address is available, within five days thereafter.

The individual shall have the right to appeal the proposed suspension or service refusal within 30 days of receipt of notification. If an appeal is made, the appeal process described above will be followed.

Appeal Process

All appeals for a determination of non-eligibility for Route Deviation Service must be submitted, in writing, to the STAGE Transportation Service Manager within 60 days of said determination.

The appeal will be made to an Appeals Committee composed of the Senior Transportation Planner of the Department of Transportation, a member of the Social Service Transportation Advisory Council (SSTAC), and the lead bus driver of Trinity Transit.

The appeal can be made in writing or the applicant may request to appear in person. The Appeals Committee will meet on an ad hoc basis within 18 days of receiving an appeal request and will schedule its meeting at least five days in advance. In the event that the appeal meeting cannot be scheduled within this timeframe, the suspended individual will be presumptively eligible beginning on the 22nd day and continuing until the meeting is held and a decision is made.

The appeals Committee will review the application and appeal based on the ADA, its implementing regulations, and applicable policies of STAGE. Additional information, including an interview with the applicant, will be collected as necessary.

If the Appeals Committee overturns the initial review of the application, this decision will be final and the rider will be mailed their notice of eligibility within 3 days following the Committee review.

If the decision to deny or grant conditional eligibility is upheld, a letter will be sent to the applicant within 21 days from the date of the request for an appeal indicating the decision of the Appeals Committee. The decision of the Appeals Committee shall be final.

Use of Route Deviation Service

ADA Route Deviation Service will be provided in accordance with the guidelines set forth below.

Route Deviation Service Guidelines

Requests for route deviated service may be made by telephone, in person, on the website or at a STAGE bus stop.

STAGE buses will deviate up to 3/4 of a mile from the fixed route. At the end of the route, there is a semicircular "cap" on the corridor, consisting of a 3/4 mile radius from the end point of the route to the parallel sides of the corridor that is also covered.

Route deviation locations must be approved by the Transit Coordinator during the eligibility approval process.

Restrictions

STAGE buses are large; therefore, the rider will be picked up and dropped off at the closest location (within three-quarters of a mile of the fixed route) that the bus can be turned around safely.

Under no circumstances are STAGE vehicles allowed to travel on gravel or dirt roads, driveways, private roads, narrow cul-de-sacs, parking lots, etc.

Drivers will not make a left turn in a dangerous location, or a U-turn to pull over and pick up or drop off passengers.

Requirements for Route Deviation Service

1. Once you are certified as eligible for route deviation, you must contact the STAGE office at least one day prior to the requested service. If your request is for a Monday morning pick up, you must call the office before 4:00 PM the Friday before. If your request is for a day after an STAGE recognized holiday, the request must be made prior to the holiday. If you call on a holiday and get an answering machine, your request cannot be honored.
2. All persons eligible for route deviation must be ready to enter the bus when it arrives. STAGE provides curb-to-curb service. Drivers are required to lower and raise the wheelchair lift for those who need it, and secure the wheelchair once the passenger is on the bus. If a passenger is physically unable to get to a loading zone by him/herself, then they must have an attendant assist them. Under no circumstances shall a driver assist a wheelchair bound person up or down any stairs, hills, roads or ramps.
3. Deviation from the route shall always be made at the point closest to the destination. The bus shall return back on the route at the same point of the deviation. The rider will be picked up/dropped off at the closest location to their desired point of origin/destination where the bus can be turned around safely. The corridor for route deviation shall never be more than three-fourths of a mile on each side of each fixed route, and an area with a three-fourths of a mile radius at the ends of each fixed route.
4. ADA Route Deviation Service will be denied if: (a) the requestor has already been provided his or her "first time" trip and has failed to complete the application for ADA Route Deviation Certification and/or provide his/her professional reference contact information (as described in the ADA Certification Process), or; (b) the requestors medical professional has not responded to inquiries by STAGE, regardless of reason for failure to do so.

Drivers shall notify the Transportation Service Manager if any of the above denial criteria exist and a refusal is necessary.

5. Drivers shall keep a list on all vehicles of persons who have received a “first time” trip, until the ADA Certification Packet is returned; those persons are not eligible for continued service. Drivers shall also keep a current list of all persons certified for ADA Route Deviation Service to ensure their transportation needs are met.

If you have any questions regarding this policy or route deviation, please contact our office so we may help you understand this policy and aid you with your transportation needs