



EASTER SEALS
Project Action
CONSULTING®

ADA Complementary Paratransit Requirements

Working together to build accessible communities for all!

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What is ADA Complementary Paratransit?

ADA Complementary Paratransit

- Paratransit as a complement to fixed route service
 - Each public entity operating a fixed route system shall provide paratransit or other special service to individuals with disabilities that is comparable to the level of service provided to individuals without disabilities who use the fixed route system. § 37.121 (a).

ADA Complementary Paratransit Eligibility

Three Categories of Eligibility

- **Category 1**: Includes people with disabilities who are unable to use accessible fixed-route service
- **Category 2**: Includes people with disabilities who have the ability to use the accessible fixed-route services, but the service available is not accessible
- **Category 3**: Includes people with disabilities who are unable to travel to or from a station or a bus stop

Types of Eligibility

- Unconditional eligibility
- Conditional eligibility
- Temporary eligibility
- Presumptive eligibility
- Not ADA complementary paratransit eligible

Areas of Consideration

- Accessibility of the transit system
- Abilities of the applicant
- Environmental conditions and architectural barriers

Regulatory Requirements

- Information shall be made available in accessible formats upon request
- Transit agency has a 21-calendar-day limit on completing ADA paratransit applications
- Applicant must be notified in writing of initial determination of eligibility
- An administrative appeal process must be available

Eligibility Determination Processes

- Paper application (self-certification) plus professional verification
- Phone or in-person interview
- Functional assessment
- Combination of processes

Appeal Process

- Applicant must have at least 60 days to file an appeal
- Appeal process must be a separate function
- Appellants must have the right to be heard in person
- Appellants must be notified in writing (including reasons for denial, if applicable)
- The transit agency must provide presumptive eligibility if the decision takes more than 30 days

Including People with Disabilities in the Process

- Major changes to process and policy require public input
- Public input not required, but can be helpful, for minor changes to process and policy
- Suggestions for ways in which to involve people with disabilities in the process:
 - As members on appeal panel
 - As advisors on changes to materials
 - As advisors on topics such as resolving difficult issues
 - As contributing members of an advisory committee

PCAs, Companions and Visitors

Personal Care Attendant (PCA)

- PCA's assistance enables individuals with disabilities/older adults to live more independently
- A PCA is usually paid to provide services for individuals with disabilities/older adults
- PCAs ride paratransit vehicles at no cost to the passenger or the PCA
- Family or friends can be PCAs if they are traveling with the individual in that capacity

Companions

- At least one additional person can accompany the ADA paratransit eligible passenger as a companion
- Additional individuals can also accompany the passenger if space is available and it does not result in a denial of service to ADA paratransit eligible individuals
- Companions must share the same origin and destination and will pay the same fare

Visitors

- A visitor is an individual with disabilities who does not reside in the jurisdiction(s) served by the public entity or other entities with which the public entity provides coordinated complementary paratransit service within a region
- Visitors that have been certified as ADA paratransit eligible must be provided up to 21 days of paratransit service
- Visitors that claim to be ADA paratransit eligible must be provided presumptive eligibility for up to 21 days

ADA Complementary Paratransit Operations

Where Paratransit Goes

- Service must be comparable to fixed route service
- Must service within $\frac{3}{4}$ mile of the fixed route
- For rail or bus stations, service must be within a $\frac{3}{4}$ mile radius round the station
- If an eligible rider resides outside service area, s/he can travel into service area and then use the service

When Paratransit Goes

- Must operate during the same hours as fixed-route
- Route and schedule comparable to all fixed-route routes and schedules

Scope of Paratransit Service

Scope of Paratransit Service

- Trips are origin-to-destination
- Systems can have a basic level of service
 - Curb-to-curb
 - Door-to-door
- No specified trip type: can be medical, work, recreation, etc.

Scheduling

Scheduling

- Rides must be provided on a next-day basis at a minimum
- Providers can negotiate a pick-up time within one hour before or after the individual's desired departure time
- Providers can also offer subscription service for regularly occurring trips

Passenger Pick-up Information

- **Scheduled pick-up time:** The time that the system estimates the driver will actually make the pick-up
- **Actual pick-up/drop-off time:** The time recorded by a driver when the actual pick-up and drop-off are made
- **Pick-up window** – window of time before and after scheduled pick up time when vehicle may show up

Common Practice – Pick-Up Window

- Typically no more than 30 minutes
- Corresponds to the scheduled pick-up time such as:
 - 15 minutes before and 15 minutes after
 - 20 minutes before and 10 after
 - 30 minutes before and 30 minutes after
- Customer must be ready to be picked up at any time during this pick-up window

Common Practice – Wait Time

- Wait time is how long the operator will wait once the vehicle has arrived
- Typical wait time is 5-10 minutes
- Customer is marked as a “no show” after the wait time
- The ADA does not require that any wait time be granted

Reasonable Assistance

- Operators are required to provide reasonable assistance to board, ride and alight from paratransit vehicles
- Standard is higher than for fixed-route operators due to the nature of the service

Appeals

Reasons for Suspending Service

- No-Show – Passenger scheduled for trip and:
 - Does not appear at the designated pick-up point
 - Does not cancel in advance
- Late Cancellation
 - “Functional equivalent” of a no-show
 - Have the same negative impact on the service
- Direct Threat
 - “a significant risk to the health or safety of others that cannot be eliminated by a modification of policies, practices or procedures, or by the provision of auxiliary aids or services.”

Suspension Appeals

- Applicant must have at least 60 days to file an appeal
- Appeal process must be a separate function
- Appellants must have the right to be heard in person
- Regulatory Due Process
 - Notify individual in writing of decision
 - Include specific reasons
 - Describe sanctions, if any
 - Notify of right to appeal
 - Sanctions are stayed pending appeal



Questions